

Our Ref: EN010147

To:

Photovolt Development Partners  
National Grid Electricity Transmission Limited  
Oxfordshire County Council  
Vale of White Horse District Council  
Cherwell District Council  
West Oxfordshire District Council  
Natural England  
Historic England  
Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust  
Forestry Commission  
Environment Agency  
Civil Aviation Authority  
Oxford Aviation Services Limited  
Thames Water Utilities Limited  
Network Rail  
Eynsham Consolidated Charity  
Malcolm Stuart Hoskins Price Margaret Price  
Malcolm Stuart Hoskins Price (as Partner of DVH Price & Son)  
James Price (as Partner of DVH Price & Son)  
James Robert Price  
The Chancellor Masters and Scholars of the University of Oxford

Siemens Healthcare Limited  
Smith & Sons (Bletchington) Limited  
Oxford Diocesan Board of Finance  
Farmoor Service Station Limited  
The Warden And Scholars Of The House Or College Of Scholars Of Merton In The University Of Oxford  
Hanson Quarry Products Europe Limited  
Alec Wilkinson (Tenant of Smith & Sons Bletchington Limited)  
The Sunderland Foundation  
Blenheim Trustee Company No. 1 Limited  
Blenheim Trustee Company No. 2 Limited  
Vanbrugh Trustees Limited (as Trustee of the Vanbrugh Unit Trust)  
Vanbrugh Trustees No 2 Limited (as Trustee of the Vanbrugh Unit Trust)  
Hill Grove Family Farm Limited  
John P. Gee & Sons Limited  
Jeanne Pamela Humphrey  
John Michael Gee  
Ms Karen Squibb Williams on behalf of Mr Dustin Dryden  
Punch Partnership Limited

20 April 2026

Dear Sir or Madam,

**Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010**

**Application by Photovolt Development Partners (“the Applicant”) for an Order granting Development Consent for the proposed Botley West Solar Farm (“the Proposed Development”)**

## REQUEST FOR INFORMATION

1. Following the completion of the examination on 14 November 2025 (“Examination”), the Examining Authority submitted a Report and Recommendation in respect of its findings and conclusions on the above application to the Secretary of State on 10 February 2026.
2. On 26 March 2026, the Secretary of State decided to extend the statutory deadline to 10 September 2026, and the extension has been confirmed in a statement in Parliament in accordance with section 107(7) of Planning Act 2008.
3. The Secretary of State notes that, throughout the Examination, representations were submitted by interested parties (“Interested Parties”) raising significant concerns regarding the Applicant’s proposals (including revisions) and the methodology adopted in the assessment, design, and evolution of the Proposed Development. These concerns relate not only to the potential effects of the scheme, but also to the extent to which the Applicant’s amendments and mitigation measures have adequately addressed the issues raised during the Examination.
4. To assist in reaching a timely conclusion on these matters, the Secretary of State is allowing a period of 8 weeks for the Applicant and Interested Parties to respond to the issues set out in this letter. All parties are encouraged to engage constructively to ensure that the necessary information and clarifications are provided within this period, to inform the Secretary of State’s final determination of the application.
5. All references to the National Policy Statements (“NPSs”) in this letter are to the 2024 NPSs EN-1, EN-3 and EN-5, which came into force in January 2024 (not the updated suite of 2025 NPSs that came into force in January 2026).

## Alternatives and Site Selection

6. Having consideration for NPS EN-1 paragraphs 4.3.9, 4.3.10 and 4.3.15, the **Applicant** is requested to provide additional and detailed reasons, and considerations in respect of the following:
  - a. Discounting of the National Grid Electricity Transmission Limited (“NGET”) substation at Northfleet in East London, briefly referenced in the Environmental Statement Chapter 5 Alternatives considered [APP-042];
  - b. Progress made with regard to securing land in the Cowley NGET substation allocation [APP-042] up to the point of becoming aware of National Grid’s proposals for a preferred site at Farmoor, noting that the search began to find at least 250 hectares (“ha”) of land in the Cowley NGET substation area;
  - c. Details of the search radius applied from the grid connection point at the proposed Farmoor NGET substation, whether this was incrementally

extended and how it compared to the search area and approach applied to the Cowley NGET substation search for land;

- d. The environmental, social and economic considerations and financial viability and technical feasibility considerations in respect of both the initial point of connection at Cowley NGET substation and the proposed Farmoor NGET substation in line with NPS-EN1 paragraphs 4.1.22 and 4.3.15; and
  - e. The site selection methodology used in relation to the proposed development and grid connection at the proposed Farmoor NGET substation.
7. The Secretary of State notes that there is no substantive information in the Environmental Statement Chapter 5 Alternatives regarding how Best and Most Versatile Land (“BMVL”), mineral resources, Blenheim Palace World Heritage Site (“WHS”), London Oxford Airport, land within Flood Zones and the Green Belt influenced the site selection, nor whether these locational disadvantages were factored into the strategic equation. The **Applicant** is requested to provide evidence on how these locational factors were taken into account. In doing so, the **Applicant** is requested to have regard for NPS EN-1 paragraphs 4.3.9, 4.3.10 and 4.3.15.

