



# **Botley West Solar Farm**

## **Schedule of Changes to the draft DCO**

**October 2025**

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PINS Ref: EN010147

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**Infrastructure Planning (Applications: Prescribed Forms and Procedure)  
Regulations 2009**

**APFP Regulation 5(2)(q)**

Planning Act 2008

The table below details the changes made to the dDCO since its submission [APP-015]. The table below does not detail minor changes made in relation to typographical errors, consistency checks and updates in cross-referencing.

| ARTICLE / PARAGRAPH | CHANGE                                            | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | DEADLINE CHANGE WAS MADE AT           |
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| Articles            |                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                       |
| <b>Article 2</b>    | Deletion of the definition of “crown land plans”. | <p>The Order land does not include Crown Land. The Applicant has identified, as shown in See Plots 13-01 and 13-03 in the Book of Reference [EN010147/APP/4.3], a restriction on title number BK120529 for the benefit of the Secretary of State for the Environment (“Defra”). The Applicant had recognised this land as ‘Crown Land’ on a precautionary basis for the purposes of the DCO submission on the basis that Defra is a Government Department. The Applicant continued to liaise with Defra post-submission to seek a consent under section 135 of the Planning Act 2008 (PA 2008) on that precautionary basis.</p> <p>However, Defra has confirmed since submission that consent under section 135 is not required in respect of the restriction. The Applicant’s understanding, following its</p> | Section 51 Response (Pre-Examination) |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                    | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                             | DEADLINE CHANGE WAS MADE AT |
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|                     |                                                                                                                                                                                                                                                                                           | discussions with Defra, Thames Water (as the freeholder of that title) and the Environment Agency, is that the restriction is a regulatory constraint under section 156 of the Water Industry Act 1991. Therefore, the Applicant's view is that the land does not constitute 'Crown Land' under section 227 of the PA 2008. The Applicant has therefore removed reference to Crown Land from its application. |                             |
|                     | Definition of "permitted preliminary works" amended as follows:<br><br><del>"...(c) works in relation to construction compounds and accesses to construction compounds (including above and below ground site preparation for temporary facilities for the use of contractors);..."</del> | The Applicant has reduced the scope of the permitted preliminary works to ensure that 'works in relation to construction compounds and accesses to construction compounds (including below ground site preparation for temporary facilities for the use of contractors)' will constitute commencement and trigger the need to have discharged the pre-commencement requirements.                              | Deadline 1                  |
|                     | Definition of "permitted preliminary works" amended as follows:                                                                                                                                                                                                                           | Following further discussion with the OHA's on its requests made in [REP4-074].                                                                                                                                                                                                                                                                                                                               | Deadline 6                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                | REASON FOR CHANGE                                                          | DEADLINE CHANGE WAS MADE AT |
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|                     | “(h) site clearance (including vegetation removal, <del>demolition of existing buildings or structures</del> );”                                                                                                                                                                                                                                                                                      |                                                                            |                             |
|                     | <p>Definition of “undertaker” amended as follows:</p> <p><i>“undertaker” means SolarFive Ltd of 16 Great Queen Street, Covent Garden, London, United Kingdom, WC2B 5AH (company number 12602740) and any other person who for the time being has the benefit of this Order in accordance with article 34 (benefit of the Order) or article 35 (consent to transfer the benefit of the Order);</i></p> | Registered office address of the undertaker added in response to REP1-072. | Deadline 2                  |
|                     | <p>Sub-paragraph (3) amended as follows:</p> <p><i>In this Order, references to the purposes of the authorised development includes the construction, maintenance, operation, use and decommissioning of the authorised development.</i></p>                                                                                                                                                          | In response to REP1-072.                                                   | Deadline 2                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                    | REASON FOR CHANGE                                                                                                                                                                        | DEADLINE CHANGE WAS MADE AT |
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|                     | <p>Insertion of new definition of ‘National Grid connection works’:</p> <p><i>“means those parts of the authorised development identified in work numbers 4(a)(ii), 4(a)(iii), 7, 8 and 9 (to the extent work numbers 7, 8 and 9 are necessary in connection with work numbers 4(a)(ii) or 4(a)(iii));...”</i></p>                                                                                                        | See the explanation for the Deadline 4 amendment to Article 34(2) below, where the new definition is used.                                                                               | Deadline 4                  |
| <b>Article 6</b>    | <p>Insertion of new sub-paragraph (4) as follows:</p> <p><i>“(4) Regulation 5 of The Management of Hedgerows (England) Regulations 2024 is modified so as to read for the purposes of this Order only as if there were inserted after paragraph 5(e)-</i></p> <p><i>“(f) the carrying out of any development or in the exercise of any functions that are authorised by the Botley West Solar Farm Order 202[ ];”</i></p> | To modify the 2024 Hedgerow Regulations to ensure beyond any doubt that there is no conflict between the activities authorised under the DCO and the provisions of the 2024 Regulations. | Deadline 1                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | DEADLINE CHANGE WAS MADE AT |
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|                     | <p>Insertion of new sub-paragraph (6)-(9) as follows:</p> <p><i>“(6) If planning permission is granted under the powers conferred by the 1990 Act for development any part of which is within the Order limits following the coming into force of this Order that is—</i></p> <p style="padding-left: 40px;"><i>(a) not itself a development for which development consent is required under the 2008 Act or part of such a development; or</i></p> <p style="padding-left: 40px;"><i>(b) not for development authorised by Schedule 1 of this Order; or</i></p> <p style="padding-left: 40px;"><i>(c) required to complete or enable the maintenance, use or operation of any part of the development authorised by this Order,</i></p> <p><i>then the construction, maintenance, use or operation of that development under the terms of the planning permission</i></p> | <p>The DCO is proposed to included provisions to address potential interactions between the DCO and separate planning permissions under the Town and Country Planning Act 1990 (including, for example, the planning permission being sought by NGET for its substation). This drafting also considers the Supreme Court’s ruling in <i>Hillside Parks Ltd v Snowdonia National Park Authority</i> 2022 UKSC. Each provision is explained further in the Explanatory Memorandum.</p> | <p>Deadline 6</p>           |

