Botley West Solar Farm

Secretary of State RFI - Applicant's Response

June 2026

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BOTLEY WEST SOLAR FARM

EN010147 — Development Consent Order Application

Secretary of State Request for Information – dated 14 April 2026 (as updated 20 April 2026 and 28 April 2026)

APPLICANT'S RESPONSE

This document contains the Applicant's responses to all questions directed to the Applicant (or jointly to the Applicant and other parties) by the Secretary of State in the First Request for Information dated 14 April 2026 (as updated 20 April 2026 and 28 April 2026). Questions directed solely to third parties (Historic England, Environment Agency, OASL, OHA, Forestry Commission) are excluded from this document.

This response document is submitted in addition to the response document submitted by the Applicant on 22 May 2026 which provided the Applicant's Initial Response to a Request for Information.

NPS references: All NPS references are to the 2024 EN-1, EN-3 and EN-5 which came into force in January 2024 (not the updated 2025 suite), unless specified otherwise.

1. Alternatives and Site Selection

Para 6(a)	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].

Paragraph 4.3.9 of NPS EN-1 sets out the base position that the NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective. In otherwise, the overarching NPS does not impose any general obligation on the Applicant to consider alternatives. However, NPS EN-3 does include solar-specific policy in relation to site selection, which naturally incorporates an element of alternatives.

In that context, initial searches for substation transmission entry capacity were conducted using the National Grid Electricity Transmission (NGET) online search tool, since discontinued. This enabled the searcher to ascertain the generation headroom at a particular substation. Once a substation was identified as having potential capacity, an application for a pre-application call was made to NGET and the likelihood of success of a connection application was discussed with NGET connection engineers. This directly aligns with NPS EN-3 which recognises that the "*capacity of the local grid network to accept the likely output from a proposed solar farm is critical to the technical and commercial feasibility of a development proposal*" (our emphasis) – see paragraph 3.10.35. Paragraph 3.10.38 of NPS EN-3 continues to provide that "*applicants may choose a site based on nearby available grid export capacity*". The Applicant identified several substations that might have capacity.

Where the land team were confident that there were landowners near the substation interested in letting their land for a solar farm, a pre-application call was booked. The search tool indicated that there might be capacity at Northfleet. The substation in effect was land locked and the land team had no success with landowners near or adjacent to the substation, therefore it was decided not to request a pre-application call and the location was no longer considered a feasible option. Pre-app calls were held to discuss Feckenham (Worcs), Bulls Lodge (Essex), Wymondley (Herts) and Rayleigh (Essex). None of these were successful in finding entry capacity. The first pre-app call that elicited an enthusiastic response from NGET was Cowley, where spare capacity was identified at the substation and in the 400 kV line from Cowley to Walham. However, NGET decided not to invest in Cowley. A second call resulted in the offer of a new substation at Farmoor to use the overhead line headroom. A connection application was submitted to NESO and the offer of connection at Farmoor was secured.

In policy terms (NPS-1 para 4.3.15), the Applicant has fulfilled its obligation in reporting the reasonable alternatives they have studied. See primarily Chapter 5: Alternatives Considered [**APP-042**]. In the context of Northfleet, the main reason for rejecting Northfleet was the absence of available land nearby to establish a solar farm at scale. To that extent it was not going to be feasible to develop a project in this general location. Therefore, to pursue this site would be contradictory to national policy which sets out that there is a "*need for significant amounts of new large-scale energy infrastructure to meet its energy objectives*" and "*the need for such infrastructure is urgent*" (paragraph 3.1.1 NPS EN-1).

Para 6(b) and 6(c)	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: 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.

The process of securing land associated with the proposed Farmoor NGET substation evolved from, and built upon, the earlier search undertaken for the Cowley NGET substation. It is therefore appropriate for the Applicant to present the information as a single, consolidated response.

This response describes:

- the process of securing land;
- the extent of overlap between the Cowley and Farmoor search areas; and
- a comparison of the approaches adopted for each search area.

The Applicant commenced its search for land associated with the Cowley NGET substation allocation in December 2019. Six months later, during a pre-application meeting with NGET on 28 June 2020, the Applicant became aware of NGET's emerging proposals for a preferred substation location at Farmoor.

The below timeline demonstrates that the Applicant actively pursued land opportunities associated with the Cowley search area for approximately six months before extending its search to the Farmoor area, which was subsequently investigated over a period of approximately three years.

Date	Action
Jul-19	PVDP Face to Face meeting with NGET to discuss power requirements in the South East of England.
Oct-19	The Applicant started reviewing NGET Substations in the South East of England.
Dec-19	The Applicant began searching for land in the Cowley NGET substation allocation
Jan-20	A Land Agent introduced the Applicant to the Blenheim Estate.
Jun-20	The Applicant attended a Pre-App call with NGET. NGET said they would connect the Project to the 400kV OH line to the west of Cowley
Feb-21	The Applicant applied for a connection agreement in the Farmoor area.
Jun-21	NGET made their Connection offer to the Applicant for Botley West at Farmoor.
Oct-21	The Applicant signed Heads of Terms with Blenheim
Nov-22	The Applicant signed Option to Lease for Blenheim for a solar installation
Aug-23	The Applicant signed lease for Denmans Farm for Solar installation ana a posable location for the Farmoor NGET Substation
Dec-23	The Applicant signed Option to Lease for Worton (Hill Grove) for Solar installation

Land Search Process

The Applicant adopted the following process to identify landowners who may be willing to participate in a solar farm development.

1. Review of a 25km Search Radius

A search radius of 25km was applied as the maximum viable distance for a 275 kV underground cable route connecting a utility-scale solar farm to a NGET substation. Where additional land parcels can be secured along the cable route, the overall land requirement at the outer edge of the search area may be reduced. In principle, locating a solar farm closer to the NGET substation reduces both land requirements and cable route costs.

For reference, the furthest point of the Project is approximately 16.3 km from the proposed NGET substation.

2. Initial Site Screening

The Applicant undertook an initial screening exercise to identify potentially suitable areas of land. Although screening criteria vary according to location, the Applicant generally sought to avoid:

- major urban areas and settlements;
- floodplains; and
- Areas of Outstanding Natural Beauty (AONBs) (now National Landscapes).

The Applicant was also cognisant of other constraints, such as Green Belt designation and Best and Most Versatile (BMV) agricultural land, but these factors did not initially drive the overall site search at a strategic level but did affect more detailed locational choices - site layout and design. The site selection methodology used in relation to the proposed development and grid connection at the proposed Farmoor NGET substation is detailed in response to paragraph 6(e) and 7 below.

3. Identification of Landowners

The Applicant sought to identify landowners with holdings greater than 250 hectares. The objective was to secure a sufficiently large "hub" landholding around which additional parcels of land could subsequently be assembled to achieve the desired project scale.

The Applicant recognised that landowners are unlikely to make all of their land available for a solar development. Consequently, the entire 25km search area was initially reviewed before more intensive investigations were focused around identified opportunities for a hub.

To identify potential landowners and establish the size of their holdings, the Applicant utilised a combination of:

- land agents with local knowledge
- local research;
- professional introductions; and
- HM Land Registry records.

4. Contacting Landowners

Appointed land agents contact landowners using their established professional relationships where appropriate. In parallel, the Applicant contacted landowners directly through a combination of:

- postal correspondence;
- telephone calls;
- professional introductions; and
- on-site canvassing.

Where a landowner expressed interest, the Applicant or its appointed land agent undertook further discussions to assess:

- the extent of land potentially available;
- the landowner's willingness to participate; and
- any legal, operational or financial constraints affecting the land.

Search for Land within the Cowley Area

Figure 1, Land Holdings for Cowley in Yellow, and for reference, AONB boundary in magenta and Green Belt boundary in Green.

The Applicant's experience indicates that the conversion rate from initial contact to positive landowner engagement varies geographically. Within the Midlands, the conversion rate is approximately 10%, whereas within South East England it has been approximately 3%.

Based on this lower conversion rate, the Applicant decided to prospect all land within the 25 km search area around Cowley, excluding areas within designated AONBs. See Figure 1, showing Land Holdings for Cowley in Yellow, and for reference, AONB boundary in magenta and Green Belt boundary in Green.

The following landowners expressed interest:

- A college of the University of Oxford, with several landholdings totalling approximately 500 hectares within the search area;
- Two smaller landholdings adjoining the Blenheim Estate; and
- The Blenheim Estate, comprising approximately 3,000 acres.

All three opportunities were located within the north-western sector of the search area, between approximately 15km and 25km from the proposed connection point.

In June 2020, during a pre-application discussion, NGET informed the Applicant that it was considering a potential substation location in the Farmoor area.

Search for Land within the Farmoor Area

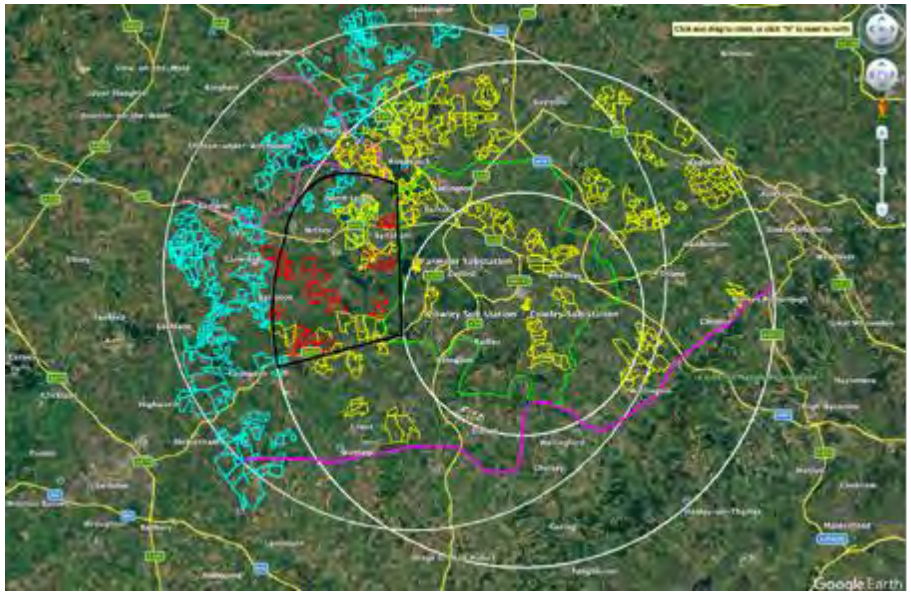


Figure 2 – Incremental Farmoor Land Holdings in Blue, the additional Land Holdings in Red within the Focused search area boundary in Black.