## Infrastructure

### *National Grid Energy Transmission Substation*

8. The draft DCO (“dDCO”) makes provision for NGET’s substation within the order limits (“Order Limits”), specifically in the western part of the southern section, as a fallback option, in the event that NGET is unable to secure its preferred site outside the Order Limits. The Secretary of State notes that there is uncertainty regarding the commencement timescales for the Proposed Development and the potential dependency on the construction of a new NGET substation.
9. The Secretary of State is aware that further to the screening request report prepared by WSP on behalf of NGET (ref. UK0028121.4284-003), the Vale of White Horse District Council (“VoWHDC”)<sup>1</sup> and the Department for Energy Security and Net Zero (“DESNZ”)<sup>2</sup> have issued screening opinions for the proposed 400 kV substation and other associated development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and the Electricity Works (Environmental Impact Assessment) Regulations (England and Wales) Regulations 2017 in respect of NGET’s preferred site. **NGET** is requested to provide an update on the status of the planning application for the new NGET substation and associated development, to be submitted to the VoWHDC under

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<sup>1</sup><https://data.whitehorsedc.gov.uk/java/support/Main.jsp?MODULE=ApplicationDetails&REF=P25/V1685/SCR>

<sup>2</sup> <https://www.gov.uk/government/publications/farmoor-substation-overhead-line-s37-consent-electricity-act-1989>

the Town and Country Planning Act 1990 on its preferred site. The update should include, as a minimum, an updated timetable from the point of submission of any scoping request to the VoWHDC through to the completion of works and availability for connection for the proposed solar farm, including any public and statutory consultation proposed, and application milestones reached prior to submission of the screening request report to the VoWHDC.

10. The Secretary of State notes that the Applicant, and NGET have signed a Connection Agreement [APP-019] which specifies the date of connection to be October 2027, although discussions were taking place for this to be amended to the beginning of Q4 2028. [REP2-025] confirms that the applicant and NGET have signed a bilateral connection agreement which commits to connect the solar farm to the National Electricity Transmission System in October 2028. However, in [REP2-076] NGET indicate that construction would be completed in late 2029, and in [REP7-039], NGET's Statement of Common Ground ("SoCG"), there is text confirming a connection date of Q4 2029.
11. The Secretary of State therefore requests that **NGET** and the **Applicant** provide an update on the NGET substation delivery programme, including timescales for its construction, completion, and availability for connection. The update should make clear whether the delivery programme applies to both scenarios, (1) NGET's preferred site outside of the Order Limits, and (2) the fallback position within the Order Limits. If the programme delivery and connection dates differ between the two scenarios, both should be clearly set out.
12. The Guide to the Application (rev 9) [CR2-002] details that the area set aside for the NGET substation excludes connecting tower structures. The Outline Layout and Design Principles document (rev 6) [REP7-029] includes connection towers within the scope of the NGET substation. The **Applicant** is requested to confirm the scope of the "variety of other electrical infrastructure" none greater than approximately 15m (excluding cable connecting to 400kV overhead lines) included in Work No. 2 referred to in [REP7-029] under the heading Work No. 2, and to clarify the difference between the connecting towers referred to in [CR2-002] and [REP7-029], identifying which towers are included within the Works No. 2 and which ones are not.
13. The Secretary of State notes that the screening request report (referred to in paragraph 9 above) details works to replace one existing tower with two towers of a height between 60-80 metres. The **Applicant** and **NGET** are requested to confirm, (1) whether works to tower structures will be necessary, should the NGET substation be delivered within the Order Limits (the fallback position), noting the clarification sought in paragraph 10 of this letter, (2) whether the towers referred to in the screening request report are those referred to in [REP7-029], and (3) whether the works to tower structures would fall within the Order Limits. The **Applicant** is requested to provide an updated Works Plans (sheet 13a of 13) showing the location of the respective tower(s) to be replaced, and any replacement towers. If the works to tower structures would fall outside of the Order Limits, the **Applicant**

is requested to provide details of the consenting regime under which the works to tower structures would be secured together with delivery timescales and a location plan identifying the existing and proposed tower structures.

14. The **Applicant** is also requested to provide an updated Grid Connection Statement, Guide to the Application document and Outline Layout and Design Principles document to align with the responses to the above questions.

## **Cultural Heritage**

### *Setting*

15. The Secretary of State notes that no assessment was made of the setting of the Park Walls of Blenheim Palace WHS in either the Settings Assessment or the Heritage Impact Assessment. Historic England's Good Practice Advice Note ("GPA3") defines setting as 'the surroundings in which a heritage asset is experienced'. The Secretary of State requests the **Applicant** to consider whether an updated Settings Assessment considering the effects of the Proposed Development on the setting of heritage assets is required, having particular regard to recognised good practice approaches and guidance, including, but not limited to, GPA3, the 2022 UNESCO Guidance and Toolkit for Impact Assessments in a World Heritage Context, the Operational Guidelines for the Implementation of the World Heritage Convention, and UNESCO's Policy Document on Climate Action for World Heritage 2023. The **Applicant** should also consider NPS EN-1 paragraphs 5.9.10 and 5.9.12 and demonstrate in its response how the Proposed Development is compliant in relation to these policies.

