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To the Applicant, Defence Infrastructure  
Organisation, Oxfordshire Host  
Authorities, Historic England

Your Ref:

Our Ref: EN010147

Date: 23 October 2025

Dear Sir/ Madam,

**Planning Act 2008 (as amended) (PA2008) – and The Infrastructure Planning  
(Examination Procedure) Rules 2010 (as amended) – Rule 17**

**Application by Photovolt Development Partners on behalf of Solar Five Limited (the  
Applicant) for an order granting development consent for the Botley West Solar  
Farm Project**

**Request for further information**

We are writing under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended). Following the submissions at Deadline 6 and, on reflection of other submissions made during the Examination, the ExA specifically request the following:

Socioeconomics

1. Applicant - The ExA acknowledges the content of the Environmental Statement Addendum [CR2-071] and updated 6.4 Figure 17.3 (Rev 1) [CR2-033] and 6.4 Figure 17.4 (Rev 1) [CR2-034]. Whilst noting that the Environmental Statement Addendum [CR2-071] reports that Change 2 would not result in any new effects or effects greater than those already reported in the ES, please provide an updated ES Chapter 15: Socioeconomics and ES Chapter 17 - Agricultural Land Use and Public Rights of Way in respect of the quantity of agricultural land required for the proposed development. In addition, please also update Table 1.4 - Land Holding Details which was provide at Annex 7 in response to ExQ2.11.13 [REP4-037].

Proposed Modification of Requirement 5

2. Oxfordshire Host Authorities - The ExA acknowledge that the Oxfordshire Host Authorities (OHA) saw merit in the idea of an independent design review panel being appointed to the project but had doubts as to its effectiveness in any post-consent

stage [REP2-050, Q1.1.12]. Notwithstanding views expressed by the OHA at Issue Specific Hearing 2 that a design review was not required, the ExA note that the OHA have criticised the content of the Outline Layout and Design Principles (OLDP) document in the Deadline 6 submission and again raised questions about the design process in any post-DCO stage. The ExA do however note that the OLDP has been amended at Deadline 6 providing some detail about 'other infrastructure.' The ExA therefore asks again whether the OHA consider an independent design review would be beneficial to guide and inform design decisions later down the line or whether the adjustments to the OLDP have given the necessary comfort.

3. OHA and Applicant - The ExA propose, on a without prejudice basis, the following text be added (in modification) to Requirement 5 of the dDCO should the OHA respond to point 2 above that a design review is required (please talk to each other in view of the limited time left in the Examination about this matter so that it features in the statement of common ground). Views are appreciated on the text which reads:

*(4) The details submitted under sub-paragraph (1) and under requirement 8 (fencing and other means of enclosure) must have been subject to a design review process carried out by an independent design review panel to the satisfaction of the relevant planning authority and which must consider whether sub-paragraph (5)(2) has been satisfied and make recommendations for design improvements if not.*

#### Residential Visual Amenity Assessment (RVAA)

4. Applicant - The ExA welcomes the submitted RVAA document at Deadline 6. There are several questions arising on the content and conclusions of the document:
  - All the visualisations in the appendices are from ground level looking at a hedgerow, asserting the hedge does the screening. However, it is evident that first floor windows are over and above the hedge height (for example P16 and P30) that appear to have uninterrupted views. Why are upper floor windows and the views therefrom discounted?
  - The appendix called 'mitigation schedule' with the relevant calculations (e.g.  $r1 + 25m + r2$ ) – is this appendix secured with the OLEMP or secured in the dDCO to ensure this mitigation is actually carried out? If not, why not?
  - Burleigh House does not appear on Tables 2 or 4 despite being noted on the plans as a residential property within the study area and being listed in your response to ExQ2.13.15 [REP4-037] as a property with limited or no vegetation to the boundaries. This lack of vegetation was confirmed at the ExA's USI7 and so it is expected that Burleigh House would be included in the assessment.
  - Campsfield Farmhouse is shown on Figure 1.13 as having a boundary with a field containing panels but has not been assessed.
  - Dornford Grove is noted as a house however this is understood to be a woodland area. Please identify the house on a plan.
  - Lower Dornford Cottage and Dornford Cottage are noted in Table 2 as going forward for assessment but have not been included in the assessment at Table 4.
  - Upper Dornford Barn appears on Figure 1.4 at approximately 200m from the panels but is not included on either Tables 2 or 4.