| ARTICLE /<br>PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | REASON FOR CHANGE | DEADLINE CHANGE<br>WAS MADE AT |
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|                        | <p><i>does not constitute a breach of the terms of this Order.</i></p> <p><i>(7) To the extent that any development carried out or used—</i></p> <p><i>(a) pursuant to a planning permission granted under section 57 (requirement of planning permission) or section 73 (determination of applications to develop land without compliance with conditions previously attached) of the 1990 Act, including if changed by a determination by the local planning authority under section 96A (power to make non-material changes to planning permission or permission in principles) of the 1990 Act, or compliance with any conditions of that permission; or</i></p> <p><i>(b) pursuant to any development consent order granted under section 114 (grant or refusal of development consent) of the 2008 Act, including any corrections or amendments to that development order made under section 119 (correction of errors in development consent decisions) or section 153</i></p> |                   |                                |

| ARTICLE /<br>PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | REASON FOR CHANGE | DEADLINE CHANGE<br>WAS MADE AT |
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|                        | <p><i>(changes to, and revocation of, orders granting development consent) of the 2008 Act, or compliance with the terms of that development consent order; or</i></p> <p><i>(c) pursuant to a consent granted by the Secretary of State pursuant to section 36 (consent required for construction of etc. generating stations) of the 1989 Act, including any variation to that consent made under section 36C (variation of consents under section 36) of that Act,</i></p> <p><i>is inconsistent with the exercise of any power, right or obligation under this Order or the authorised development—</i></p> <p><i>(d) that inconsistency is to be disregarded for the purposes of establishing whether any development which is the subject matter of that planning permission or development consent order is capable of physical implementation; and</i></p> <p><i>(e) in respect of that inconsistency, no enforcement action under the 1989 Act, 1990 Act or the 2008 Act may be</i></p> |                   |                                |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | REASON FOR CHANGE                                                                                                                                                                                                                   | DEADLINE CHANGE WAS MADE AT |
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|                     | <p><i>taken, whether that inconsistency relates to land inside or outside the Order limits.</i></p> <p><i>(8) Any development or any part of a development within the Order limits which is constructed or used under the authority of any permission falling under paragraphs (6) or (7) is deemed not to be a breach of, or inconsistent with, this Order and does not prevent the authorised development being carried out or used or any other power or right under this Order being exercised.</i></p> <p><i>(9) In paragraph 5(e), “enforcement action” means any enforcing action under Part 7 (enforcement) of the 1990 Act or Part 8 of the 2008 Act, as relevant.”</i></p> |                                                                                                                                                                                                                                     |                             |
| <b>Article 10</b>   | <p>Sub-paragraphs (2), (3) and (6) have been amended as follows:</p> <p><i>“(2) Subject to paragraph (3), the temporary alterations to each of the streets specified in Part 2 (temporary</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>In response to ExQ1.7.5.</p> <p>In summary, this is to ensure that the maintenance obligations under the DCO will apply to the undertaker in the circumstances where the undertaker’s status as a street authority would not</p> | Deadline 2                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | REASON FOR CHANGE                                                                                                                                                                                                                                                                 | DEADLINE CHANGE WAS MADE AT |
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|                     | <p>alteration of layout) of Schedule 5 (alteration of streets):</p> <p>(a) must be completed to the reasonable satisfaction of the street authority; and</p> <p>(b) <del>the temporary alterations</del> must be maintained by and at the expense of the undertaker for the duration that the temporary alterations are used by the undertaker.”</p> <p>“(3) Those restoration works carried out pursuant to article 9(3) (power to alter layout, etc., of streets):</p> <p>(a) must be completed to the reasonable satisfaction of the highway authority or street authority; and</p> <p>(b) must be maintained by the undertaker for a period of 12 months from their completion and from the expiry of that period by and at the expense of the highway authority or street authority.”</p> | <p>otherwise obligate the undertaker to carry out such maintenance. As the maintenance obligations will apply under the DCO, it is no longer appropriate to seek the disapplication of the defence provisions under sub-paragraph (4) and (5) which should continue to apply.</p> |                             |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                            | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                         | DEADLINE CHANGE WAS MADE AT |
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|                     | <i>“(6) Paragraphs (2)(a) and (3)(a) <del>(2) to (5)</del> do not apply where the undertaker is the street authority for a street in which the works are being carried out.”</i>                  |                                                                                                                                                                                                                                                                                                                           |                             |
| <b>Article 12</b>   | Updates to amend the article to reference permanent ‘stopping up’ of public rights of way as opposed to ‘closure’.                                                                                | In response to ExQ1.7.1. The Applicant agrees that ‘stopping up’ is appropriate in relation to powers to permanently close (or ‘stop up’) PRoW.                                                                                                                                                                           | Deadline 2                  |
| <b>Article 12</b>   | Deletion of article 12.                                                                                                                                                                           | As a result of Change 8 ( <i>Refinement of Project layout and design to reposition the Public Rights of Way currently proposed to be stopped up and diverted back to definitive alignment</i> ) in the Applicant’s Second Change Request, the Applicant no longer requires powers of permanent stopping up and diversion. | Change Request 2            |
| <b>Article 15</b>   | Sub-paragraph (4)(b) amended as follows:<br><br><i>“(b) obtain the written consent of the traffic authority, and the traffic authority may attach reasonable conditions to any such consent.”</i> | Following further discussion with the OHA’s on its requests made in [REP4-074].                                                                                                                                                                                                                                           | Deadline 6                  |