### *Blenheim Palace WHS and Registered Parks and Garden*

16. The Secretary of State notes that Historic England came to different conclusions to the Applicant regarding the attributes of Outstanding Universal Value ("OUV") of Blenheim Palace WHS that would be affected by the Proposed Development. The Heritage Impact Assessment undertaken by the Applicant concludes there would only be impacts to attribute 7 from the Proposed Development, whilst Historic England considered attributes 1, 4 and 5 could also be affected by the Proposed Development, including in relation to the ability to appreciate these attributes from within its setting.
17. The Secretary of State further notes Historic England's concerns regarding the robustness of the assessment. In accordance with paragraphs 5.9.12, 5.9.13 and 5.9.14 of NPS EN-1, the **Applicant** is requested to consider whether an updated Heritage Impact Assessment is required to address these concerns, particularly in relation to the assessment of the attributes contributing to the OUV of Blenheim Palace WHS, having regard to paragraphs 2.37 to 2.57 of Historic England's closing statement [REP7-118]. In doing so, the **Applicant** is requested to consider the guidance documents highlighted by Historic England, including, but not limited to, GPA3 Guidance, the Operational Guidelines for the Implementation of the

World Heritage Convention and the 2022 UNESCO Guidance and Toolkit for Impact Assessments in a World Heritage Context. In considering any necessary updates, the **Applicant** should consider the need for assessment to take a landscape-led approach with consideration to both tangible and intangible elements of OUV, including matters relating to integrity and authenticity (as outlined in the 2022 UNESCO Guidance and Toolkit for Impact Assessments in a World Heritage Context [REP1-041]), not solely the visual impacts of the Proposed Development.

18. The Secretary of State encourages early engagement between the **Applicant** and **Historic England** as part of any update to the assessment.
19. The Secretary of State notes that the International Council on Monuments and Sites (“ICOMOS”) submitted three technical reviews (“TR”) via Historic England (as adviser to the State Party) during Examination [RR-0398, REP4-052 and REP7-117]. The Secretary of State notes the Applicant did not provide a response to specific concerns in these TR and therefore requests the **Applicant** to consider and provide a response to all three ICOMOS technical reviews.

#### *Designated Heritage Assets*

20. The Secretary of State notes that Historic England [REP7-118, REP7-037] and the Applicant arrived at different conclusions in relation to the magnitude of impact of the Proposed Development on the significance of other designated heritage assets (The Roman Villa at Sansom’s Platt, Church of St Peter and St Paul, Church Hanborough, Church of St Peter, Cassington, Church of St Michael, Begbroke). The Applicant’s Settings Assessment (Rev 3) [CR2-038] details the harm to the significance of these assets from development in their setting.
21. The **Applicant** is requested to consider whether updated assessments of effects on the significance of these assets and Blenheim Palace WHS, addressing concerns raised by Historic England, ICOMOS, ICOMOS-UK, the Oxfordshire Host Authorities (“OHA”), Cassington Parish Council and other Interested Parties during Examination regarding the methodology used and the conclusions reached [RR-0413, REP1-085, REP1-086, REP1-103, REP2-069, REP7-118, REP7-037, RR-0398, REP4-052, REP5-068, REP7-117, REP7-058, REP7-191, REP7-221, REP8-003, REP8-004 and REP8-005] is required. In doing so, the **Applicant** is requested to have particular regard for NPS EN-1 paragraphs 5.9.9, 5.9.10 and 5.9.12 and the best practice guidance available, including, but not limited to, GPA3 Guidance and the 2022 UNESCO Guidance and Toolkit for Impact Assessments in a World Heritage Context.
22. In relation to the scheduled monument at Sansom’s Platt, **Historic England** is requested to confirm that the updated Works Plans submitted by the Applicant at Deadline 7 [REP7-004] are in line with their recommendation to remove solar panels from field 1.13 and that they are content that the impacts to the scheduled monument at Sansom’s Platt has been adequately addressed.

## Mitigation

23. The Secretary of State notes that during Examination there were concerns from Historic England, OHA, Cassington Parish Council, Cumnor Parish Council, ICOMOS, ICOMOS-UK and other Interested Parties, regarding how the Applicant had applied the mitigation hierarchy. With reference to NPS EN-1 paragraphs 4.2.11, 5.9.9, 5.10.6 and 5.10.37, the **Applicant** is requested to explain how the mitigation hierarchy has been applied in regard to landscape and visual, and cultural heritage impacts when developing the scheme.

## Landscape

### *Landscape and Visual Impact Assessment ("LVIA")*

24. The Secretary of State notes the conclusions of the LVIA presented in Environmental Statement Chapter 8, and the concerns from Interested Parties regarding the application of guidance, the determination of significance, and the extent to which landscape and visual considerations informed the siting, scale and design of the Proposed Development. The **Applicant** is requested to consider whether an updated LVIA assessment of the landscape and visual impacts of the Proposed Development is required. In doing so, the Applicant is requested to have regard to the requirements of NPS EN-1 paragraphs 5.10.6, 5.10.16, 5.10.19, 5.10.22 and 5.10.24. As part of this, the **Applicant** is requested to:

- a. Consider and respond to the concerns highlighted by the OHA in section 2.3 of their closing statement [REP7-191], in addition to their response to the ExA's Rule 17 Letter including their comments on documents submitted at Deadline 6 [REP7-190];
  - b. Consider and respond to Interested Parties comments received at Deadline 7;
  - c. Confirm whether the visualisations submitted in the Examination are representative and verified in accordance with recognised good practice, including details of viewpoint selection, verification methodology, and any acknowledged limitations;
  - d. With reference to NPS EN-1 paragraphs 5.10.6 and 5.10.19, explain how landscape and visual considerations informed the siting, scale and design of the Proposed Development at the early stages of scheme development, including how the mitigation hierarchy has been applied to avoid, reduce or offset adverse effects. The **Applicant** should identify specific examples of how their findings influenced the layout, design or configuration of the scheme; and
25. If the Applicant decides to update the assessment, the **Applicant** is encouraged to consult with **OHA** when producing this updated assessment.