Following identification of the potential Farmoor substation location, the Applicant applied the same 25km search radius to the proposed Farmoor NGET substation. The incremental Farmoor Land Holdings is shown in Blue in Figure 2. This expanded search area introduced approximately 20 additional landowner prospects with holdings exceeding 250 hectares, representing approximately 14,500 hectares of additional land.

Focused Search

In May 2021, the Blenheim Estate confirmed its willingness to make approximately 1,256 hectares available for solar panels, biodiversity net gain (BNG) measures and environmental mitigation.

At the same time, the Applicant was negotiating with:

- Denmans Farm (approximately 81 hectares); and
- Hill Grove Farm (approximately 55 hectares).

Together, these landholdings amounted to approximately 1,391 hectares. However, a high proportion of the project area was located within the Green Belt.

The Applicant therefore sought to reduce the proportion of Green Belt land within the project by undertaking a more focused search in areas that were:

- outside the Green Belt;
- outside designated AONBs;
- away from major settlements; and
- outside floodplain areas.

Additional land secured through this process could potentially replace Green Belt land elsewhere within the project area. This refined approach included re-engaging with previously contacted landowners and investigating smaller land parcels that had not formed part of the initial search. The Applicant also looked at previously developed and brownfield land for the Project as potential suitable sites. For example, the Applicant looked at land near to, and grid connection at, the former Didcot A power station, but that was controlled by RWE and neither the connection nor the land was available to the Applicant. Shortly after the Applicant's enquiry, both the land (part of) and connection was subsequently used by a recently consented, and now constructed, data centre.

The Focused search area broadly followed the eastern Green Belt boundary and extended to the 15km search limit from the proposed Farmoor NGET substation. The Applicant targeted Land Holdings between 250 and 100 hectares. In Figure 2 the additional land holdings are shown in red and the new Focused search area boundary in Black.

The focused search identified two additional landowner opportunities:

- one in the north-western part of the focused search area (approximately 350 hectares); and
- one in the southern part of the focused search area (approximately 341 hectares).

Despite approximately two months of negotiations, neither of these landowners wished to progress discussions further.

Following the completion of this process and once the Applicant had an understanding of the land that would be (or not) available, Chapter 5: Alternatives sets out how the site selection for the Project and the proposed design and layout of the Project has then been influenced by the factors in terms of site selection and design, as set out in paragraph 2.10.18 to 2.10.48 of NPS EN 3.

Para 6(d)	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: 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.

The assessment compares two different connection scenarios:

- The Farmoor connection requires a 100–300 m underground 400 kV cable from the main project substation to a new NGET substation south of Farmoor Reservoir, for which a Bilateral Connection Agreement has been in place.
- The Cable Route to Cowley requires approximately 15 km of 400 kV underground cable through open agricultural land, the Oxford Green Belt, Oxford city centre, and south Oxford suburbs, crossing 31 roads, one railway, and one river to reach the existing Cowley NGET substation, for which no connection agreement exists.

Section 1 "Cable Route to Cowley NGET Substation" below describes the Cable Route to Cowley in detail, including a full schedule of all 31 crossings and Section 2 "Comparative Assessment" presents the comparative assessment across the four criteria specified by the Secretary of State.

Across all four criteria, the Farmoor connection is assessed as materially preferable to the Cable Route to Cowley. The Cable Route to Cowley carries an indicative cable cost alone of approximately £150 million — approximately 21% of the total project cost, compared to less than 0.5% for the Farmoor connection — making the Cowley connection financially unviable as a standalone cost item. The route is also 50 times longer than the Farmoor connection, passing through the Oxford Historic Core Conservation Area, a designated Area of Archaeological Interest with possible medieval and Roman remains, Grade I and II listed buildings, the Oxford Meadows SSSI, and Oxford Green Belt, with no Bilateral Connection Agreement with NGET in place.

The detailed assessment is set out below.

Cable Route to Cowley NGET Substation

1.1 Route Description

The cable route to Cowley connects the Botley West main project substation, located within the Southern Site in West Oxfordshire, to the existing NGET 400 kV substation at Cowley, Oxford. The total route length is approximately **15 km**. The cable is installed at 400 kV underground throughout.

The route departs the main project substation heading east-northeast through open arable land, before passing through the Botley and Eynsham area, through Oxford's western approaches, Oxford city centre (Park End Street, New Road, Queen Street, High Street and Magdalen Bridge), and then south through east Oxford (Cowley Road, Garsington Road, Watlington Road) to terminate at Cowley NGET substation.

The route traverses a varied corridor: open agricultural land (~km 0–2); Oxford Green Belt and urban fringe (~km 2–5); Oxford city centre (~km 5–8); east and south Oxford suburbs (~km 8–15).

1.2 Key Route Parameters

Parameter	Cable Route to Cowley
Total route length	Approximately 15 km
Voltage	400 kV
Cable system	One single-core XLPE-insulated cable per phase with 1,600 mm² segmented copper conductor, 400 kV (IEC 62067), three-phase circuit direct buried in soil in flat formation, cross-bonded
Civil cable installation cost	Approximately **£10 million** per km for 400 kV underground cable
Primary installation method	Open Cut
Total road / railway / watercourse crossings	31 (see Section 1.3)
NGET Connection Agreement	No Bilateral Connection Agreement (BCA) exists for the Cowley connection. A BCA has existed for the Farmoor connection

1.3 Full Schedule of Crossings

1.4

The cable route to Cowley crosses 31 named roads, one railway, and one river crossing. All crossings are listed in route order below.

Approx. km	Road / Crossing	Width (m)	Method	Key considerations
~0.8	Denmans Lane	3.5	Open Cut	Minor rural lane; narrow carriageway.
~1.5	Eynsham Road (B4044)	7.5	Open Cut + traffic mgmt	Rural B road; two-way traffic maintained with temporary lane management.
~3.0	A420 (West Way) — possible trenchless crossing	7.5	To be determined	Open cut in verge possible; trenchless may not be needed. National Highways pre-application consultation required.

Approx. km	Road / Crossing	Width (m)	Method	Key considerations
~3.4	West Way (B4044)	11.5	Open Cut + traffic mgmt	Suburban road
~4.4	A34 (Oxford bypass) — possible trenchless crossing	11.5	To be determined	Open cut in verge / slip road may be feasible. National Highways pre-application consultation required. No compound location identified.
~4.9	Botley Road	7.5	Open Cut + traffic mgmt	Radial road into Oxford; OCC Permit Scheme; Oxford City Council co-ordination.
~6.1	Oxford Railway (GWR / Chiltern) — possible trenchless crossing	7.5	To be determined	Very shallow potential crossing angle. Route may run alongside railway rather than cross it. If crossing needed: NR initiation required. No compound location identified.
~6.4	Botley Rd / Becket St / Park End St roundabout	4	Open Cut	City centre roundabout
~6.4	Park End Street	7.5	Open Cut + traffic mgmt	City centre street; phased working; off-peak restrictions likely.
~6.4	Park End St / Hythe Bridge St roundabout	4	Open Cut	City centre roundabout.
~6.4	Park End Street (continuation)	7.5	Open Cut + traffic mgmt	Continuation.
~6.5	Park End St / Hollybush Row roundabout	4	Open Cut	City centre roundabout.
~6.5	Park End Street (final section)	9.5	Open Cut + traffic mgmt	Approaching New Road junction.
~6.7	New Road	7.5	Open Cut + traffic mgmt	City centre road
~6.9	Bonn Square	6	Open Cut	City centre pedestrian / mixed-use area
~7.0	Queen Street	6	Open Cut + traffic mgmt	City centre street.

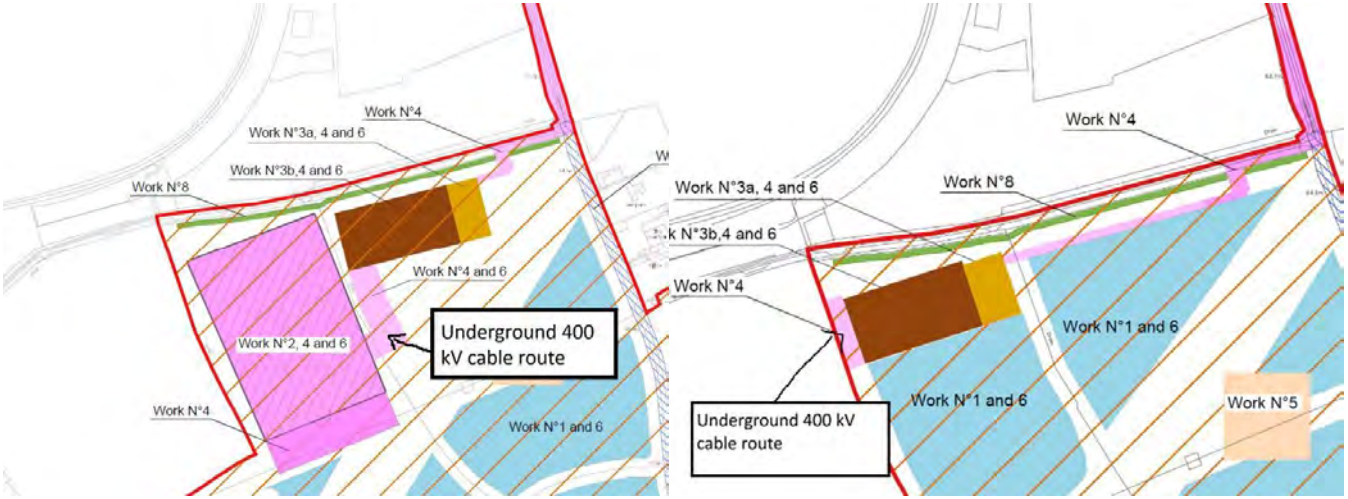
Approx. km	Road / Crossing	Width (m)	Method	Key considerations
~7.2	High Street	9.5	Open Cut + traffic mgmt	Oxford Historic Core Conservation Area. Historic England / OCC consultation. Careful reinstatement of historic street surfaces required.
~7.8	Magdalen Bridge / River Cherwell — crossing method TBD	9	To be determined	HDD only if bridge route unavailable. OCC (bridge owner) and Historic England (Grade II*) consultation required.
~8.2	The Plain	9.5	Open Cut + traffic mgmt	Major junction at entry to east Oxford.
~8.2	The Plain / St Clement's / Cowley Rd / Iffley Rd roundabout	6.5	Open Cut	Major roundabout; extensive traffic management required.
~8.5	Cowley Road (B480)	9.5	Open Cut + traffic mgmt	Principal road into east Oxford; phased working under OCC Permit Scheme.
~9.0	Oxford Road	6	Open Cut + traffic mgmt	Suburban road.
~10.0	Garsington Road	8	Open Cut + traffic mgmt	Suburban arterial road approaching Cowley / Oxford Business Park.
~11.5	Garsington Rd / Oxford Business Park / John Smith Dr roundabout	10	Open Cut	Business park roundabout; traffic management plan required.
~11.6	Garsington Road (continuation)	9	Open Cut + traffic mgmt	Continuation through Cowley commercial area.
~11.9	A4142 (Eastern Bypass) — possible trenchless crossing	11	To be determined	Open-cut at roundabout with traffic management may be feasible.
~12.1	Garsington Road (post-A4142)	9	Open Cut + traffic mgmt	Continuation.
~12.5	Watlington Road (B480)	9	Open Cut + traffic mgmt	Suburban B road