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| Article 16          | <p>Insertion of new sub-paragraph (8):</p> <p><i>“(8) As soon as reasonably practicable following the making of a provision under paragraphs (1) or (2), the undertaker must serve a copy of the written instrument pursuant to paragraph 7(a) in respect of any such provision on the highway authority.”</i></p>                                                                                                                                                                         | In response to a request from the Oxfordshire Host Authority’s (OHA’s) [REP4-074]. | Deadline 5                  |
| Article 17          | <p>Sub-paragraph 17(4) amended as follows:</p> <p><i>“(4) No trial holes are to be made under this article—</i></p> <p style="padding-left: 40px;"><i>(a) in land located within the highway boundary without the consent of the highway authority, and the highway authority may attach reasonable conditions to any such consent; or</i></p> <p style="padding-left: 40px;"><i>(b) in a private street without the consent of the street authority, and the street authority may</i></p> | Following further discussion with the OHA’s on its requests made in [REP4-074].    | Deadline 6                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                     | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | DEADLINE CHANGE WAS MADE AT |
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|                     | <i>attach reasonable conditions to any such consent."</i>                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                             |
| <b>Article 29</b>   | <p>Sub-paragraph (1)(a)(ii) amended as follows:</p> <p><i>"any <del>other</del> Order land in respect of which no notice of entry has been served under section 11 (powers of entry) of the 1965 Act and no declaration has been made under section 4 (execution of declaration) of the 1981 Act;"</i></p> | <p>The preceding text at sub-paragraph (1)(a)(i) refers to the land specified in column (1) of the table in Schedule 11 (land of which temporary possession may be taken). This land at Schedule 11 does not constitute Order Land and therefore the Applicant has removed 'other' for the avoidance of any doubt. The intention is for temporary possession powers to be available over the land in Schedule 11 (shaded Green on the Land Plans, where temporary possession powers only arise and it is not Order Land); <u>and</u> over the Order Land (i.e. shaded Pink or Blue on the Land Plans, where other temporary possession powers arise in addition to other freehold or permanent rights acquisition powers respectively).</p> | Deadline 2                  |
| <b>Article 34</b>   | <p>Sub-paragraph (2) amended as follows:</p> <p><i>"Sub-paragraph (1) does not apply to Work No. 2 or <i>the National Grid</i></i></p>                                                                                                                                                                     | <p>To ensure that the benefit of the Order applies to National Grid in relation to the full scope of potential works</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Deadline 4                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                       | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | DEADLINE CHANGE WAS MADE AT |
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|                     | <p><i>connection works, <del>4(a)(ii) and 4(a)(iii)</del> in respect of which the provisions of this Order are for the benefit of the undertaker and National Grid."</i></p> | <p>required to connect the Project to the National Grid network. The National Grid connection works includes:</p> <ul style="list-style-type: none"> <li>• Work No. 4(a)(ii) – to connect the main Project substation to the new National Grid substation (if delivered under the DCO powers) – this is not a change from the previous iteration;</li> <li>• Work No. 4(a)(iii) – to connect the new National Grid substation to the National Grid network (if delivered under the Work No. 2 DCO powers); or to facilitate a connection of the main Project substation to the National Grid network (if the new National Grid substation is delivered by National Grid) – this is not a change from the previous iteration;</li> <li>• Any parts of Work Nos. 7 (temporary construction and decommissioning compounds), 8 (areas of landscape management, protection and</li> </ul> |                             |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                               | REASON FOR CHANGE                                                                                                                                                                      | DEADLINE CHANGE WAS MADE AT |
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|                     |                                                                                                                                                                                                                                                                                                                                                      | enhancement) and 9 (works to facilitate access to Work No. 1 to Work No. 8) to the extent those work numbers are necessary in connection with Work No. 4(a)(ii) or Work No. 4(a)(iii). |                             |
| <b>Article 35</b>   | Insertion of new sub-paragraph (8):<br><br><i>“(8) A copy of any decision by the Secretary of State to approve a transfer or grant under paragraph (3) or the notification of a transfer or grant issued under paragraph (4) must be provided by the undertaker to the relevant authority as soon as reasonably practicable following issuance.”</i> | In response to a request from the OHA’s [REP4-074].                                                                                                                                    | Deadline 5                  |
| <b>Article 37</b>   | Sub-paragraph (6) amended as follows:<br><br><i>“(6) The undertaker may not pursuant to paragraphs (1) and (5) fell or lop a tree or remove hedgerows within the extent of the publicly maintainable highway without the prior written consent of the highway authority, and the highway</i>                                                         | Following further discussion with the OHA’s on its requests made in [REP4-074].                                                                                                        | Deadline 6                  |