*Residential Visual Amenity Assessment (“RVAA”)*

26. The Secretary of State notes that the Applicant submitted a RVAA [REP6-064, REP6-065] late in the Examination and revised this further at Deadline 7 [REP7-042]. This late submission did not provide Interested Parties with the opportunity to comment on the updated assessment. The Secretary of State also notes the Applicant did not respond to Interested Parties’ comments on the RVAA (submitted by the Applicant at Deadline 6) in their closing statements at Deadline 8. Therefore, the Secretary of State requests the **Applicant** to consider whether an updated RVAA is required to consider the relevant comments from Interested Parties provided at Deadline 7, in particular the OHA’s response which highlighted that not all properties that have views available had been identified [REP7-191], for example Upper Whitley Farm, in addition to Cumnor Parish Council’s response [REP7-077] which details the omission of Filchampstead, and additional residential properties from the RVAA. If the Applicant decides to update the assessment, the **Applicant** is encouraged to consult with the **OHA** in preparing this updated RVAA.
27. The Secretary of State notes that at Deadline 7, the ExA suggested [PD-018] a new Requirement to be included in the dDCO. This Requirement was for a 250m buffer to be implemented 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. The **Applicant** is requested to confirm whether it would be feasible to undertake a property-by-property assessment of residential visual amenity for dwellings within 250m of the edge of any part of the proposed operational solar array. If so, the **Applicant** should:
- a. Provide such assessment, identifying the dwellings considered and the criteria used to select them;
  - b. Explain the likely visual effects of the development on each property; and
  - c. Identify any mitigation measures (including buffer distances or layout changes) that could reduce those effects.
28. If the Applicant considers that a property-by-property assessment would not be viable or proportionate, the Secretary of State requests that the **Applicant** provides a clear and evidenced justification of that position with reference to the relevant guidance and evidence already submitted. This should also explain the implications for scheme viability or operational constraints, how these have been assessed, and why they would prevent such an approach being undertaken.
29. The Secretary of State also requests the **OHA** as the relevant local planning authorities to comment on the practicality of implementing the 250m buffer requirement put forward by the ExA in the Rule 17 Letter [PD-018]. In doing so, the

**OHA** is requested to comment on whether this would be an effective Requirement to minimise impacts from the Proposed Development on residential properties.

### **Soils and Agriculture**

30. The Secretary of State requests the **Applicant** updates the Soil Management Plan (as appended within the Code of Construction Practice) to secure the restoration of BMVL to at least their pre-construction agricultural land classification grade upon decommissioning. Appropriate monitoring to aid the soil restoration should also be outlined in the Soil Management Plan.
31. In line with paragraph 5.11.34 of NPS EN-1, the Secretary of State requests that the **Applicant** provide justification as to the siting of the scheme on the BMVL, and how the alternatives or avoiding BMVL altogether have been considered during site selection.
32. The **Applicant** is requested to respond to the soil survey results provided at Deadline 7 [REP7-237] and to evaluate whether this has implications for Environmental Statement Chapter 17 Agricultural Land Use and Public Rights of Way in relation to BMVL and the siting of the solar array.

### **Ecology and Biodiversity**

#### *Skylark*

33. The OHA and the Berks Bucks Oxon Wildlife Trust have raised the issue of habitat loss for breeding skylark throughout examination [REP5-125, RR-0098 REP7-191]. The Secretary of State observes that the Skylark Technical Note [REP4-037] indicates that the Proposed Development site could potentially support 33.19 skylark territories. The 2024 surveys (APP-159) record 228 territories. If impacts to breeding skylark cannot be mitigated on site, the **Applicant** is requested to provide a Skylark Compensation Strategy providing off-site habitat to compensate for the net loss of breeding skylark. The strategy should be developed in collaboration with the **OHA**, and include details of long-term management, monitoring, reporting, and data-sharing. Compensation should not incorporate areas within the array, or areas owned by third parties unaffiliated with the Project. The **Applicant** is requested to provide drafting to secure this Strategy within the dDCO and relevant control documents.

#### *Outline Landscape Ecological Management Plan*

34. The Secretary of State requests that the **Applicant** provides further information regarding the wintering and breeding bird monitoring protocol proposed in the Outline Landscape Ecological Management Plan (“oLEMP”). The Secretary of State requests that the oLEMP be updated to include the wintering and breeding bird survey methods, survey programmes, timescales for the monitoring/monitoring reports to be delivered, and relevant parties to whom the reports will be provided.