Approx. km	Road / Crossing	Width (m)	Method	Key considerations
~13.4	Watlington Rd B480 / Grenoble Rd roundabout	8.5	Open Cut	Roundabout near Cowley; traffic management required.
~13.7	Watlington Road B480 (continuation)	9	Open Cut + traffic mgmt	Final B road section approaching Cowley substation.
~14.5	Blackberry Lane	4	Open Cut	Minor lane on final approach to Cowley NGET substation.

2 Comparative Assessment

This section provides a comparative assessment of the two grid connection options required by the Secretary of State's First Request for Information
The assessment is structured in four sub-sections corresponding directly to the criteria specified by the Secretary of State: Section 2.1 Environmental Considerations, Section 2.2 Social and Economic Considerations, Section 2.3 Financial Viability, and Section 2.4 Technical Feasibility. Each sub-section presents the assessment of both options in parallel.

The Farmoor connection involves a short 400 kV underground cable of between approximately 100 and 300 m in both location scenarios (on land within the Applicant's order limits at the western extremity of the Southern Site, or on immediately adjoining land to the west, both south of Farmoor Reservoir).



The Cable Route to Cowley is approximately 15 km as described in Section 1.

2.1 Environmental Considerations

This section assesses environmental considerations for both connection options.

The following table sets out the environmental assessment for each cable route. Both connection options use underground cable throughout; no permanent above-ground cable infrastructure is proposed in either case.

Environmental Topic	Farmoor Connection (100–300 m)	Cable Route to Cowley (15 km)
Historic Environment	No designated heritage assets have been identified within the 100–300 m cable corridor The Blenheim Palace World Heritage Site (WHS) buffer zone extends northward from the Southern Site. A 100–300 m underground cable installation south of Farmoor Reservoir does not affect the Outstanding Universal Value or setting of the WHS. No Conservation Area, listed building, scheduled monument, or Area of Archaeological Interest falls within the cable corridor.	The route passes directly through the Oxford Historic Core Conservation Area on High Street, Magdalen Bridge, Queen Street, and Park End Street. High Street and the approaches to Magdalen Bridge are flanked by Grade I and Grade II listed buildings, including Magdalen College (GI), The Queen's College, All Souls College, University College, and Magdalen Bridge itself (GII*). The route traverses the designated Area of Archaeological Interest covering Oxford's city centre on High Street, Queen Street, New Road, and Bonn Square. Potentially medieval, Roman, and Saxon remains lie beneath the city's streets at cable trench depths of 1.5–2 m. A Written Scheme of Investigation and pre-commencement archaeological evaluation will be required. Discovery of significant finds could result in program delay. Multiple Scheduled Monuments are present in proximity to the Cowley fringe sections of the route. Reinstatement of historic street surfaces (cobbled, sett, dressed stone) to the satisfaction of Historic England and Oxford City Council introduces program and cost risk.
Landscape and Visual Impact	Approximately 100–300 m of open agricultural / semi-rural land at the western extremity of the Southern Site or immediately adjoining. Construction effects extend over a very short duration and small spatial footprint. No above-ground cable infrastructure on completion. Full restoration of disturbed ground. Negligible landscape and visual effects.	Construction works extend along 15 km of varied corridor over a construction period of approximately 12–18 months (phased by section). Open trenching in agricultural sections and road openings throughout urban and suburban sections. All cables underground; all disturbed surfaces restored on completion. No permanent landscape change. The route passes through the Oxford Green Belt for approximately 8–10 km of its total 15 km length. Temporary construction in Green Belt does not constitute inappropriate development in policy terms;

Environmental Topic	Farmoor Connection (100–300 m)	Cable Route to Cowley (15 km)
		however, the scale and duration of disturbance through designated Green Belt is materially greater. Construction effects in Oxford city centre (High Street, Magdalen Bridge, Queen Street) are in a dense historic urban environment with high visual sensitivity.
Ecology and Nature Conservation	No statutory ecological designations within the 100–300 m cable corridor. Both Farmoor substation locations are on agricultural / semi-rural land south of Farmoor Reservoir.	The Magdalen Bridge / River Cherwell crossing (~km 7.8) is within the Oxford Meadows SSSI and Natura 2000 complex. Bridge duct installation avoids direct disturbance to the river channel and riparian habitats. Environment Agency and Natural England engagement required. Local Nature Reserves are present along the route corridor. Ancient woodland blocks are present in the Wytham / Cumnor Hill area through which the western Green Belt sections of the route pass. Route alignment must maintain appropriate clearance from ancient woodland root protection zones.
Hydrology and Flood Risk	No watercourse crossings in the 100–300 m cable corridor. Located away from the main Thames floodplain. Proximity to Farmoor Reservoir Thames Water catchment	River Cherwell / Magdalen Bridge crossing (~km 7.8): Flood Zones 2 and 3 are present at this crossing Environment Agency consent required. Additional Flood Zone 2 / 3 sections in the Botley / Hinksey areas (~km 2–5). A detailed flood risk assessment is required for all affected sections.
Ground Conditions and Utilities	No known adverse ground conditions.	A full utility survey and ground investigation is required along the full 15 km route prior to construction. The urban and city centre sections (~km 4.9–15) contain extensive underground utility infrastructure including water mains, sewers, gas mains, high-voltage electricity cables, and telecommunications apparatus. Utility diversions and protection measures will be required and must be agreed with all relevant statutory undertakers.
Agricultural Land and Public Rights of Way	Farmoor location 1 (within order limits): very short section of agricultural land temporarily disturbed; full restoration on completion.	The initial ~km 0–2 of the route passes through open arable land. Soil handling and reinstatement needs to be be carried out. The route through the Upper Thames Valley area is likely to affect Grade 1 or Grade 2 Best and Most Versatile agricultural land.

Environmental Topic	Farmoor Connection (100–300 m)	Cable Route to Cowley (15 km)
	Farmoor location 2 (adjoining land): very short section of agricultural land temporarily disturbed; full restoration on completion.	Public rights of way in the initial agricultural sections require identification and, if affected, temporary diversion under OCC agreement.
Climate Change / Embodied Carbon	Minimal: 100–300 m of 400 kV underground cable. Negligible embodied carbon contribution relative to the Project's lifetime operational savings.	Material embodied carbon contribution from 15 km of 400 kV underground cable, civil installation works along full route, and any trenchless sections. Proportionate to the Project's very substantial lifetime avoided carbon savings. The embodied carbon of the cable supply alone at 15 km is estimated to be significantly greater.
Mineral Safeguarding	Not within a Mineral Safeguarding Area.	The Garsington Road / Cowley sections (~km 10–14) fall within or adjacent to a Mineral Safeguarding Area for Thames Valley gravels. Oxfordshire County Council consultation required. The permanent underground cable installation may conflict with future mineral extraction interests.
Traffic and Transport	No road crossings for the cable connection. No road closures, traffic management, or OCC Permit Scheme works required. Access for construction plant and materials via the existing Southern Site access arrangements. Negligible traffic impact on the local road network.	31 road / railway crossings along 15 km. City centre sections (Park End Street, Queen Street, High Street, Magdalen Bridge) require extensive co-ordination with Oxford City Council, Oxfordshire County Council, bus operators, emergency services, and Highways England. Off-peak and overnight working restrictions are likely. The A420, A34, and A4142 crossings (if trenchless works are required) require National Highways agreement. A Network Rail Asset Protection Agreement is required for the railway crossing (if a crossing is confirmed). Oxford city centre traffic management during construction would affect one of the most congested and historically sensitive city centres in the country. Oxford City Council has existing concerns about the cumulative impact of utility works on the city centre street network.
Noise and Vibration	Remote from residential receptors at the western extremity of the Southern Site. Construction noise and vibration effects are short duration (weeks) and negligible in impact.	Temporary construction noise and vibration along 15 km, with the urban and city centre sections (~km 3–15) presenting the highest receptor density.

Environmental Topic	Farmoor Connection (100–300 m)	Cable Route to Cowley (15 km)
		Properties adjacent to High Street, Queen Street, Cowley Road, and Garsington Road include residential dwellings, university buildings, and noise-sensitive uses.
Land Use and Rights of Way	Location 1: entirely within order limits; no land use effects outside current DCO boundary. Location 2: very short easement across agricultural land adjoining the Southern Site.	Voluntary easements required for landowners on the initial agricultural section (~km 0–2). Remainder of route is on public highway. Public rights of way in the initial agricultural sections require temporary diversion.

In summary, the environmental assessment demonstrates that the Farmoor connection involves a very short cable through a largely undesignated corridor with negligible effects across all environmental topics. The Cable Route to Cowley traverses an environmentally and heritage-sensitive corridors in Oxfordshire, including the Oxford Historic Core Conservation Area, a designated Area of Archaeological Interest, the Oxford Meadows SSSI / Natura 2000 complex at the Cherwell crossing, approximately 8–10 km of Oxford Green Belt, Mineral Safeguarding Area land, ancient woodland in the Green Belt fringe, and extensive designated heritage assets including Grade I and Grade II listed buildings. Traffic management requirements along 31 crossings including critical city centre streets, construction noise and vibration effects on sensitive urban receptors, and disturbance to Best and Most Versatile agricultural land in the initial agricultural section further contribute to the environmental profile of the Cowley route. The cumulative environmental challenge presented by the Cable Route to Cowley is substantially greater than the Farmoor connection.