| ARTICLE / PARAGRAPH   | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                  | DEADLINE CHANGE WAS MADE AT           |
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|                       | <i>authority may attach reasonable conditions to any such consent."</i>                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                       |
| <b>Article 38</b>     | Sub-paragraph (6) amended as follows:<br><br><i>"(6) The undertaker may not pursuant to paragraphs (1) and (5) fell or lop a tree or remove hedgerows within the extent of the publicly maintainable highway without the prior written consent of the highway authority"</i>                                                                                                                                                          | In response to a request from the host authorities.                                                                                                                                                                                                                                                                                                                                                                                                                | Deadline 2                            |
| <b>Old Article 47</b> | Deletion of Crown Rights article.                                                                                                                                                                                                                                                                                                                                                                                                     | See the reason for the Article 2 change: "Deletion of the definition of "crown land plans"".                                                                                                                                                                                                                                                                                                                                                                       | Section 51 Response (Pre-Examination) |
| <b>New Article 47</b> | Insertion of new Article 47:<br><br><i><b>"National Grid substation works"</b><br/><br/>(1) If National Grid elects to undertake any elements of the works described in Works No. 2, 4(a)(ii) and 4(a)(iii) pursuant to planning permission granted under Part 3 of the 1990 Act or Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 then the requirements contained in Schedule 2</i> | Inserted following ongoing engagement with National Grid and to provide clarity that if the New National Grid Substation is to be consented and delivered under a separate planning permission outside of the DCO process, then the Requirements under Schedule 2 of the dDCO will not apply because the conditions of that separate planning permission will otherwise suitably control the development. This is to remove any risk of unnecessary duplication of | Deadline 3                            |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | REASON FOR CHANGE                                                                                                                                                                                                                                                               | DEADLINE CHANGE WAS MADE AT |
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|                     | <i>will not be enforceable in so far as they relate to those works and National Grid will serve written notice of the same on the relevant planning authority."</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | controls over the works and follows precedent in The Heckington Fen Solar Park Order 2025.                                                                                                                                                                                      |                             |
|                     | <p>Amended as follows:</p> <p><b>"National Grid substation works</b></p> <p><i>(1) If National Grid elects to undertake any elements of the works described in Works No. 2 or the National Grid connection works, <del>4(a)(ii) and 4(a)(iii)</del> pursuant to planning permission granted under Part 3 of the 1990 Act or Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 then the requirements contained in Schedule 2 will not be enforceable in so far as they relate to those works and National Grid will serve written notice of the same on the relevant planning authority."</i></p> | For consistency with the Deadline 4 amendment to Article 34(2), whereby the DCO powers in relation to all works related to the delivery of the National Grid substation and/or connection to the National Grid network are for the benefit of National Grid and the undertaker. | Deadline 4                  |
| <b>Schedule 1</b>   | <p>Work No. 4(a) amended as follows:</p> <p><i>"(vi) marker posts, underground cable marker, tiles and tape, communications</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | In response to ExQ1.7.21.                                                                                                                                                                                                                                                       | Deadline 2                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                     | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | DEADLINE CHANGE WAS MADE AT |
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|                     | <i>chambers, <b>optical</b> fibre <del>optic</del> cables and lighting and other works associated with cable laying;</i>                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                             |
|                     | <p>Work No. 4(a)(iii) amended as follows:</p> <p><i>“grid connection infrastructure, including works to lay up to and including 400kV electrical cables, to connect Work No. 2 or <b>Work No. 3A</b> to the National Grid network”</i></p> | <p>To clarify that the DCO includes the powers for high voltage electrical cabling from the main Project substation to the edge of the Order Limits, to facilitate grid connection in the event that the new National Grid substation is delivered on adjacent land by National Grid. This is already captured on Sheet 13b of the Works Plans [<b>AS-005</b>] but was omitted from the wording in Schedule 1.</p> <p>Prior to this amendment, the DCO wording only facilitated connection between Work No. 2 (New National Grid Substation) to the National Grid network, although that wording assumes that the new National Grid substation would be delivered under Work No. 2 (i.e. utilising the DCO powers). The DCO also needs to ensure that connection works area available from the main Project</p> | Deadline 4                  |

| ARTICLE / PARAGRAPH                   | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | REASON FOR CHANGE                                                                                                                                                                                                                                                                          | DEADLINE CHANGE WAS MADE AT |
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|                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | substation (Work No. 3A) to the edge of the Order limits to facilitate a connection to the National Grid network in the event that the new National Grid substation is delivered offsite.                                                                                                  |                             |
| <b>Schedule 2<br/>(Requirement 5)</b> | <p>Insertion of new sub-paragraph (4):</p> <p><i>“(4) Approval from the relevant planning authority or relevant planning authorities (as appropriate) pursuant to sub-paragraph (1) is to be in consultation with Historic England insofar as it relates to:</i></p> <p><i>(a) Work No. 5; or</i></p> <p><i>(b) any parts of Work Nos. 6 or 8 within the setting of a World Heritage Site, the Church of St Peter and St Paul (Church Hanborough), the Church of St Peter (Cassington) or the Church of St Michael (Begbroke).”</i></p> | <p>Following discussions with Historic England and in response to the request from Historic England (HE) to be added as a consultee. We understand the wording to be agreed but HE will confirm this once they have verified its position by reference to the trial trenching reports.</p> | Deadline 6                  |

| ARTICLE / PARAGRAPH               | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | REASON FOR CHANGE                                                                                                                                                                                                                                                                          | DEADLINE CHANGE WAS MADE AT |
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| <b>Schedule 2 (Requirement 6)</b> | <p>Insertion of new sub-paragraph (5):</p> <p><i>“(5) Approval from the relevant planning authority or relevant planning authorities (as appropriate) pursuant to sub-paragraph (1) is to be in consultation with Historic England insofar as it relates to:</i></p> <p><i>(a) Work No. 5; or</i></p> <p><i>(b) any parts of Work Nos. 6 or 8 within the setting of a World Heritage Site, the Church of St Peter and St Paul (Church Hanborough), the Church of St Peter (Cassington) or the Church of St Michael (Begbroke).”</i></p> | <p>Following discussions with Historic England and in response to the request from Historic England (HE) to be added as a consultee. We understand the wording to be agreed but HE will confirm this once they have verified its position by reference to the trial trenching reports.</p> | Deadline 6                  |
| <b>Schedule 2 (Requirement 7)</b> | <p>Sub-paragraph (2) amended as follows:</p> <p><i>“(2) The biodiversity net gain plan must include details of how the strategy will secure a minimum of 70% biodiversity net gain in area-based habitat units, a minimum of 50% biodiversity net gain for hedgerow units, and a minimum of 20%</i></p>                                                                                                                                                                                                                                 | <p>In response to the ExA’s Schedule of Changes to draft Development Consent Order [PD-015].</p>                                                                                                                                                                                           | Deadline 6                  |

| ARTICLE / PARAGRAPH               | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | REASON FOR CHANGE                                                                                        | DEADLINE CHANGE WAS MADE AT |
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|                                   | <p><i>biodiversity net gain for watercourse units as<del>be</del> substantially in accordance with the methodology outlined in the outline landscape and ecology management plan and must be implemented as approved and maintained throughout the operation of the relevant part of the authorised development to which the plan relates, 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)."</i></p> <p>Insertion of new sub-paragraph (3):</p> <p><i>"(3) The biodiversity net gain plan must be implemented as approved and maintained throughout the operation of the relevant part of the authorised development to which the plan relates."</i></p> |                                                                                                          |                             |
| <b>Schedule 2 (Requirement 8)</b> | Insertion of new sub-paragraph (7):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Following discussions with Historic England and in response to the request from Historic England (HE) to | Deadline 6                  |