35. The Secretary of State requests that the **Applicant** updates Section 17 of oLEMP to ensure that any remedial actions considered necessary will be agreed with the local planning authority. Furthermore, due to the bespoke mitigation developed for bats, the oLEMP should be updated to include Natural England (“NE”) as a consultee in the event that remedial action may be required.
36. The Secretary of State notes the Applicant’s statement that there is an area ‘160m wide in between Bladon Heath and Burleigh Wood which will be kept free of panels and managed to ensure connectivity between the woodlands’ [REP6-117]. The Secretary of State requests that the **Applicant** updates the oLEMP to highlight where this connective area is, and detail the management proposed.
37. The Secretary of State requests that the **Applicant** updates the oLEMP to include native woodland planting in the areas north and south of Burleigh Lodge in line with the advice provided by the Forestry Commission [REP2-054, REP4-062]. Should this not be possible, the Secretary of State would request that justification is provided.
38. The Secretary of State requests that the **Applicant** provides appropriate modifications to the dDCO to secure a standalone LEMP for the proposed River Evenlode Corridor biodiversity enhancement area within the central site. The modifications should list NE, the Berkshire, Buckinghamshire, and Oxfordshire Wildlife Trust, OHA, and any other relevant bodies, as consultees in the development of the River Evenlode Corridor LEMP.

#### *Ancient Woodland and Veteran Trees*

39. The Secretary of State notes that the Strategic Arboricultural Impact Assessment & Method Statement [REP6-014 to REP6-018] intends to use NE’s buffer zone recommendations for ancient woodland. The Woodland Trust’s Ancient Tree Inventory, and the Applicant’s Appendix 9.15: Veteran Tree Survey Report [APP-164], record the presence of multiple veteran trees along the southern perimeter of Worton Heath. The Secretary of State requests that the **Applicant** update the Strategic Arboricultural Impact Assessment & Method Statement to clearly identify individual veteran trees along the boundary of Ancient Woodland which will require additional buffering in line with NE’s guidance. The **Applicant** is requested to use the Woodland Trust’s Ancient Tree Inventory [RR-1057] to inform this assessment.
40. The Secretary of State notes that Part 5 of the Strategic Arboricultural Impact Assessment & Method Statement provides a methodology for trenching within Root Protection Areas. The **Applicant** is requested to update the Strategic Arboricultural Impact Assessment & Method Statement to state that there will be no trenching in veteran tree Root Protection Areas. Furthermore, the **Applicant** is requested to provide further information as to how the potential impacts of Horizontal Directional Drilling on ancient woodland will be managed, given that there are proposed works in close proximity to ancient woodland, in particular crossing points 3 and 11.

41. The **OHA** and **Forestry Commission** are invited to comment on the Strategic Arboricultural Impact Assessment & Method Statement submitted at Deadline 6.

#### *Protected Species*

42. The Outline Code of Construction Practice states that pre-commencement surveys will be conducted for dormice, great crested newt, badger, reptiles, arable weeds, otter and water vole, as well as method statements prepared for protected species, as necessary. The Secretary of State requests that the **Applicant** updates the oCoCP to provide the methodology to be used for each species-specific pre-commencement survey and detail the method statements expected to be required. As surveys for otter and water vole have not been undertaken to inform the Environmental Statement, the **Applicant** is requested to set out how any mitigation measures, method statements or licence requirements will be developed in consultation with NE.

43. **Natural England** is requested to provide an update on the progress of issuing any protected species Letters of No Impediment, including whether they consider that a mitigation licence for bats should be sought. The **Applicant** is requested to provide details of how construction impacts to roosting bats will be managed if a licence is not pursued.

#### **Aviation**

##### *Engine Failure After Take-Off (“EFATO”)*

44. On the matter of EFATO, the Secretary of State notes the series of maps prepared by Oxford Aviation Services Limited (“OASL”) to explain the dangers of EFATO [PDA-002] in relation to London Oxford Airport and the area shaded ‘green’ to remain clear of development. The Works Plans [REP7-004] sheet 5 of 13 show the construction compound (Works No. 5) and solar panels to the west of the airport in the fields between the airport and the nearest area of woodland within the area shaded ‘green’. The **Applicant** is requested to provide details, including an updated Works Plans, of an alternative location for a construction compound and removal of solar panels within the area shaded ‘green’ identified by AOSL. If the **Applicant** considers that avoidance of the ‘green’ shaded area is not feasible, they are requested to provide justification for development within this area, together with details of appropriate mitigation measures to address any risks to physical aviation safety, including in the event of an EFATO.

##### *Glint and Glare*

45. The Secretary of States notes the glint and glare study undertaken by the Applicant [APP-128] and subsequent revised study which includes the reorientation of one field of solar panels [REP4-012]. The ‘current position’ of OASL in the Statement of Common Ground [REP7-038] pre-dates the revised glint and glare study. OASL has not expressly endorsed the Applicant’s position on this matter. The **OASL** is

therefore requested to comment on whether the revised study satisfactorily resolves the concerns raised, including the direct effect on air traffic control operations at London Oxford Airport.