2.2 Social and Economic Considerations

This section addresses social and economic considerations for both connection options, including effects on communities and employment. Traffic, noise and land use are addressed in Section 2.1.

Social / Economic Topic	Farmoor Connection (100–300 m)	Cable Route to Cowley (15 km)
Community Disruption	Both Farmoor substation locations are at the western extremity of the Southern Site, remote from residential areas and community facilities. Negligible community disruption. No residential receptors or businesses within or immediately adjacent to the 100–300 m cable corridor.	The city centre sections of the route run through a densely occupied urban environment. High Street, Queen Street, and Park End Street are lined with businesses, restaurants, shops, and University buildings. Temporary road closures and pedestrian diversions during cable installation will affect footfall and trading conditions. Residential properties adjacent to Cowley Road, Garsington Road, and Watlington Road will experience temporary construction noise and vibration for several weeks per section.

		The wider Oxford community would experience disruption to bus services, cycle routes, and pedestrian access throughout the construction period. Community liaison programme required.

The social and economic assessment demonstrates that the Farmoor connection has negligible effects on communities and businesses. The Cable Route to Cowley would cause significant temporary disruption to Oxford city centre businesses and residents during the construction of the city centre sections, affecting employment and economic activity along some of Oxford's most commercially sensitive streets.

2.3 Financial Viability

This section addresses the financial viability of both connection options in accordance with NPS EN-1 paragraph 4.3.15, which requires the applicant to demonstrate that the connection is financially viable and that there are no economic barriers to implementation.

Financial Component	Farmoor Connection (100–300 m)	Cable Route to Cowley (15 km)
Cable supply cost (indicative)	Approximately £10 million per km For 100–300 m: approximately £1–3 million	Approximately £10 million per km. For 15 km: approximately £149 million
Urban reinstatement	Full restoration of short agricultural section and immediate access area. Standard cost.	Reinstatement of historic street surfaces in Oxford city centre (cobbled and sett surfaces on High Street, dressed stone kerbstones on Magdalen Bridge) must be completed to the satisfaction of Historic England and Oxford City Council. Premium reinstatement materials and specialist contractors required.

The financial viability assessment demonstrates that the Farmoor connection is financially straightforward and low-cost.

2.4 Technical Feasibility

This section addresses the technical feasibility of both connection options in accordance with NPS EN-1 paragraph 4.3.15.

Technical Consideration	Farmoor Connection (100–300 m)	Cable Route to Cowley (15 km)
Cable installation method	100–300 m of standard Open Cut in open agricultural / semi-rural land. Well-established method; no engineering constraints. No road crossings, no watercourse crossings, no trenchless sections required for the cable circuit itself.	Approximately 15 km of Open Cut with associated road traffic management along 31 crossings under the OCC Permit Scheme. Five locations flagged as potential trenchless crossings Crossing methods must be confirmed following ground survey and stakeholder consultation before the route can be constructed.

Technical Consideration	Farmoor Connection (100–300 m)	Cable Route to Cowley (15 km)
Route geometry and alignment	Straight-line route of 100–300 m with minimal turns. Route is straightforward in both location scenarios.	The 15 km route involves multiple direction changes through the Oxford city street network, particularly in the city centre where the route turns from Park End Street onto New Road, Queen Street, and High Street. Tight cable bend radii at city centre junctions (particularly Bonn Square, the Queen Street / High Street junction, and the roundabouts on Park End Street) must be compatible with 400 kV cable minimum bend radii. The 400 kV cable specification (large-diameter, stiff cable) requires careful bend radius management at all turns. This is an engineering constraint specific to the high-voltage cable type that is less significant in shorter routes.
Pre-construction requirements	Ground investigation over 100–300 m corridor. Utility desktop study and GPR survey.	Full utility survey and ground investigation along 15 km. Crossing method determination. National Highways pre-application consultation (A420, A34, A4142 if trenchless). Network Rail initiation (railway crossing). Historic England and Oxford City Council pre-application engagement (Conservation Area, listed buildings, heritage surfaces on High Street / Magdalen Bridge). Environment Agency pre-application consultation (Cherwell crossing regardless of method). Written Scheme of Investigation approval (Archaeological areas on High Street, Queen Street, Bonn Square, New Road). OCC Permit Scheme application and Oxford City traffic management plan. Utility diversion design and agreement with all statutory undertakers. Land rights: voluntary easements for agricultural sections (~km 0–2). These pre-construction steps represent a substantial program of work before any cable installation can begin
Programme risk	Low program risk. The primary dependency is NGET's substation delivery program. All cable installation steps are within the Applicant's and NGET's control.	High program risk from multiple factors outside the Applicant's control: – Archaeological discovery during city centre trenching could trigger mandatory investigation halts. – Historic England or Oxford City Council objections to reinstatement methodology could delay commencement of works. – National Highways, Network Rail, or Environment Agency consent conditions could require program revisions. – Oxford city centre traffic management scheduling is subject to competing demands from other utility and highway works.

The technical feasibility assessment demonstrates that the Farmoor connection is highly deliverable: it uses standard, straightforward cable installation methods in an accessible location; NGET is committed.

The Cable Route to Cowley is technically deliverable in principle but presents a substantially more complex set of pre-construction requirements, unresolved crossing method, and significant program risk from heritage, archaeological, and traffic management constraints in Oxford city centre.

In policy terms (NPS-1 paras 4.3.9, 4.3.10 and 4.3.15), therefore, the Applicant has fulfilled its obligation in reporting the reasonable alternatives they have studied having regard to the environmental, social and economic effects and including, where relevant, technical and commercial feasibility.

Para 6(e)	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: e. The site selection methodology used in relation to the proposed development and grid connection at the proposed Farmoor NGET substation.

The Project layout and design currently before the Secretary of State, evolved in a careful and considered way. Evidence of this is demonstrated in the following actions taken by the Applicant:

- The retention of the Applicant's own experienced engineering team who have worked on other solar farms;
- The appointment of specialist planning and environmental advisors, first Arcus Ltd and then RPS (now Tetratech) in 2020, who then guided the development throughout the process to the present time, applying experienced planning judgement to all aspects of the Project;
- The appointment of an experienced land referencing company to manage and control land matters (Ardent Limited);
- The appointment of leading communication consultants, Counter Context Ltd, to ensure consultation was full and representations responded to;
- The appointment of leading lawyers (Pinsent Mason LLP) in 2020, who have considerable experience in commercial scale solar farms, advising on strategy and the DCO itself;
- Setting up regular Project management meetings amongst the Applicant team to track progress and manage and resolve competing demands/issues, and in particular using the EIA process to inform the evolution of the Project layout. The changes made to the Project using this mechanism is illustrated in the attached Change Process Table and Change Process plan [Appendices A and B];
- Setting up a Planning Performance Agreement with the Planning Authority and other technical consultee fee agreements to seek to ensure timely interaction by these interested parties.

Bearing the above in mind, the overall strategic location for the Project emerged as a result of:

- Discussions with NETS using their TUNOS tool which directed those with an interest in building energy infrastructure to those parts of the Country where need is greatest; then by
- The need to find a suitable substation with capacity and availability to accept a generating station, as without a connection there can be no generating station; and by

- The availability of land to build a commercial scale project.

This process has been set out in set out in Chapter 5 of the ES [**APP-042**] and in the answers to paragraphs 6 (a), (b) and (c) above.

Details of the projects design and layout evolved as a result of:

- A combination of factors, as anticipated from paragraph 2.10.18 of NPS EN-3. No single factor was determinative of the design and layout chosen as explained by Mr Lecointe of behalf of the Applicant at ISH-1 [REP1-019, page 15];
- Consultation feedback;
- The application of the project teams' experience and judgement; and
- The identification and judgement of, and compliance with, planning and environmental policy; and
- The iterative process and continual application of the mitigation hierarchy, including the need to avoid or minimise adverse effects.

Control and delivery of design and layout matters is set out in the Applicants' outline Layout and Design Principles document; Land and Works Plans; and ultimately in the discharge of Requirement 5 and new Requirement 15 in the draft DCO.

In respect of policy, this approach is in accordance with NPS EN-1 2024, paragraphs 4.3.9 and 4.3.15.

In respect to the matters raised by the Secretary of State, these are addressed below:

Site selection methodology

There were two dimensions to the site search methodology employed by the Applicant; one at strategic level, then one at a local level.

Strategic dimension
The site selection methodology was an iterative process starting in 2019. There were several strands of work that happened largely in parallel right up to the point of submission, and these are set out in Chapter 5 of the ES.

In particular, when the strategic site search began in 2019, this process was initially driven by the desire to be in the UK where the political and policy environment generally supported investment by the private sector in major energy projects compared to many other areas of the world. The Applicant had consented other projects in Japan and elsewhere, but their new investment priority was the UK for the reasons stated.

Having taken the decision that the Applicants preference was to invest in the UK, they began a search process to find a suitable connection point and land to develop a solar farm at scale. Scale was not defined at that point as that would emerge following an understanding of grid capacity, availability of willing landowners to make their land available for the development, and the ability of any land to absorb any environmental effects and have land available where relevant to compensate for any adverse effects.

The process was to find a suitable grid connection point as a priority where the Applicant could connect a large scale solar farm, and then having found that broad location, to refine the site boundaries and layout applying planning, environmental, engineering and cost considerations.

That overarching approach was not to dismiss the importance of dealing with the multiple national and local planning and environmental constraints, but simply a pragmatic approach to prioritise a connection to the national grid network, that aligned with NGET's plans, as without a connection point there can be no project. It would not, in the alternative, make sense to design and layout a project first, having regard to all relevant national and local planning and environmental criteria, only to find that the location selected had no suitable grid connection.

Initial searches for substation export capacity were conducted using the NGET online search tool, since discontinued. This enabled the searcher to ascertain the generation headroom at a particular substation. The tool also set out the estimated TNUoS charges that a generator would be liable for if exporting at that substation. This figure is an indicator of NGET's need for generation at that part of the Grid. A negative TNUoS indicates need, positive TNUoS not. South East England generally showed high need. The Applicant began focusing in on this region to find a suitable connection point.