| ARTICLE / PARAGRAPH                   | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | REASON FOR CHANGE                                                                                                                                                                 | DEADLINE CHANGE WAS MADE AT |
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|                                       | <p><i>“(7) Approval from the relevant planning authority or relevant planning authorities (as appropriate) pursuant to sub-paragraph (1) or sub-paragraph (2) is to be in consultation with Historic England insofar as it relates to:</i></p> <p><i>(a) Work No. 5; or</i></p> <p><i>(b) any parts of Work Nos. 6 or 8 within the setting of a World Heritage Site, the Church of St Peter and St Paul (Church Hanborough), the Church of St Peter (Cassington) or the Church of St Michael (Begbroke).”</i></p> | <p>be added as a consultee. We understand the wording to be agreed but HE will confirm this once they have verified its position by reference to the trial trenching reports.</p> |                             |
| <b>Schedule 2<br/>(Requirement 9)</b> | <p>New sub-paragraph (3) inserted:</p> <p><i>“(3) Before approving the written details under sub-paragraph (1) the relevant planning authority must consult with Thames Water Utilities Limited or its successor in function as the relevant water undertaker.”</i></p>                                                                                                                                                                                                                                           | <p>In response to the request from Thames Water Utilities Limited in its relevant representation <b>[RR-1045]</b>.</p>                                                            | Deadline 1                  |

| ARTICLE / PARAGRAPH            | CHANGE                                                                                                                                                                                                                                                                                                                                                                                   | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | DEADLINE CHANGE WAS MADE AT |
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| Schedule 2<br>(Requirement 10) | Sub-paragraph (1) amended:<br><br><i>"No part of the authorised development may commence <del>and no part of the permitted preliminary works for that part comprising the intrusive archaeological surveys may start,</del> until an archaeological written scheme of investigation for that part has been submitted to and approved in writing by the relevant planning authority".</i> | Sub-paragraph (2) of Requirement 10 already confirms that for the purposes of that requirement, "commence" includes part (a) of the permitted preliminary works insofar as the works relate to intrusive archaeological surveys. Therefore, any intrusive archaeological surveys will be caught by the requirement still but the amendment removes duplication in the drafting.                                                                                                                                                    | Deadline 4                  |
| Schedule 2<br>(Requirement 11) | Sub-paragraph (1) amended as follows:<br><br><i>"No part of the authorised development may commence until a code of construction practice for that part has been submitted to and approved by the relevant planning authority, such approval to be in consultation with the planning waste authority and the relevant highway authority (as appropriate)."</i>                           | To give absolute clarity that it is not proposed for the obligation on the relevant planning authority to require consultation with both the planning waste authority and the relevant highway authority in respect of all matters submitted pursuant to Requirement 11 (Code of Construction Practice).<br><br>The intention is for the relevant planning authority to consult with the planning waste authority and/or the relevant highway authority only in respect of matters that are relevant to those bodies. For example, | Deadline 1                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                   | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                         | DEADLINE CHANGE WAS MADE AT |
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|                     |                                                                                                                                                                                                                                                                                          | consultation with the planning waste authority in respect of approving the 'Site resources and waste management plan' (Requirement 11(2)(d)).                                                                                                                                                                                                                                                                                                             |                             |
|                     | Deletion of sub-paragraph (5).                                                                                                                                                                                                                                                           | The scope of the definition of permitted preliminary works has been reduced to remove " <i>works in relation to construction compounds and accesses to construction compounds</i> " and " <i>below ground site preparation for temporary facilities for the use of contractors</i> ". Therefore, such works are no longer excluded from the definition of commencement and would therefore trigger Requirement 11 without the need for sub-paragraph (5). | Deadline 1                  |
|                     | Sub-paragraph (1) amended and sub-paragraph (3) inserted, as follows:<br><br>“(1) <i>No part of the authorised development may commence until a code of construction practice for that part has been submitted to and approved by the relevant planning authority, <del>such</del></i> ” | In response to ExQ2.7.5 and in response to engagement with interested parties.<br><br>Sub-paragraph (3) lists on the face of the Order the named consultees for the purposes of the discharge of this Requirement 11, in relation to which                                                                                                                                                                                                                | Deadline 4                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | REASON FOR CHANGE                                                                                                                                                               | DEADLINE CHANGE WAS MADE AT |
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|                     | <p><del>approval to be in consultation with the planning waste authority and the relevant highway authority (as appropriate).</del></p> <p>...</p> <p><i>(5) Approval from the relevant planning authority pursuant to sub-paragraph (1) is to be in consultation with:</i></p> <p><i>(a) the planning waste authority in respect of the site resources and waste management plan;</i></p> <p><i>(b) the relevant highway authority;</i></p> <p><i>(c) National Highways in respect of the construction traffic management plan; and</i></p> <p><i>(d) the Environment Agency in respect of flood risk."</i></p> | <p>specific parts of the Code of Construction Practice. The deletion at sub-paragraph (1) is to remove duplication as the consultee is now secured under sub—paragraph (3).</p> |                             |
|                     | <p>Sub-paragraph (5) amended as follows:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Following continued engagement with Siemens Healthcare Limited and as a result of discussions following Compulsory Acquisition Hearing 1.</p>                                | <p>Deadline 6</p>           |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | REASON FOR CHANGE | DEADLINE CHANGE WAS MADE AT |
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|                     | <p><i>"(5) Approval from the relevant planning authority pursuant to sub-paragraph (1) is to be in consultation with:</i></p> <ul style="list-style-type: none"> <li><i>(a) the planning waste authority in respect of the site resources and waste management plan;</i></li> <li><i>(b) the relevant highway authority;</i></li> <li><i>(c) National Highways in respect of the construction traffic management plan;</i><br/><i>and</i></li> <li><i>(d) the Environment Agency in respect of flood risk; and</i></li> <li><i>(e) Siemens Healthcare Limited in respect of any parts of the construction traffic management plan that relates to Wharf Road."</i></li> </ul> |                   |                             |