### *Thermal Turbulence*

46. With regard to heat-induced turbulence/thermal plumes, the Secretary of State notes that OASL has not had the opportunity to review and verify the two reports addressing thermal plume impacts - Thermal Impact - dated 16 October 2026 (Nova Fluid Mechanics) [REP6-066] and Thermal Plume and Primary Radar Refraction (Page Power Urban and Renewables) [REP6-067] submitted by the Applicant, due to the lateness of the submission to the Examination. **OASL** is requested to confirm that the thermal plume modelling is satisfactory and whether there would or would not be an impact on operations or communications infrastructure at London Oxford Airport. If this position is not agreed, **OASL** is requested to set out their position, with supporting evidence, together with details of any appropriate mitigation to address the identified and evidenced harm.

### *Bird Strike*

47. The Secretary of State notes that OASL stated that they are content to remove their previous objection to the matter of bird strike, conditional on the funding of an additional bird scaring unit at London Oxford Airport by the applicant [REP7-188]. OASL's Statement of Common Ground [REP7-038] records that a letter of understanding has been agreed between the Applicant and OASL on the provision of an additional bird scaring unit. The **Applicant** and **OASL** are requested to provide evidence of a signed agreement securing the bird-scaring unit for the operational lifetime of the proposed development, excluding the caveat that "this is subject to the reasonable costs". In addition, the **Applicant** and **OASL** are requested to provide further clarity on the details of the additional bird scaring unit, the monitoring of its effectiveness, and a suitable mechanism to secure its delivery.

## **Socioeconomics**

### *London Oxford Airport*

48. NPS-EN1 paragraph 5.13.5 acknowledges that socioeconomic impacts may be linked to other impacts. The Secretary of States notes the representations from OASL [RR-0788], [PDA-002] and [REP7-107] where it was confirmed that the airport is one of the UK's pre-eminent training airports, specializing in the training of commercial airline pilots. On all aviation related matters, **OASL** is requested to confirm that there are no objections to the proposed development. If any objections remain, these should be clearly set out in relation to the specific aviation matter, together with details of the reasons why the objection remains and what impacts the development would have on the overall operations and viability of London Oxford airport and aviation operators.

49. The **Applicant** is requested to provide comments on the potential effects of the development on the economic viability of the London Oxford Airport and associated aviation operators, having regard to representations and submissions made, including, but not limited to the submission from FTEJerez [REP7-187] who provide professional flight training and use London Oxford Airport as its UK base.

#### *Community Food Growing*

50. The **Applicant** is requested to provide an update on the interest in community food growing, further to [REP5-005], (noting that two areas up to 30 ha are proposed). The **Applicant** is requested to also provide details of the location of the sites, together with how, if taken forward, they would be allocated, managed and maintained, including the mechanism to secure appropriate controls for the erection of any structures and other associated paraphernalia in these areas, notwithstanding that monitoring details are to be further set out in the Operational Management Plan [REP6-032].

#### **Minerals**

51. The Secretary of State notes the Applicant prepared a Mineral Resources Assessment (“MRA”) [APP-195] which estimated that 270 ha of the project area falls within Mineral Safeguarding Areas (“MSA”). Within the MRA the Applicant estimates a volume of 4,581,500m<sup>3</sup> of sand and gravel resource would be sterilised for the duration of the Proposed Development. In line with NPS EN-1 paragraph 5.11.19 the Secretary of State requests the **Applicant** to provide justification on their approach to avoid or minimise the effects of the Proposed Development upon mineral resources.

#### **Waste**

52. The Secretary of State notes that issues relating to waste arising from the Proposed Development, including the capacity of local waste management facilities, were raised during the Examination. In line with NPS EN-1 paragraph 5.15.9, the **Applicant** is requested to provide an update on their proposed arrangements for the decommissioning of solar panels, including whether suitable waste-processing and recycling facilities have been identified. The Statement of Common Ground between OHA and the Applicant did not cover this issue although it was covered during the Examination. The **Applicant** and **OHA** are requested to provide detail of any further consultation that has taken place since the end of Examination on this matter.

#### **Ground Conditions**

53. The Secretary of State notes the information within Statement of Common Ground between the Environment Agency and the Applicant [REP7-036] in regard to leachate generation from Hensington Cutting Landfill. The **Environment Agency** is requested to comment if they are satisfied with the Applicant’s position regarding this matter.

## Hydrology and Flood Risk

54. In relation to the Flood Risk Assessment (“FRA”) [REP6-024], the Secretary of State requests that the **Environment Agency** provides written confirmation whether the sequential and exception tests within NPS EN-1 regarding fluvial flooding have been met by the Applicant.
55. The **Environment Agency** is invited to review its Statement of Common Ground [REP7-036] and confirm that it is content with the matters the Applicant has marked as ‘agreed’ in the absence of its written confirmation.
56. The Secretary of State requests that the **Environment Agency** confirm that they have no comments to make on the document ‘Hydrology and Flood Risk Technical Note – Swinford HDD Crossings’ [REP6-054].
57. Noting the concern raised by both Cassington and Cumnor Parish Councils [REP7-068 and REP7-076], and the ExA’s second written questions [PD-012, Q 2.10.3] and paragraph 5.8.36 of NPS EN-1, the **Applicant** is requested to provide further data to evidence the efficacy of the mitigation measures suggested within the Conceptual Drainage Strategy [REP4-018], in particular for the central and southern areas of the Proposed Development. The Applicant is requested to share the results with the **Environment Agency** for review and comment.