Whilst the Applicant knew that there were many planning and environmental constraints within the SE area (and indeed throughout the UK) that would need to be addressed in detail, the search for a *broad* location within the UK was not initially dictated by the presence or absence of Green Belt, agricultural land value, mineral resource, or Flood Zones or the London Oxford Airport constraints. The Applicant was cognisant of these constraints and generally sought to avoid them, but these constraints would play an increasingly important role as the Applicant began to try to secure land for the Project and in their detailed locational and design choices. Also, as the Project did not directly affect The Blenheim Palace World Heritage Site, the action required by the Applicant was to understand then accommodate its setting.

Local dimension

The process was that once a suitable grid connection was found to be possible (see Applicant's answer to points a, b and c above), the search for land in the vicinity of the connection point to develop a solar farm could evolve but having regard to the influence that more detailed planning and environmental constraints would play at that stage to detailed design and layout. As set out in paragraph 5.6.15 of Chapter 5: Alternatives Considered **[APP-042]** of the ES, at that point (November 2024), '… in order to develop a scheme that was likely to be acceptable in environmental terms, the Applicant employed environmental consultants to assist in the feasibility of delivering a solar farm in this general location. Refinements in the land considered suitable began to be evaluated, and a series of design principles established (see Chapter 6: Project Description [**EN010147/APP/6.3**] and the Outline Layout and Design Principles [**EN010147/APP/7.**7] for more detail) to guide where the infrastructure could be accommodated…'

The Applicant engaged very experienced, locally based, planning and environmental consultants (RPS Group plc, now Tetra Tech) who are very experienced in DCO projects (including Gatwick Airport, London Array, Thurrock Flexible Energy plant, Hornsea wind farms, and very many smaller scale solar farms) with experts in all the high profile issues including landscape, heritage and ecology, amongst others.

Process that led to the 'Farmoor' Substation

As explained above, having taken the decision to invest in the UK, the Applicant began a search process to find a suitable connection point and land to develop a solar farm at scale.

Initial searches for substation export capacity were conducted using the NGET online search tool, since discontinued. This enabled the searcher to ascertain the generation headroom at a particular substation. The tool also set out the estimated TNUoS charges that a generator would be liable for if exporting at that substation. This figure is an indicator of NGET's need for generation at that part of the Grid. A negative TNUoS indicates need, positive TNUoS not. South East England generally showed high need. The Applicant began focusing in on this region to find a suitable connection point.

While the connection tool indicated that there was capacity at any particular substation, a pre-application call with the connection engineers at NGET was necessary to confirm that. The connection tool was later discontinued as the pace of connections made the information on the website out-of-date. The wait for a pre-app call was approximately two months so it was important to select potential substations carefully.

It was therefore decided to focus on substations with a higher likelihood of a successful connection. The Applicant had already held a pre-app call with NGET on the Cowley substation which had indicated that NGET had both the need for power at that location and a spare bay to connect us. The Applicant therefore decided to focus on Cowley. NGET were very clear that the local grid in Oxfordshire was at capacity and in need of reinforcement, meaning that they were willing to invest in substation assets in the area. They also had a need to replace the buried 400kV cables at Hinksey Meadows, on the Cowley to Walham 400kV line.

At the third pre-application call with NGET they said that they had decided not to invest in Cowley, as the substation was landlocked and there were plans for a large housing development adjacent to it, meaning no land for future expansion. Instead, they planned to build a new 400kV substation at Farmoor; this would enable them to connect our generation as well as offer capacity to the DNO, SSEN, whose local grid was constrained. The decision to focus on Cowley was further influenced by a series of pre-app calls on other substations which either had no capacity or no land nearby, as set out in Figure 5.6: Substation Locations in Volume 2 of the ES [EN010147/APP/6.4].

To connect at Cowley the Applicant had to find land for its own substation (either within the curtilage of the substation or close by), as well as land to build the solar farm. Land within the substation curtilage was not available, and land in the immediate vicinity to the substation was owned by others, including Thames Water. PVDP began to make enquiries of these landowners, but at about that time (late 2019) the Applicant became aware that NGET were contemplating building a new substation which would not only provide a connection for the Applicant but for other developers too. That then triggered a site search for a new substation by NGET, not the Applicant. The Applicants attention then focused on connecting to this new substation. The Applicant is aware that NGET went through a site selection exercise in the vicinity of the corridor of 400kV OHL west of Cowley. NGET applied their own criteria to that site search, and so the Applicant is unaware of how Green Belt factored into their site search criteria.

The Applicant applied for a connection on 10th February 2021. A Point of Connection Offer (PoC) was granted in June 2021 with a connection date in October 2026. There was therefore pressure upon the Applicant to deliver the consent for the solar farm, and pressure upon NGET to deliver a substation to honour the PoC offer. The Applicant maintained contact with NGET from this time to follow their site search efforts and to understand the likely timing of the delivery of their substation. This was important as the Applicant also had to allow time to secure consent for its solar farm through the NSIP regime, so that the solar farm and consent for the substation coincided and could be delivered in a timely manner. The Applicant did not want to apply for its DCO application without there being a clear prospect of delivery of the NGET substation because a stranded asset is not attractive from a viability and investment perspective, and mindful of the need to demonstrate to the Secretary of State that there are no obvious impediments to the implementation of the NSIP. Due to congestion in the grid connection queue, this is a common issue faced by energy generators, and one being addressed by NESO's ongoing grid connection reform that will help future projects.

As time went on it became increasingly clear to the Applicant that there may be mis-match between the timing and risk of delivery of the NGET substation and the timing and delivery of the solar farm i.e. there seemed to be a possibility that any consent for the solar farm may be granted before consent for the NGET substation. The shortlisting and evaluation process undertaken by NGET was taking longer than anticipated and that, plus the possibility that once NGET were ready to submit for planning, permission may still be refused in which case they would be delayed either by a preparing a revised planning application and/or by needing to appeal the refusal, both of which would take a significant amount of time. This was considered to be a consenting/delivery risk to the Applicant and so the Applicant chose to manage this risk by incorporating an alternative NGET substation site within the Order limits of its own DCO application. This was done with the full knowledge of NGET. The site selected by PVDP for the NGET substation was within the NGET area of search which by that stage had narrowed to an area with approximately six alternative sites along a short stretch of the 400kV OHL corridor, and on land that was within the Applicants Order Limits. To the knowledge of the Applicant none of the shortlisted site areas lay outside of the Oxfordshire Green Belt. The Applicant did not look beyond this corridor as to do so would fetter NGET's own site search criteria.

The Applicant then sought appropriate design parameters from NGET that they could use within their DCO submission to enable an NGET substation to be built and for a suitable connection to the adjacent 400kV OHL to be made.

The narrative above explains in more detail how the NGET substation site was selected. Whilst not at the site of the Cowley substation, it was still within an acceptable distance to allow land negotiations with nearby willing landowners to continue to be progressed and allow the solar farm design and layout to evolve into a viable project.

Site selection and policy context

It is the Applicants position that there is no policy requirement which requires it to search for a site for a substation or for any other form of development, in any prescriptive way. Policy does not require a sequential approach to be followed in that respect. Policy in this respect is expressed as a preference, not a requirement. This is explained further below.

NPS EN-3 para. 2.10.29 and 2.10.31 does make a reference to this matter. Para.2.10.29 states: "*While land type should not be a predominating factor in determining the suitability of the site location applicants should, where possible, utilise suitable previously developed land, brownfield land, contaminated land and industrial land*...". At para 2.10.31 of NPS EN-3, it notes the 'preference' for development to be on "*suitable brownfield...land*". In NPS policy terms therefore, the Applicant characterises policy as a preference in policy terms not a requirement, and even then only where possible and where suitable.
To reinforce the point, in NPS EN-3, para 2.3.9, it states that as most renewable energy resources can only be developed where the resource exists and where economically feasible, and because there are no limits on the need established in Part 3 of EN-1,the Secretary of State should not use a consecutive approach in the consideration of renewable energy projects (for example, by giving priority to the reuse of previously developed land).

Beyond the NPS policy above, the NPPF (particularly paragraph 148) talks about a sequential test but only when considering a change in Green Belt boundaries or the release of Green Belt. The applicant is not seeking a change to nor a release from the Green Belt, and in the Applicants view therefore, paragraph 148 does not apply.

Notwithstanding the policy position on this matter, the Applicant, in its search for suitable sites, looked at previously developed and brownfield land for the Project as potential suitable sites. For example, the Applicant looked at land near to, and grid connection at, the former Didcot A power station, but that was controlled by RWE and neither the connection nor the land was available to the Applicant. Shortly after the Applicant's enquiry, both the land (part of) and connection was subsequently used by a recently consented, and now constructed, data centre. The Applicant has also carefully assessed potential impacts on the Green Belt as part of the ES, and sought to avoid, minimise and mitigate those effects in accordance with the mitigation hierarchy.

In respect of policy on alternatives and proportionality, the approach taken by the Applicant is in accordance with NPS EN-1 2024, paragraphs 4.3.9, 4.3.10 and 4.3.15.

Para 7	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.

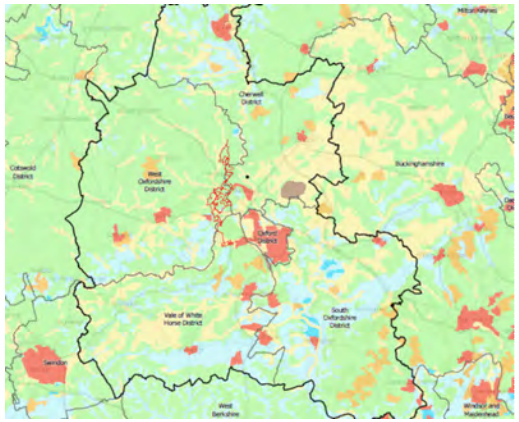
Best and Most Versatile (BMV) land

The Applicant has sought to develop a Proposed Development which has fully considered the quality of the agricultural land and where the extent of BMV is lower than that would be found on average throughout England. During the Examination phase, and as part of this submission, the Applicant further reduced the scale of the solar farm which has, in turn, reduced the extent of BMV affected. Practically, the distribution of the BMV land is mainly located in pockets or areas of fields where removing panels would not provide accessible areas of sufficient scale to accommodate commercial arable farming within these areas of the three holdings affected. Blenheim have the capability, and experience across the 12,000 acres of the Estate to implementing the type of regenerative farming techniques to promote biodiversity in the way being proposed by the Applicant.