- Old Weavely Farm is noted in Table 2 as going forward for assessment but has not been included in the assessment at Table 4.
- Pelican House is shown adjacent to College Farm on Figure 1.20 but is not mentioned in either Tables 2 or 4. It has separate boundaries and outlooks compared to College Farm.
- No properties in the village of Church Hanborough are assessed in either Tables 2 or 4, despite 14 properties being noted within the 250m limits in Figure 1.19.
- New Barn Farm is assessed in Table 4; it is not clear whether this is the same property as New Barn Cottage from Table 2, although the descriptions of proximity to panels do not match.
- Owls Leat/Willow Cottage are noted in Table 2 as being included in the assessment but are not carried forward to Table 4. These properties are not shown on any of the figures and their location is unclear.

This information should be corrected and updated in a revised document.

5. The ExA, in light of the omissions and errors in the RVAA listed above, remain concerned about the applicant's approach to this matter. The ExA note that there is a "without prejudice" sets of plans from the applicant showing greater buffers in respect of some properties, but that the buffer of 75m does not appear based on any guidance or relation to the Landscape Institute Guidance Note 2/19. It is also unclear why buffers are for some properties and not others when, taking into account paragraph 1.2 of guidance note 2/19: "Residential Visual Amenity means: 'the overall quality, experience and nature of views and outlook available to occupants of residential properties, **including** views from gardens and domestic curtilage.'" (**ExA emphasis**).

Given the little time left in the Examination and the late receipt of this document, the ExA are considering whether a precautionary approach should be adopted at this stage, with the opportunity for more definitive work to take place at detailed design stage should consent be forthcoming. In this regard, without prejudice to any recommendation the ExA makes (and without prejudice to the position of the applicant or any Interested Party), the ExA invites the Applicant and the Oxfordshire Host Authorities to provide comment on the following suggested new requirement.

*There shall be a distance of no less than 250 metres between the edge of any part of the proposed operational solar array and any residential dwellinghouse (as measured from the curtilage of any private residential property or address), unless otherwise demonstrated to be acceptable in writing to the satisfaction of the relevant local authority, such satisfaction to be given formally in writing subject to Schedule 16 of this Order.*

#### Defence Infrastructure Organisation

6. The Defence Infrastructure Organisation (DIO) submitted a Relevant Representation [RR-0724] and followed this up with a Deadline 1 submission [REP1-082]. Despite being asked questions in ExQ1 [PD-008] and ExQ [PD-012] and being invited to the Issue Specific Hearing held on 9 October 2025, the DIO has been silent. The ExA will assume the DIO has no objections or comments to make on the dDCO and will report as much to the Secretary of State unless a formal written submission clarifying the

position is received at Deadline 7. The Applicant will be afforded the opportunity to respond to the DIO at Deadline 8 should such a submission be forthcoming.

7. Applicant – you are requested to pursue this matter with the DIO as well, to demonstrate to the Secretary of State that the Proposed Development would not compromise military aviation interests in the vicinity and thereby not affect national security.

### Protective Provisions

8. Applicant – there are still no protective provisions for National Grid in the Deadline 6 version of the dDCO. The ExA request a full copy of the applicant's preferred protective provisions to be inserted into the dDCO. In a separate document, the ExA request the applicant's protective provisions to be annotated by National Grid as to where there are disputes and/ or differences of opinion, with the necessary wording to discern what exact changes National Grid would want to see in the Order AND the rationale behind each change.
9. Applicant - In addition, section 5 of the protective provisions for Thames Water (entitled 'acquisition of land') simply reads [xxx] and is therefore incomplete. Carry out the above exercise in point 8 for point 9 as necessary.
10. Applicant – In Part 4 of Schedule 15, paragraph 4 (after the definitions in paragraph 2) reads [xxx] and is incomplete. Resolve.

### Archaeology

11. OHA and Historic England - The Archaeology Assessments provided at D6 have outlined several fields in which anomalies are noted that correlated well to the results of the preceding geophysical survey, although a limited number of additional features were revealed that did not correspond to geophysical survey anomalies or mapped historic boundaries.  
Please can you confirm whether you are content with the archaeological buffer zones as suggested in the latest Illustrative Masterplans [CR2-026], or whether you consider greater buffers should be applied following this survey. Specifically, please indicate this in relation to the following field numbers; those marked with an asterisk currently have no buffer zones proposed: North Site: 1.1\*; 1.2; 1.4\*; 1.5; 1.6; 1.7\*; 1.8\*; 1.11; 1.12; 1.13; 1.14; 1.17; 1.18\*. Central East Site: 2.1; 2.3\*; 2.9; 2.10; 2.12; 2.13\*; 2.14\*; 2.16\*; 2.18\*; 2.20\*; 2.24\*; 2.27; 2.30\*; 2.37; 2.42; 2.43; 2.45; 2.53\*; 2.54. Southern Site: 3.1\*; 3.3; 3.10\*; 3.11\*; 3.13\*; 3.15\*.
12. OHA and Historic England - It is acknowledged that the survey for the Central West Site, carried out by a different contractor, is still in draft form and that Appendix 2 of this report, the Summary of Geophysical Survey Results in particular, is missing detail. Notwithstanding this, at Table 2 the report notes 66 trenches with significant archaeological features and deposits located in the following field numbers. Therefore please comment on whether you consider greater buffers should be applied following this survey in relation to the following field numbers; those marked with an asterisk currently have no buffer zones proposed 2.63\*; 2.65\*; 2.66\*; 2.70; 2.78; 2.80\*; 2.84;

2.89\*; 2.92\*; 2.95\*; 2.100; 2.102\*; 2.103\*; 2.104; 2.110; 2.114; 2.115\*; 2.118\* and 2.57\*.