## Protective Provisions

58. The Secretary of State notes that Network Rail Infrastructure Limited (“NR”) has an interest in a large number of plots, where the Applicant is seeking the compulsory acquisition of new rights in connection with Works No. 1, 6, 8 and 9. In its written representation [REP1-088] NR stated that heads of terms for a property agreement were being negotiated with the Applicant and requested robust protective provisions to protect its assets and statutory functions. No further representation was made to the Examination. The **Applicant** and **NR** are therefore requested to provide an updated position on negotiations and all the necessary text of the Protective Provisions, including, if applicable, evidence of agreement having been reached. Where areas of disagreement remain, this should be clearly set out.
59. The Secretary of State notes that Thames Water Utilities Limited (“TWUL”) has an interest in a large number of plots, where the Applicant is seeking the compulsory acquisition of new rights in connection with Works No. 1, 2, 3b, 4, 5, 6, 7, 8 and 9. In its written representation [REP2-084] TWUL stated that negotiations were ongoing with the Applicant and requested that the final form of protective provisions will protect its assets and statutory functions. The **Applicant** and **TWUL** are requested to provide an updated position on negotiations and all the necessary text of the Protective Provisions, including, if applicable, evidence of agreement having been reached. Where areas of disagreement remain, this should be clearly set out.

60. The Land and Rights Negotiations Tracker Document Reference: EN010147/APP/3.6 revision 9 (the “Tracker”) [REP7-011] dated November 2025, indicates that agreement has been reached between the Applicant and NGET. The Status of Negotiations (SoN) Document Ref: EN010147/APP/18.4 (Rev 0) [REP7-048] dated November 2025 states that the Applicant and NGET are going through execution formalities and had not been able to provide signed documents for Deadline 7. The **Applicant** and **NGET** are requested to provide an update.

## Land Rights

61. In the Tracker [REP7-011], it is stated that negotiations remain ongoing with various parties on land acquisition and rights over land. The **Applicant, Oxfordshire County Council (Local Highway Authority), Oxfordshire County Council (Estates), Eynsham Consolidated Charity, Malcolm Stuart Hoskins Price, Margaret Price, Malcolm Stuart Hoskins Price (as Partner of DVH Price & Son), James Price (as Partner of DVH Price & Son), James Robert Price, The Chancellor Masters and Scholars of the University of Oxford, Punch Partnership Limited, Siemens Healthcare Limited, Smith & Sons (Bletchington) Limited, Oxford Diocesan Board of Finance, Farmoor Service Station Limited, The Warden And Scholars Of The House Or College Of Scholars Of Merton In The University Of Oxford, Hanson Quarry Products Europe Limited, Alec Wilkinson (Tenant of Smith & Sons Bletchington Limited), The Sunderland Foundation, Blenheim Trustee Company No. 1 Limited and Blenheim Trustee Company No. 2 Limited, Vanbrugh Trustees Limited (as Trustee of the Vanbrugh Unit Trust) and Vanbrugh Trustees No 2 Limited (as Trustee of the Vanbrugh Unit Trust), Hill Grove Family Farm Limited, John P. Gee & Sons Limited, Jeanne Pamela Humphrey, John Michael Gee, and Ms Karen Squibb Williams on behalf of Mr Dustin Dryden** are requested to provide an update on these negotiations. When responding it is requested that the type of interest (category 1 or 2) and the respective plots affected are identified, by providing an updated Tracker.

62. The Status of Negotiations document (“SoN”) [REP7-048] appears to include a different status to that set out in the tracker [REP7-011] in respect of some affected persons. The SoN identifies that agreements are completed, and there is no reference to a variation expected to be completed during Examination (as stated in the Tracker), in respect of Blenheim Trustee Company No. 1 Limited and Blenheim Trustee Company No. 2 Limited, Vanbrugh Trustees Limited (as Trustee of the Vanbrugh Unit Trust) and Vanbrugh Trustees No 2 Limited (as Trustee of the Vanbrugh Unit Trust), John P Gee & Sons Limited, Jeanne Pamela Humphrey and John Michael Gee. The **Applicant** is requested to update the SoN to align with the Tracker.

63. In respect of unregistered/unknown land ownership, the Secretary of State notes that there are a large number of plots identified in the Book of Reference (“BoR”) Document Reference: EN010147/APP/4.3 Revision 6 [REP7-013] where it has not been possible for the Applicant to identify ownership. The **Applicant** is requested

to provide details of the diligent inquiries undertaken, and in progress (referred to in the Statement of Reasons (“SoR”) document ref: EN010147/APP/4.1 Rev 2 dated September 2025) [CR2-015] to establish the ownership of the plots and provide an update on whether ownership has been identified. The **Applicant** is also requested to update the BoR accordingly.

64. The **Applicant** is requested to provide details of the ongoing diligent inquiries, (referred to in the (SoR)) [CR2-015] undertaken to establish ownership in respect of land interest being established for plots 11-27 (ID no. 13) and 11-30 (ID No. 19) (unregistered land) detailed in the SoN, and plot 12-07 (detailed in the Compulsory Acquisition (CA) Schedule and Land Rights Tracker Rev 8) [REP7-033] and provide any subsequent update on negotiations undertaken, updating the tracker, SoN and BoR as necessary.