There would only be a small permanent loss of 5.5 ha of BMV land arising from the Proposed Development, which is not significant. The mitigation measures included through the Outline Soil Management Plan would protect soils through the construction process and the outline Landscape and Ecological Management Plan would enable soil health to be enhanced through the conservation grassland and extensive grazing proposed within the installation area.

The design process for the Project considered the likely areas of BMV land at an early stage. Figure 1 attached to the response to the Rule 17 letter (REP6-052) (extract provided below), shows the location of the Proposed Development in relation to the Provisional ALC mapping and shows the location of the Proposed Development in the context of the wider Oxfordshire County.

It is clear from this overlay that the location of the areas of the Project falls predominantly within Grade 3 land, with some potential Grade 4 land, which compares favourably with surrounding districts within Oxfordshire, where there are generally significant areas of Grade 2 and also limited areas of Grade 1 land. The initial assessment therefore identified the land would mainly comprise Grade 3 and lower quality land, and the detailed survey work has confirmed that this is the case.



In March 2026, a new predictive ALC map was introduced for England as a replacement for the Provisional ALC mapping and this mapping now provides a prediction of the split between subgrades 3a and 3b land, which the original provisional mapping did not do. The report produced to explain the development of the new predictive ALC map summarises the proportions of the area of England covered by ALC grades according to the new map.

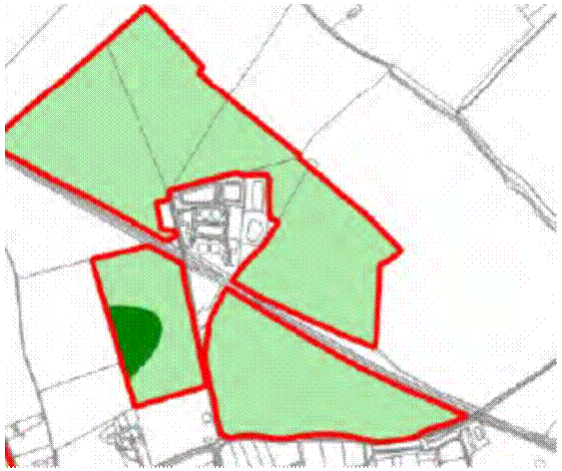
The mapping predicts, as shown below, that BMV comprises approximately 40.6% of the total land cover within England and that 50.48% of the agricultural land in England comprises BMV.

The latest predictive mapping indicates that with 50.48% of the agricultural land in England predicted to comprise BMV, it is inevitable that the Order Limits for any major development would include some BMV. For this Proposed Development, the percentage of BMV land is lower than would be expected, compared to the national average. The quality of land across the Site is comprises a typical pattern of land quality, if not slightly lower quality than is predicted to be average across England. Further design changes have been proposed by the Applicant during the Examination process, continuing the iterative design process. These have reduced the amount of BMV within the Site. There have been reductions in the areas required for the Proposed Development where larger blocks of land have been removed from the Order Limits as part of Change Request 2 (CR2-072). These changes to the Order Limits led to a significant reduction of:

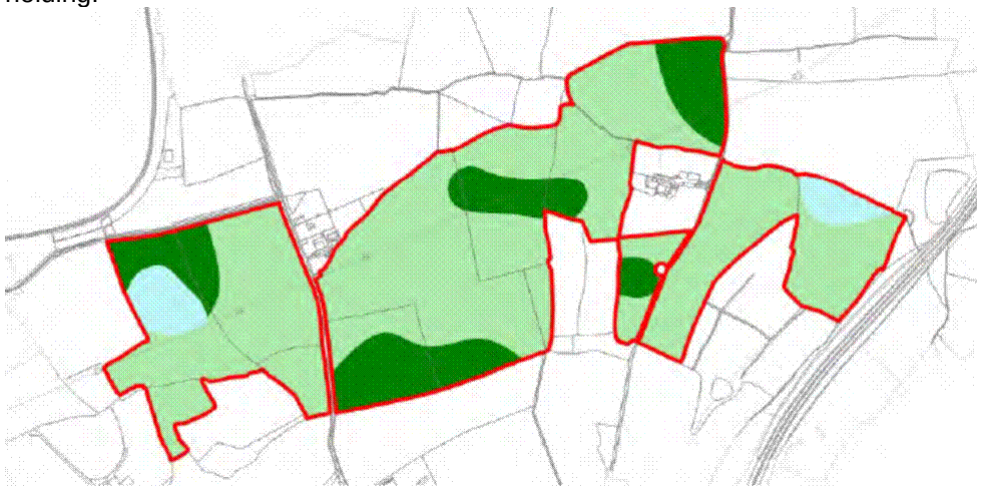
- 10.8% of the Grade 2 land within the Order Limits; and
- 9.9% of the subgrade 3a land within the Order Limits.

In terms of the use of the remaining BMV land within the Order Limits, the BMV land is mainly located in pockets or areas of fields where removing further panels would not provide areas of sufficient scale for arable production in suitable locations for the three main farm holdings affected to consider arable cropping. The BMV land predominantly lies within Holding 1 as shown on Figure 17.4 (APP-17.4).

The land within Holding 2 only comprises a single small pocket of BMV as shown below, which would not be farmed in isolation:



Similarly, the land within Holding 3 comprises small irregular areas of BMV that cross field boundaries or do not adjoin other accessible areas of the holding.



The assessment of the three farm holdings that contain BMV where the solar infrastructure would be located are all large to substantial arable holdings and these holdings would remain as substantial or large arable holdings following the implementation of the Proposed Development. No commercial enterprises would be comprised by the Proposed Development and the structure of the landholding framework in the area would not be affected.

Although a proportion of land within the area of the solar infrastructure does constitute BMV, the Proposed Development would only lead to a permanent loss of only 5.5 ha of BMV land, which would not be significant. The Applicant has developed an Outline Soil Management Plan (Requirement 11) to ensure that soil resources and the quality of the agricultural land are protected where there is disturbance during the construction period and the proposals contained within the outline Landscape and Ecological Management Plan would provide benefit to soil health through less intensive farming use and the introduction of conservation based grassland and low intensity grazing. Natural England has confirmed in the signed statement of common ground (REP7-040) that they have no concerns in relation to soils and the BMV land, based on the best practice methods contained within the Outline Soil Management Plan and the nature of the conservation grazing based land use proposed during the operational period as part of the outline Landscape and Ecological Management Plan.

The Applicant has therefore sought to develop a Proposed Development which has fully considered the quality of the agricultural land and where the extent of BMV is lower than that would be found on average throughout England. During the Examination phase, the Applicant has further reduced the Order Limits which has, in turn, reduced the extent of BMV affected. Practically, the distribution of the BMV land is mainly located in pockets or areas of fields where removing panels would not provide accessible areas of sufficient scale to accommodate commercial arable farming within these areas of the three holdings affected. Blenheim have the capability, and experience across the 12,000 acres of the Estate to implementing the type of regenerative farming techniques to promote biodiversity in the way being proposed by the Applicant.

The mitigation measures included through the Outline Soil Management Plan would protect soils through the construction process and the outline Landscape and Ecological Management Plan would enable soil health to be enhanced through the conservation grassland and extensive grazing proposed within the installation area.

Policy position and summary conclusion on BMV

Government policy in the latest NPS EN-1, December 2025 states that:

" *5.11.12 Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5)."*

" 5.11.34 The Secretary of State should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. Where schemes are to be sited on best and most versatile agricultural land the Secretary of State should take into account the economic and other benefits of that land. Where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality."

The Applicant considers they are in accordance with national policy. Their justification is that:

A site of this size would always affect some BMV resource. It is clear from the Applicants early analysis that the location of the areas of the Proposed Development fell predominantly within Grade 3 land, with some potential Grade 4 land, which compares favourably with surrounding districts within Oxfordshire, where there are generally significant areas of Grade 2 and also limited areas of Grade 1 land. The initial assessment therefore identified the land would mainly comprise Grade 3 and lower quality land, and the detailed survey work has confirmed that this is the case.

So the Applicant's position was that the presence or absence of BMV was unlikely to be a determinative factor in site selection providing in their design and layout they could comply with policy requirements.

On that basis the Applicant:

- Decided to erect the solar arrays on frames that would minimise any damage to the soil structure and can be easily removed leaving the resource suitable for re-use in the long term;
- Retained and agricultural use of land beneath the arrays helping to improve soils quality in the long term;
- Imposed a Soil Management Plan to protect the soil resource.
- Sited structures requiring foundations away from the BMV resource where possible e.g. the siting of the PCS, secondary and main substations. It should be noted that there are two key development components that took a relatively large amount of BMV out of the overall scheme. The first is the Cassington flood attenuation water feature, designed as a means to reduce the existing surface water flooding that the village experiences, and the location of that feature is directly over BMV land (the public benefit was considered to outweigh the loss of BMV, but could be removed if the SoS does not agree with that position; secondly, the NGET substation, if accommodated within the Applicants Project site, is also over a BMV soil resource (one of the short listed locations identified by NGET given its proximity to the 400kV OHL – however, if that is not delivered on the Project site, then the soil resource affected would be reduced.
- and whilst this approach mitigated the adverse impact upon BMV, the total irreversible loss of the BMV is 4.8 ha of the total resource within the Project site area. This is not significant in EIA terms, and

When balanced against the economic benefits accruing (see ref), energy security, enhance biodiversity and urgent need to secure significant amounts of renewable energy in the UK, the limited adverse effect on the BMV soil resource is outweighed by these beneficial factors.

Based upon the Applicants' removal of additional areas from the Project (see updated masterplan (ES Figures 2.1a to 2.4c [EN010147/APP/ 6.4] and the Change Process Plan (Appendix A), the effect upon BMV is judged to no worse and potentially be more beneficial given the significant additional areas now removed from the Project.

Minerals Safeguarding Areas

The Applicant notes the Secretary of State's comments on the effect on minerals. He states at para 51 of his letter that:

"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 4,581,500m3 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."

The Applicant can now confirm, before the newly proposed 100-250 m buffer areas around residential properties are applied, that the areas affected based on the actual panel/apparatus areas is an area of 130 hectares (not 270 hectares) and a calculated excavation area of 2,222,920m3 (with an average depth of 1.70 m - not 4,581,500 m3).