### Compulsory Acquisition

13. Historic England - There is a voluntary agreement between the applicant and Blenheim Palace lands that covers the lease of the land via the various trusts for the purposes of undertaking the project and currently there is no expectation that this will not go ahead. However, should the voluntary agreement not progress, the fallback position would be for the applicant to use compulsory acquisition powers to acquire the land directly from Blenheim Palace. You have noted [RR-0398] that Attribute 1 of the Outstanding Universal Value (OUV) of the World Heritage Site (WHS) "*It remains the home of the same aristocratic family*" has associative values that can be drawn from the setting. How do you consider that this fallback position would impact on this attribute should it be implemented?

### Flood Risk

14. Applicant – the paragraphs 3.5.4 and 4.5.5 in the revised Flood Risk Assessment are not wholly clear and lack legibility. The changes have basically come about due to accommodating the solar panels on the additional 2.41ha of land and the flood risk associated with it. Could these paragraphs be looked at to make the wording more accessible?
15. Applicant – At Deadline 6 the Oxfordshire Host Authorities submitted a 'Response to Change Request 2' document. In relation to 'Change 5: refinement of project layout and design to remove solar installation areas overlapping with Flood Zones 2 and 3' (page 7), please provide the further clarification as request regarding the additional panels proposed for the southern area site.

### Clarification

16. Applicant - In the Schedule of Certified Documents in the dDCO, there is reference to "Appendix 19.1 Air Quality Impacts on Oxford Meadows SAC." It would appear this is not a separate appendix but actually Annex E to the Habitats Regulations Assessment Report. As such, it appears the reference can be deleted. Please amend or state otherwise.
17. Applicant – there does not appear to be any submission at Deadline 6 providing the applicant's responses to the RIES. Was this intentional or are there any comments you wish to make?
18. Applicant and Historic England – in the most recent Development Consent Order, Historic England have been added as a consultee to certain requirements. However, the ExA note some of the wording states: "any parts of Work Nos. 6 or 8 within the setting of either...". There has been much debate in the Examination as to what setting, particularly of the World Heritage Site, actually entails. Is this wording too ambiguous?
19. Applicant - The ExA also wish clarification regarding the "without prejudice offer" made by the Applicant in relation to further reductions. The clarifications are:

- a) the reductions total a loss of 54.46MWp. How does that relate to the overall generation capacity of 840MW?
- b) without prejudice to the ExA's position or the SoS determination, should the ExA or SoS consider that some, any or all of the offered reductions are necessary, by what mechanism would they (or the plans on which they are shown) be secured or entered into the dDCO? Sample wording for insertion may be useful.

#### Oxfordshire County Council

20. Please provide a response to Action Point 4 as detailed in Action Points from Compulsory Acquisition Hearing 1 (CAH1) [EV6-002] or signpost to where a response has been provided.
21. For ease of reference, the question directed to the Council was as follows "Change 1, as detailed in the applicant's Change Request Report [CR2-073], states that to the east of Bladon, approximately 17.6ha of panels and associated maintenance roads are to be removed from scheme but the Order limits are not to be removed. The applicant confirmed that the 17.6ha would perform an additional mitigation function alongside of the already proposed to the BNG. One of the roles of the SoS is to ensure that s/he is satisfied that the land to be acquired is no more than is reasonably required for the purposes of the development. Does Oxfordshire County Council consider this to be necessary mitigation, or should it be removed from the Order limits?"

#### Compulsory Acquisition – Local Highways Authority

22. Applicant – In the Oxfordshire County Council 'Written Summary of Oral Submission for the Compulsory Acquisition' document submitted at Deadline 6, the Council stated that they were expecting the applicant to submit case law justifying the inclusion of Highways Land within the scope of compulsory acquisition within a DCO. Please signpost to this information or submit at Deadline 7.

**All of the above material should be submitted by Deadline 7 (10 November 2025).**

Should you have any questions about the contents of this letter, please do not hesitate to contact the case team.

Yours faithfully

*David Wallis*

**David Wallis**  
**Lead member of the panel of Examining Inspectors**

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