### **Other Consents**

65. The **Applicant** is requested to provide an update on other consents and licences that may be required set out at Table 1 within the document - Consents and Licenses Required Under Other Legislation [APP-035].

### **Without Prejudice Offer**

66. The Secretary of State notes that towards the end of the Examination, the Applicant made a Without Prejudice Offer [REP6-052] which included the removal of panels from higher slopes in the central and southern areas, and to enhance the buffers for four residential properties from 25, to 75m. In addition, the offer includes two areas in the northern section to be removed in order to provide additional protection to Samson’s Platt. The Applicant has stated the total reduction in generating capacity of this offer to be 54MW.

67. The Secretary of State notes that Interested Parties, in particular the OHA, do not consider the Without Prejudice Offer goes far enough to reduce landscape and visual impacts on residential and cultural heritage assets [REP7-190]. The OHA suggested panel removal on a field-by-field [REP4-075] basis during the Examination to further reduce the identified impacts [REP6-118].

68. Without prejudice to his final decision, the Secretary of State requests the **Applicant** to consider where further reductions to the array layout can be made to address the impacts of the Proposed Development by maximising solar panel removal whilst maintaining a viable development. In providing this information, the Secretary of State encourages the **Applicant** to consult with the **OHA**.

69. The Secretary of State notes that during the Examination, the Applicant discounted the OHA’s proposals to reduce the size of the Proposed Development citing viability issues, however, no direct evidence of these viability constraints was provided [REP6-052]. If the Applicant is to proceed with a Without Prejudice Offer, then the **Applicant** is requested to evidence the viability considerations and constraints of any changes to the design of the Proposed Development.

70. The **Applicant** and the **OHA** are requested to update the Secretary of State on any consultation undertaken between parties following the close of Examination in respect of the Without Prejudice Offer, or any additional proposals that may have been discussed.

71. Further, the **Applicant** is requested to provide the following supporting documentation that would need to be updated as a result of any proposal to change the layout of the Proposed Development:

- a. Updated Works Plans;
- b. Updated Land Plans;
- c. Appropriate modifications to the dDCO;
- d. Any necessary updates to the ES, describing the potential for new environmental effects, or effects of different significance, that could arise from the amendment, including but not limited to:
  - i. An updated Landscape and Visual Impact Assessment (“LVIA”), including an updated Representative Viewpoints Assessment, Landscape Character Assessment, and an updated Public Rights of Way Assessment. The Applicant is requested to consider the requests in the **Landscape** section of this letter in providing the updated assessments;
  - ii. An updated Residential Visual Amenity Assessment (“RVAA”). The **Applicant** is requested to consider the requests in the **Landscape** section of this letter in providing the updated assessment;
  - iii. An updated Conceptual Drainage Strategy, [REP4-018] with the further modelling requested within the **Flood Risk** section of this letter;
  - iv. An updated Biodiversity Net Gain (“BNG”) Assessment which presents revised BNG Metric calculations and updates the strategy for delivering BNG accordingly;
  - v. An updated Planning Supporting Statement including Green Belt Case to represent any revised Green Belt harm and Very Special Circumstances;
  - vi. An updated Heritage Impact Assessment and Settings Assessment to represent any revised cultural heritage harm. The **Applicant** is requested to consider the requests in the **Cultural Heritage** section of this letter in providing the updated assessments; and
  - vii. An updated Chapter 17: Agricultural Land Use and Public Rights of Way to represent any changes in harm to best and most versatile land.

The **Applicant** is requested to consider the requests in the **Agriculture and Soils** section of this letter in providing the updated assessment.

- e. An updated outline Landscape and Ecological Management Plan;
  - f. A Skylark Compensation Strategy, as requested within the **Ecology and Biodiversity** section within this letter, which reflects how changes to the array may alter the opportunity for onsite mitigation for ground nesting birds;
  - g. An updated Book of Reference, Status of Negotiations, Statement of Reasons, Schedule of Changes and Lands Rights and Negotiation Tracker;
  - h. An updated Outline Decommissioning Management Plan;
  - i. Confirmation of total proposed reduction in land and generating capacity; and
  - j. Any other additional or updated plans or documents deemed necessary that are impacted by the proposal.
72. The updates to the Environmental Statement to account for the revised proposal should include confirmation as to whether the existing baseline surveys remain valid for informing assessment.

#### **DEADLINE FOR RESPONSE**

73. The deadline for response is **23:59 on Tuesday 9 June 2026**. Responses should be submitted **by email only** to [botleywestsolar@planninginspectorate.gov.uk](mailto:botleywestsolar@planninginspectorate.gov.uk)
74. Responses will be published on the Botley West Solar Farm project page of the National Infrastructure Planning website **as soon as possible after Tuesday 9 June 2026**:

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010147>

75. This letter is without prejudice to the Secretary of State's consideration of whether to grant or withhold development consent for the Proposed Development or any part of the project. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.

Yours faithfully,

*John Wheadon*

John Wheadon

Head of Energy Infrastructure Planning Delivery & Innovation

Department of Energy Security & Net Zero