| ARTICLE / PARAGRAPH            | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | REASON FOR CHANGE                                                                                                                                                                                                                                                                          | DEADLINE CHANGE WAS MADE AT |
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| Schedule 2<br>(Requirement 12) | <p>Sub-paragraph (1) amended as follows:</p> <p><i>“Prior to the date of final commissioning for any part of the authorised development, an operational management plan for that part must be submitted to and approved by the relevant planning authority or, where the part falls within the administrative area of multiple relevant planning authorities, each of the relevant planning authorities; <del>such approval to be in consultation with the planning waste authority and the relevant highway authority.</del>”</i></p> <p>Insertion of new sub-paragraph (4):</p> <p><i>“(4) Approval from the relevant planning authority or relevant planning authorities (as appropriate) pursuant to sub-paragraph (1) is to be in consultation with:</i></p> <ul style="list-style-type: none"> <li><i>(a) the planning waste authority;</i></li> <li><i>(b) the relevant highway authority; and</i></li> </ul> | <p>Following discussions with Historic England and in response to the request from Historic England (HE) to be added as a consultee. We understand the wording to be agreed but HE will confirm this once they have verified its position by reference to the trial trenching reports.</p> | Deadline 6                  |

| ARTICLE / PARAGRAPH                | CHANGE                                                                                                                                                                                                                                                                                                                                                                 | REASON FOR CHANGE                                                       | DEADLINE CHANGE WAS MADE AT |
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|                                    | <p>(c) <i>Historic England insofar as it relates to:</i></p> <p>(i) <i>Work No. 5; or</i></p> <p>(ii) <i>any parts of Work Nos. 6 or 8 within the setting of a World Heritage Site, the Church of St Peter and St Paul (Church Hanborough), the Church of St Peter (Cassington) or the Church of St Michael (Begbroke)."</i></p>                                       |                                                                         |                             |
| <b>Schedule (Requirement 14)</b> 2 | <p>Insertion of sub-paragraph (2):</p> <p><i>"(2) Unless otherwise agreed with the relevant planning authority to which this requirement applies, no later than 12 months prior to the date the undertaker intends to decommission any part of the authorised development, the undertaker must notify that relevant planning authority of the intended date of</i></p> | In response to REP1-072, accepting the request of the host authorities. | Deadline 2                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                     | REASON FOR CHANGE                                                                                                                                                                                                                                                                                | DEADLINE CHANGE WAS MADE AT |
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|                     | <i>decommissioning for that part of the authorised development."</i>                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                  |                             |
|                     | Sub-paragraph (3) amended as follows:<br><br>“(3) Unless otherwise agreed with the relevant planning authority, no later than <del>eight</del> <i>ten</i> weeks prior to the intended date of decommissioning of any part of the authorised development’ the undertaker must submit to the relevant planning authority for that part a decommissioning plan for approval.” | In response to a request from the OHA’s [REP4-074].                                                                                                                                                                                                                                              | Deadline 5                  |
| Schedule 6          | References to “stopped up” in Part 2 (Public Rights of Way to be Temporarily Closed and Diverted) amended to “closed”.                                                                                                                                                                                                                                                     | References to ‘stopping up’ are only appropriate in relation to powers to permanently close (or ‘stop up’) PRow. As Part 2 of Schedule relates to temporary closure, the use of ‘closed’ is appropriate.                                                                                         | Deadline 5                  |
|                     | Deletion of Part 6 (Public Rights Of Way To Be Permanently Stopped Up And Diverted).                                                                                                                                                                                                                                                                                       | As a result of Change 8 ( <i>Refinement of Project layout and design to reposition the Public Rights of Way currently proposed to be stopped up and diverted back to definitive alignment</i> ) in the Applicant’s Second Change Request, the Applicant no longer proposes to stop up and divert | Change Request 2            |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                        | REASON FOR CHANGE                                                                                                                                                                                                 | DEADLINE CHANGE WAS MADE AT           |
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|                     |                                                                                                                                               | public footpaths 416/24/10, 132/4/10, or 152/8/10 or the Oxford Green Belt Way Long Distance Footpath.                                                                                                            |                                       |
| <b>Schedule 9</b>   | Removal of Plot 6-17 from Schedule 9 (Land in Which Only New Rights Etc. May Be Acquired).                                                    | Following further engagement with the landowner, the redline boundary has been reduced to remove Plot 6-17 from the Order Limits as access rights are no longer required over that land.                          | Section 51 Response (Pre-Examination) |
|                     | Deletion of the following plots: <ul style="list-style-type: none"> <li>4-09; 4-11; 4-13; 5-17; 5-18; 5-19; 5-20; 5-23; 8-09; 8-13</li> </ul> | Following Change Request 2 and consequential amendments to the Order Limits, the Applicant no longer requires powers of acquisition of new rights only over these plots. This is shown on the updated Land Plans. | Change Request 2                      |
|                     | Insertion of the following plots: <ul style="list-style-type: none"> <li>5-12b; 5-12c; 6-12; 9-05</li> </ul>                                  | Following Change Request 2 and consequential amendments to the Order Limits, the Applicant now requires powers of acquisition of new rights only over these plots. This is shown on the updated Land Plans.       | Change Request 2                      |
| <b>Schedule 11</b>  | Insertion of Plot 5-12a.                                                                                                                      | Following Change Request 2 and consequential amendments to the Order Limits, the Applicant now requires powers of temporary possession only over this plot, to facilitate the construction of Work No.            | Change Request 2                      |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | DEADLINE CHANGE WAS MADE AT |
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|                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 7. This is shown on the updated Land Plans.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                             |
| <b>Schedule 12</b>  | <p>Number of hedgerow and extent of removal column (2) amended in respect of the following four hedgerows:</p> <ul style="list-style-type: none"> <li>• “Removal of up to 11m of the hedgerow H2.02 <del>within the Order limits</del> as shown approximately within the Hedgerow removal plans Sheet 2 of 13.”</li> <li>• “Removal of up to 58.5m of the hedgerow H2.04 <del>within the Order limits</del> as shown approximately within the Hedgerow removal plans Sheet 2 of 13.”</li> <li>• “Removal of up to 55m of the hedgerow H3.01 <del>within the Order limits</del> as shown approximately within the Hedgerow removal plans Sheet 3 of 13.”</li> <li>• “Removal of up to 29m of the hedgerow H3.07 <del>within the Order limits</del> as shown approximately</li> </ul> | <p>The Applicant has updated Schedule 12 to clarify that for the four specific and limited areas of hedgerow identified (where the hedges extend beyond the Order limits), the drafting does not inadvertently prevent the removal of those hedgerows in full.</p> <p>The intention of the Applicant is for the DCO to include the power to remove the specific hedgerows identified in Schedule 12, if required. This is facilitated through Article 38(5) and is shown on the Hedgerow Removal Plans [AS-007]. The EIA has been carried out on the assumption of full removal and therefore it is justified for the DCO to facilitate that power. Notably, it is likely that most of the hedgerows identified will only be lowered for visibility splays and not removed entirely, therefore any practical limitations will be limited.</p> | Deadline 2                  |