Also, the approximate area of total sharp sand and gravel MSA across Oxfordshire equates to 12,565 ha, based on North and South policies maps of the Oxfordshire Minerals and Waste Local Plan, Part 1 – Core Strategy (adopted September 2017). The revised solar array footprint of the BWSF scheme is estimated to cover approximately 130 ha of the total area currently defined by sharp sand and gravel Mineral Safeguarding Areas (MSAs) in Oxfordshire. This equates to approximately 1 % of the designated sharp sand and gravel MSAs across the County, accepting that since 2017, ongoing extraction from operational quarries will have had an impact of reducing the area of safeguarded reserve somewhat. The latest published Local Aggregate Assessment for OCC (published November 2025, covering the calendar year of 2024), stated that at the end of 2024, there were eleven sand and gravel extraction sites with planning permission, eight of which were active at the time of assessment preparation and permitted reserves of sharp sand and gravel were at 6.177 million tonnes (mt) for the Plan period up to 2031. In the event that additional reserves were required to ensure a sufficient landbank of sharp sand and gravel, other areas across the MSAs could be investigated to determine whether areas of potential resource are of suitable quality and economic value to be considered a viable reserve. As set out above, the BWSF is estimated to temporarily sterilise approximately 1% of the total area of currently safeguarded sharp sand and gravel in Oxfordshire, with the remaining extent totals over 12,000 ha of potential reserve.

In addition, based upon the Applicant's latest proposal to remove of additional areas from the Project (see updated masterplan (ES Figures 2.1a to 2.4c [EN010147/APP/ 6.4] and the Change Process Plan (Appendix A)), any effect upon minerals is judged to be less than currently reported given the significant additional areas are now likely to be removed from the Project.

Notwithstanding, the Applicant did not use the location of mineral resource to rule out, in principle, development in this location because:

- UK planning policy does not prohibit development on mineral reserves, but seeks to prevent unnecessary sterilisation of such reserves. The Applicants considers that the mineral reserve affected by the Project is temporary and will not damage the resource. Mineral Safeguarding Areas (MSA's) were identified by the Applicant, and assessed, concluding the Projects acceptability in all of the circumstances, including urgent national need for renewable energy and security of energy supply.

The latest NPS EN-1, December 2025 (which the Applicant considers the Secretary of State may consider to be an important and relevant matter in its decision making) states that:
" 5.11.19 Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place."

The Applicant has safeguarded the mineral '*as far as possible'*, as demonstrated by the use of driven piles together with their removal after decommissioning.
Also,
" 5.11.28 Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources."
Again, through the construction methos and ultimately removal of the infrastructure, mitigation has been applied.

- A Mineral Resource Assessment (MRA) was undertaken by the Applicant [APP-195]. The assessment concluded that, given the proposed development is temporary in nature, this will not result in permanent sterilisation of mineral resources, and the national importance of the Project outweighs the importance of the

safeguarded resources beneath the affected Land Parcels of the Site, and is therefore consistent with Policy M8 ('Safeguarding Mineral Resources', Oxfordshire Minerals and Waste Local Plan), without the need for prior extraction. Appropriate decommissioning measures applied to the grant of any consent will ensure that the land is returned to its current use upon cessation of the solar farm. The potential development of a solar farm on mineral safeguarding areas was therefore not ruled out when considering 'alternatives', and the findings of the MRA report reaffirms that this is an acceptable approach.

- The safeguarded resource is present at a greater depth than the regarded sensitive archaeology deposits, and across much of the proposed development, the safeguarded resource is afforded protection by overlying Alluvium deposits. Any construction works intercepting the safeguarded resources would be limited to contact with the upper layers of the safeguarded resource. Therefore any areas of the proposed development that lie within the mineral safeguarded area are not considered to significantly impact on the available volume and economic viability of the deposit for future extraction, if allocated, following the temporary period of operation of the proposed development.
- At decommissioning, the Applicant is committed to the full removal of all above ground infrastructure (see paragraph 2.1.1 [APP-236]), including within the Mineral Safeguarding Area. This will include solar PV modules, mounting structures, piles, cabling, inverters, transformers, substations, fencing, CCTV, lighting, and internal access tracks unless specifically requested to be retained by landowners. Below-ground infrastructure such as piles and foundations will also be removed. There will be no material sterilisation of the mineral resource.

Sterilisation occurs where a non-mineral development permanently precludes or unreasonably constrains the future economic extraction of a safeguarded mineral. The proposed foundation system does not meet this test:

- The physical footprint of the foundation elements – driven piles or, where used, ground screws – covers less than 0.1 % of the overlying MSA area; more than 99.9 % of the resource footprint remains undisturbed during the operational life.
- No concrete, grout or bound aggregate is introduced into the ground. The foundations are single, linear, removable steel elements; no structure is left behind that would obstruct future extraction.
- All driven piles are fully extractable using a standard hydraulic pile extractor, without excavation and without measurable disturbance of the surrounding deposit. Ground screws are removed by controlled reverse rotation, likewise without excavation.

The PV mounting structures are founded on galvanized steel foundations without any concrete, grouting, bored elements or permanent ground stabilisation. The primary foundation system is the driven steel pile. To minimise the embedment depth per pile in parcels overlying the Sharp Sand and Gravel resource, the applicant has moved from a single-pile to a dual-pile configuration per PV table. Where local ground conditions within a parcel make driven piles unsuitable (for example in horizons with dense gravel, cobbles or backfilled historic workings), the applicant retains the option to use ground screws / helical screw foundations as an equivalent alternative, subject to the same corrosion, depth and reversibility requirements. The design parameters are summarised below.

Parameter	Design value
Primary foundation type	Driven galvanised steel piles, dual-pile configuration per PV table
Alternative foundation type	Galvanised steel ground screws / helical screw foundations, where driven piles are locally unsuitable; installed by rotation, not impact; fully unscrewable at decommissioning
Maximum embedment depth per pile	≤ 3.0 m (conservative design envelope); typical achieved depth expected to be lower
Pile cross-section (reference)	Cold-formed C / Sigma profile, approx. 100–130 mm, 2–4 mm wall thickness
Displaced volume per pile	< 0.04 m^3 (net volume)
Plan area of piles relative to overlying MSA	< 0.1 % of the gross parcel area
Concrete or grout volume in ground	None – no concrete, no grouting, no drilling
Corrosion protection	Hot-dip galvanising to EN ISO 1461 (zinc coating ≥ 85 µm), with Duplex coating in the below-ground section where required
Design life	40 years, with corrosion allowance covering the full operational period and removal
Reversibility	Full – all piles will be extracted at decommissioning; no residual sub-surface elements

Dual-pile configuration – rationale: By distributing the vertical load (dead load and wind load) onto two piles per table rather than one, the load per pile and therefore the required skin-friction and tip-resistance length is materially reduced. This lowers the typical achieved embedment depth below the 3.0 m design envelope, reduces the driving energy per blow (minimising the risk of pile damage on isolated cobbles in the Thames terrace deposits), and provides local flexibility: if one of the two piles meets refusal, the second can be slightly offset to avoid a single obstruction without relocating the entire table.

Ground screws as alternative – rationale: Where the driven pile is not suitable in a specific location – for example in dense or cobble-rich gravel horizons where driving refusal occurs above the target depth – the applicant will substitute a galvanised steel ground screw (helical screw foundation). Ground screws are installed by controlled rotation rather than impact, which removes driving vibration, allows an early and accurate stop criterion via installation torque, and typically achieves the required pull-out resistance at a shallower embedment than a driven pile of comparable capacity. At decommissioning, ground screws are unscrewed and extracted

without any residual sub-surface element. From a Mineral Safeguarding perspective, ground screws are therefore at least equivalent, and in terms of reversibility arguably superior, to driven piles.

It is anticipated that there would be no greater damage imposed by piling than there would be imposed by the method of mineral extraction (i.e. possible crushing by mechanical excavation). In addition to this, sharp sand and gravel reserves are typically processed following extraction, so it is considered reasonable that should any localised areas of sand and gravel resource be 'damaged' by piles, this would likely take the form of localised crushing, increasing the sand fraction of the material which is also considered to be economically valuable for future use.

- All underground cabling will be removed except for 33kV and 275kV cables laid in the public highway or installed using horizontal directional drilling (HDD), which will remain in place to avoid unnecessary disruption. The National Grid (NGET) substation, if constructed, will also be retained. A detailed decommissioning strategy will be developed and agreed with the relevant planning authority at the time of decommissioning to ensure alignment with safeguarding policies and current best practice. All decommissioned materials will be managed in accordance with the waste hierarchy, prioritising reuse and recycling.
- Where present within the mineral safeguarding area, all above ground infrastructure will be removed. The only below ground infrastructure that would remain beneath the mineral safeguarding area would be horizontally directional drilled (HDD) cabling. This is primarily associated with the River Thames crossing (HDD 6, River Evenlode Crossing (HDD 5) and a hedgerow (HDD 12) within the MSA, as set out in APP-130. HDD-laid cables will be bored into the ground along a shallow arc path rather than laid in ducts and therefore will not be removed during decommissioning to avoid unnecessary ground disturbance. The presence of these cables is not considered to significantly impact any future extraction of the wider area, and are to be located for the purposes of protecting existing sensitive surface features and watercourses. Buffers associated with those sensitive features will already preclude mineral extraction in these buffer areas.
- A Mineral Safeguarding Area for sharp sand and gravels has been identified within the Project area. In accordance with local planning policy a Mineral Resource Assessment (MRA) has been undertaken that demonstrates that although sand and gravel deposits of potential commercial interest are present sporadically beneath part of the Central Site area, the Project will not result in the permanent sterilisation of these resources. Prior extraction of the Sharp Sand and Gravel resource has been considered. However, given (i) the reversible, temporary nature of the foundation system, (ii) the negligible physical footprint of the piles, (iii) the absence of any permanent sub-surface structures, and (iv) the binding decommissioning obligation, prior extraction is not considered proportionate. The proposed solution preserves the full economic and physical accessibility of the resource for future extraction following decommissioning, and – if warranted during the operational life – phased, parcel-by-parcel interaction with a future mineral operator remains technically feasible. The applicant is willing to record this willingness as a planning condition (see Section 5, Condition P7).
- In addition, the Applicant suggests the following three measures to be discussed and, if possible, agreed with the OHA's and secured as necessary in the outline Code of Construction Practice:

Replacement Measures in lieu of Trial Piling

Trial piling and a full site-specific ground investigation have not been carried out at this stage. This is not a material obstacle to the safeguarding assessment, as the information required to address Policy M8 – namely the extent and quality of the resource and the nature of the foundation interaction – can be obtained from public geological data. The applicant could undertake and submit, prior to commencement of piling works, the following replacement measures as a coherent and proportionate alternative.