| ARTICLE / PARAGRAPH | CHANGE                                                   | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | DEADLINE CHANGE WAS MADE AT |
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|                     | <i>within the Hedgerow removal plans Sheet 3 of 13."</i> | The base mapping software used identifies that those four hedgerows areas are partially within the redline boundary and partially extend beyond the redline boundary. This mapping software may not be 100% reliable as the thickness of the hedgerows may depend on the season / growth of the vegetation, as well as the recent maintenance practices of the existing landowner(s), causing the thickness of the hedgerows to fall partially outside the redline boundary. This amendment therefore removes any doubt as to whether the DCO powers facilitate removal of the full width of hedgerows. |                             |
|                     | Deletion of the H5.03; H5.18; H5.19; H6.04 and H6.05.    | Following Change Request 2 and consequential amendments to the Order Limits, the Applicant no longer requires powers to remove these hedgerows. This is shown on the updated Hedgerow Removal Plans.                                                                                                                                                                                                                                                                                                                                                                                                    | Change Request 2            |
|                     | Insertion of H5.20.                                      | Following Change Request 2 and consequential amendments to the Order Limits, the Applicant now requires powers to remove this                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Change Request 2            |

| ARTICLE / PARAGRAPH         | CHANGE                                                                               | REASON FOR CHANGE                                                                                                                                                                               | DEADLINE CHANGE WAS MADE AT |
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|                             |                                                                                      | hedgerows. This is shown on the updated Hedgerow Removal Plans.                                                                                                                                 |                             |
| <b>Schedule 13</b>          | Updates to document references, revision numbers and dates of latest documents.      | General updates to reflect latest documents submitted alongside this Schedule of Changes.                                                                                                       | Each deadline.              |
| <b>Schedule 15 (Part 5)</b> | Removal of paragraph 4(1).                                                           | Consequential amendment as a result of the deletion of Article 12.                                                                                                                              | Change Request 2            |
|                             | Various updates.                                                                     | Amendments to the protective provisions to reflect the latest agreed position with Thames Water.                                                                                                | Deadline 6                  |
| <b>Schedule 15 (Part 6)</b> | Various updates.                                                                     | Amendments to the protective provisions to reflect the agreed position with SGN.                                                                                                                | Deadline 3                  |
|                             | Removal of paragraph 4(1).                                                           | Consequential amendment as a result of the deletion of Article 12.                                                                                                                              | Change Request 2            |
| <b>Schedule 15 (Part 7)</b> | Various updates.                                                                     | Amendments to the protective provisions to reflect the agreed position with the Environment Agency.                                                                                             | Deadline 6                  |
| <b>Schedule 15 (Part 8)</b> | New protective provisions for the benefit of Siemens Healthcare Limited ('Siemens'). | Following discussions with Siemens during and after Compulsory Acquisition Hearing 1, where an approach was agreed between the Applicant and Siemens. Part of this agreement was for protective | Deadline 6                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | DEADLINE CHANGE WAS MADE AT |
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|                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | provisions for the benefit of Siemens to security an indemnity in favour of Siemens.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                             |
| Schedule 16         | <p>Insertion of new sub-paragraph (6) as follows:</p> <p><b><i>“Anticipatory steps towards compliance with any requirements</i></b></p> <p><i>6. If before the coming into force of this Order the undertaker or any other person has taken any steps that were intended to be steps towards compliance with any provision of Schedule 2 of this Order, those steps may be taken into account for the purpose of determining compliance with that provision if they would have been valid steps for that purpose had they been taken after this Order came into force.”</i></p> | To make it clear that any engagement carried out before the Order is ‘in force’ will count for the purposes of discharging the requirements. This is to enable the Applicant to progress the process for discharging the requirements as efficiently as possible. This wording has precedent in various made DCOs including the A47 Blofield to North Burlingham Development Consent Order 2022, the A428 Black Cat to Caxton Gibbet Development Consent Order 2022, the M25 Junction 10/A3 Wisley Interchange Development Consent Order 2022, and the A47 Wansford to Sutton Development Consent Order 2023. | Deadline 1                  |
|                     | <p>Insertion of new sub-paragraph (7) as follows:</p> <p><b><i>“Register of Requirements</i></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>In response to ExQ2.7.12.</p> <p>The drafting largely aligns with the precedent in The A12 Chelmsford to A120 Widening Development Consent</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Deadline 4                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | DEADLINE CHANGE WAS MADE AT |
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|                     | <p><i>7.—(1) The undertaker must, prior to first submitting an application for discharge under this Schedule, establish and maintain in an electronic form suitable for inspection by members of the public a register of those requirements contained in this Schedule that provide for further approvals to be given by the relevant planning authority.</i></p> <p><i>(2) The register must set out in relation to each such requirement the status of the requirement, in terms of whether any approval to be given by the relevant planning authority has been applied for or given, providing an electronic link to any document containing any approved details.</i></p> <p><i>(3) The register must be maintained by the undertaker for a period of 3 years following the date of final commissioning.”</i></p> | <p>Order 2024 but has been amended slightly as follows:</p> <ul style="list-style-type: none"> <li>(1) the obligation applies before first submitting an application for discharge (rather than as soon as practicable following the making of the DCO); and</li> <li>(2) the obligation to apply until a period of 3 years following the date of final commissioning (rather than following completion of the authorised development).</li> </ul> <p>The first amendment is considered appropriate because it is not necessary for the undertaker to establish the register straight away post-consent. The new drafting still ensures that there will be transparency of the discharge process as and when the process is about to be engaged, by requiring the register to be in place prior to an application for discharge being made. Otherwise, the wording is unreasonably burdensome because it would require a register to</p> |                             |

| ARTICLE /<br>PARAGRAPH | CHANGE | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | DEADLINE CHANGE<br>WAS MADE AT |
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|                        |        | <p>be in place even where an application for discharge may not be about to be made.</p> <p>The second amendment is considered appropriate because the intention here is to show a clear audit trail on the path to commissioning. It's therefore unreasonable and unnecessary to require the register to be available throughout the entire Project's lifespan and then even post-decommissioning. The new wording ensures that it will remain available for a limited period after the Project enters operation, as the date of final commissioning is defined as <i>"the date on which the authorised development commences operation by generating electricity on a commercial basis but excluding the generation of electricity during commissioning and testing"</i>. However, the new wording is more balanced by limiting the obligation on the undertaker by not requiring the register to be maintained unnecessarily throughout the rest of</p> |                                |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                              | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | DEADLINE CHANGE WAS MADE AT |
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|                     |                                                                                                                                                                                                                                                                                                                                                                     | the operational and decommissioning periods.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |
|                     | <p>Insertion of new sub-paragraph 2(1):</p> <p><i>“Where an application has been made to the relevant planning authority for any consent, agreement or approval required by a requirement, the undertaker will also submit a copy of that application to any requirement consultee at the same time as it is submitted to the relevant planning authority.”</i></p> | <p>This has been added in response to consultee feedback to ensure that requirement consultees receive a submission for discharge at the same time as the LPA (as approving authority), so that the consultee has longer to consider any comments it may wish to provide the LPA.</p> <p>The Applicant recognises that this wording has strong precedent in recent made solar DCOs, including the East Yorkshire Solar Farm Order 2025, the Heckington Fen Solar Park Order 2025 and the West Burton Solar Project Order 2025.</p> | Deadline 5                  |
|                     | <p>Insertion of new sub-paragraph 6(2):</p> <p><i>“(2) Any document submitted to the relevant planning authority which the undertaker considers may constitute a step referred to at sub-paragraph (1) must include a statement that it is likely to engage sub-paragraph (1)”.</i></p>                                                                             | <p>Further to the Applicant’s response to ExQ2.7.11, this has been added in an attempt to give greater clarity to the local authorities on when the Applicant is intending to initiate the discharge of requirement process prior to the making of the DCO.</p>                                                                                                                                                                                                                                                                    | Deadline 5                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | REASON FOR CHANGE                                                                                                                                                                                                                                                                                                                 | DEADLINE CHANGE WAS MADE AT |
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|                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | This wording has precedent in the North Lincolnshire Green Energy Park Order 2025 and the South Humber Bank Energy Centre Order 2021.                                                                                                                                                                                             |                             |
|                     | <p>Insertion of a new sub-paragraph 5(a):</p> <p><i>“Where an application is made to the relevant planning authority for a discharge, a fee is to apply and must be paid to the relevant planning authority for each application as follows—</i></p> <ul style="list-style-type: none"> <li><i>• First application for the discharge of each of the requirements 5 (Detailed design approval), 6 (Landscape and ecology management plan), 7 (Biodiversity net gain), 9 (Surface and foul water drainage), 11 (Code of Construction Practice), 12 (Operational environmental management plan), and 14 (Decommissioning and restoration) – £2,535</i></li> <li><i>• Each subsequent application for the discharge of each of the</i></li> </ul> | Sets out the precise fees to be paid to relevant planning authorities in respect of different kinds of applications to discharge requirements. Note, discharge is already defined to include: (a) a requirement; (b) a document referred to by a requirement; or (c) a document that has been approved pursuant to a requirement. | Deadline 6                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | REASON FOR CHANGE                                                                                      | DEADLINE CHANGE WAS MADE AT |
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|                     | <p><i>requirements listed in Row 1 – £578</i></p> <ul style="list-style-type: none"> <li>• <i>Any application under requirement 5 (Detailed design approval) in respect of the requirements listed in Row 1 – £578</i></li> <li>• <i>Any application for the discharge of any other requirements not listed in Row 1 – £145</i></li> <li>• <i>Any application under requirement 3 (Approved details and amendments to them) in respect of requirements not listed in not listed in Row 1 – £145</i></li> <li>• <i>Any approval required by a document referred to by any requirement or a document approved pursuant to any requirement – £145”</i></li> </ul> |                                                                                                        |                             |
|                     | Sub-paragraph (2) amended as follows:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Amended to ensure that fees are increased in line with inflation over the lifetime of the development. | Deadline 6                  |

| ARTICLE / PARAGRAPH | CHANGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | REASON FOR CHANGE | DEADLINE CHANGE WAS MADE AT |
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|                     | <p>“(2) Where an application <i>under sub-paragraph (1)</i> is made <del>to the relevant planning authority for a discharge, the fee prescribed</del> and a fee payable on or after 1 April 2025, then <del>under</del> regulation <del>16(1)(b)</del>18A of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits)(England) Regulations 2012<sup>(1)</sup> (as may be amended <i>by the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Amendment Regulations 2023</i> <del>or replaced from time to time</del>) <del>is to</del>will apply as modified by this Order, so that “the relevant amount” means the fee payable under sub paragraph (1)<del>for the discharge of each requirement (whether dealt with in separate applications or combined within a single application) and must be paid to the relevant planning authority for each application.</del>”</p> |                   |                             |

<sup>(1)</sup> S.I. amended by S.I. 2013/2153, S.I. 2014/357, S.I. 2014/643, S.I. 2017/1314 and S.I. 2019/1154.