Pre-construction Desk Study

- Interrogation of the BGS GeoIndex Borehole Database within a 2 km radius of each affected parcel (9, 10, 12, 13, 14), to characterise the thickness and stratification of the Sharp Sand and Gravel and any cobble horizons.
- Review of the BGS 1:50,000 Bedrock and Superficial Geology Maps to confirm the lateral extent and overburden of the safeguarded resource.
- Review of the Mineral Resources Map of Oxfordshire (BGS, 2006) to confirm the resource category, thickness and overburden relevant to each parcel.

- Review of publicly available borehole logs from adjacent infrastructure and minerals applications (e.g. Cassington, Eynsham, Yarnton, A40, Oxford Parkway), and of Cranfield Soilscapes data for the upper 1.2 m.
- Review of LiDAR data for the Order Limits to identify any historic worked or backfilled ground.

Construction-stage monitoring
The first 20 piles driven in each affected parcel will be installed as instrumented reference piles. Installation parameters (blow count, penetration rate, refusal criteria, final embedment depth) will be recorded and interpreted to confirm consistency with the Desk Study, and made available to the MPA on request. Any parcel-specific deviation will trigger a documented design review before full-scale piling continues in that parcel.

The MRA is presented as Chapter 11, Appendix 11.14 [**EN010147/APP/6.5**]. Notwithstanding, for the purposes of Policy M8, the combination of (i) a Desk Study based on public geological data, (ii) a binding decommissioning obligation, and (iii) instrumented reference piling at the start of construction provides an information basis that is at least equivalent to upfront trial piling. The question that trial piling would answer – whether the foundation can be installed without unreasonable interaction with the resource – is already substantially answered by the geometry of the foundation system (< 0.1 % footprint, < 3.0 m depth, full reversibility).

In light of the above, the Applicant considers the Project to be in accordance with the national policy and local Policy M8.

Blenheim Palace WHS

The Blenheim Palace World Heritage Site was a known and important constraint but no part of the Project site will directly affect it. However, it was known that in selecting land for the solar farm and any detailed layout and design within the site, the Applicant needed to safeguard its setting. Work on setting began in 2024 using established guidance. The Applicant worked with Historic England and Blenheim Palace using the WHS Management Plan to gain a clear appreciation of setting and to design and layout the solar farm accordingly.

During the course of the evolution of the project, extending into the Examination phase, the Applicant sought to agree the assessment details and to reach common ground in key areas to allow the SoS to be confident in understanding the development would not adversely affect the WHS.

The Applicant considers this approach and outcome applies the mitigation hierarchy and has achieved an acceptable outcome.

London Oxford Airport

The influence of the presence of London Oxford Airport is documented in the agreed Statement of Common Ground. Dialogue with the airport began during the Scoping stage of the project and has continued ever since. The Applicant believes is has accommodated all necessary measures to safeguard the airport, including a further revision as part of this submission. See the later responses in relation to aviation.

Flood zones

The consideration of areas liable to flood had a direct influence over the detailed design and layout of the Project once the broad site location for the Project had initially been identified. The detailed design and layout of the project and the measures to be adopted to avoid or minimise any adverse effects have been taken into account in the latest layout of the Project and accords with national planning policy.

Green belt

Green Belt was a factor that influenced the Applicants approach to design and layout, but not an overriding one.

Firstly, not all of the Project Site is within Green Belt (GB) – Various percentages have been quoted about land take from the Green Belt, but the Applicants' assessment is as follows. The Oxfordshire Green Belt in total occupies an area of approximately 34,464 ha. Prior to the application of the Applicants increased buffer zones, the above ground development of the Project occupies an area of approximately 497 ha. or 1.4% of the total Oxfordshire Green Belt. Approximately 31% of the total area of the Project site (the DCO Order Limits) lies beyond the Green Belt and 69% falls within it. All of the Northern Site lies beyond the Green Belt. All except a limited margin at the western edge of the Central Area falls within the Green Belt. All of the Southern Site falls within the Green Belt. The Applicant took land initially offered by The Blenheim Estate north of Woodstock outside of GB. Blenheim initially offered 200 ha, but that land was approximately 15km north of the 400kV line and the Point of Connection. More land was needed closer to the 400kV line, which was eventually offered by Blenheim and by another landowner in the area that NGET were contemplating building a new substation. The land packages were relatively disjointed and required additional land areas to facilitate cabling to connect them.

The Applicant did not rule out development in the Green Belt, in principle, for a number of reasons, including:

- In 2019, when the search started, there was nothing in policy that would rule out, in-principle, development within the Green Belt, providing a Very Special Circumstances (VSC) case could be made. It was considered that VSC were available to the Applicant, and the key VSC argument was the national urgent need for this type of infrastructure;
- The Applicant considered that the design and layout of the project would be able to ameliorate its impact upon openness with careful siting and/or screening of the development;
- It was decided that the development would be made temporary and reversible, primarily because the land could then revert back to a site without major development within it and thus retain in full the purposes of Green Belt in this location;
- In July 2024, over a year prior to submission, the policy position changed which helped underpin the Applicants decision to persist with development in the Green Belt - that being Government policy designating NSIP's as Critical National Priority (CNP) infrastructure, thus benefitting from the presumption that where a planning balance judgement is to be made e.g. the merits of a VSC case, that the test will have been met;
- Then in February 2025, the approach to assessing openness in Green Belt was clarified to mean that it was towns not villages where the judgement of openness should be assessed. Policy up to that point assumed one could use the location of villages when assessing impact of new development upon openness. This policy change had the effect of making it slightly easier to accommodate the development within its Green Belt location as the towns in the area were much more spread out leaving larger tracts of land between then when judging the impact of openness between the towns. Specifically, the PPG on Green Belts states at paragraph: 004 Reference ID: 64-004-20250225, that:
  "…authorities should consider the contribution that assessment areas make to Green Belt purposes a, b, and d. Considerations for informing these judgements are set out below:

Purpose A – to check the unrestricted sprawl of large built up areas
This purpose relates to the sprawl of large built up areas. Villages should not be considered large built up areas…"

Purpose B – to prevent neighbouring towns merging into one another
This purpose relates to the merging of towns, not villages.

Purpose D – to preserve the setting and special character of historic towns
This purpose relates to historic towns, not villages. Where there are no historic towns in the plan area, it may not be necessary to provide detailed assessments against this purpose. "

So, studies such as that undertaken by LUC on which various IP's relied, are now out of date as they have assessed the functions of gaps between *villages*, when it is *towns* that now should be considered in relation to Purpose A, B and D.

In the context of Botley West, the 'gaps' between Hanborough/Bladon and Bladon/Begbroke and indeed Kidlington are all villages and so according to the new PPG can be disregarded when it comes to assessing the Green Belt functions they serve. The nearest towns for these purposes are now Banbury and Woodstock to the North, Witney to the West, Oxford City to the East and Abingdon to the South.

In the latest NPS EN-1, December 2025, it states " 5.11.37 Very special circumstances are not defined in national planning policy as it is for the individual decision maker to assess each case on its merits and give relevant circumstances their due weight. However, when considering any planning application affecting Green Belt land, the Secretary of State should ensure that substantial weight is given to any harm to the Green Belt when considering any application for such development, while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are such that it has limited or no impact on the fundamental purposes of Green Belt designation. Very special circumstances may include the wider environmental benefits associated with increased production of energy from renewables and other low carbon sources."

Green Belt has influenced the design and layout of the project, but it has not been an overriding factor in the strategic site selection process. Its influence has come in the detail design and layout and ultimately justified by a balance of harm versus benefit using VSC and the positive presumption afforded to it by its CNP status.

In addition, based upon the Applicants' latest proposal to remove of additional areas from the Project (see updated masterplan (ES Figures 2.1a to 2.4c [EN010147/APP/ 6.4] and the Change Process Plan (Appendix A)), the effect upon Green Belt is judged to be less harmful given the significant additional areas now removed from the Project.

Policy Compliance

In policy terms (NPS-1 paras 4.3.9, 4.3.10 and 4.3.15), therefore, the Applicant has fulfilled its obligation in showing how the above factors have influenced the way in which the overall site search was conducted, the reasons for their choice of the broad location, then at a local scale, how various planning and environmental factors led to the more detailed design and layout of the development itself.

2. Infrastructure

Paras 10–11	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.

This response has been prepared jointly with NGET.

As is set out in NGET's response to paragraph 9 of the Secretary of State's Request for Information, NGET is intending to submit a planning application for the new NGET substation at its preferred site outside of the Order Limits in Q1 2027. On the assumption that consent is secured in Q3 2027 (although this is of course entirely dependent on the Local Authority's determination time, so is not entirely within NGET's control), mobilisation is anticipated to commence in Q2 2028, with completion of works planned by October 2031. Regarding the fallback position within the Order Limits, this would only be progressed if consenting the substation at the preferred site pursuant to the Town and Country Planning Act ("TCPA") regime was not going to be possible. It is therefore not possible to give an entirely accurate delivery programme for this scenario as it would be dependent on the point at which NGET made a decision to no longer pursue a TCPA consent, but in any event, this would not be on a more accelerated programme than that which has been set out for consenting the substation at NGET's preferred site. This paragraph has been provided by NGET.

The Applicant acknowledges the connection to the new NGET substation is intended to be delivered, in part, via new substation infrastructure to be delivered under separate offsite planning permission. However, the programme for securing that offsite consent for the new substation has demonstrably changed and remains uncertain – this is clear from NGET's latest position as submitted in response to this Secretary of State letter. In this context, the Applicant has prudently sought powers within the DCO to deliver the necessary connection infrastructure, should the offsite planning permission route not be secured in a timely manner.

To supplement the submissions made on this point during Examination, this approach is necessary and justified for the following reasons:
1. Ensuring Deliverability and Programme Certainty: The solar farm's ability to export electricity is fully dependent on a functioning grid connection. Without certainty on the delivery of the connection infrastructure, the generating station itself cannot operate. Given the evolving programme for NGET's planning application, there is uncertainty as to the scheme's delivery timetable through reliance on that route alone. Including the requisite powers within the DCO ensures that the Applicant retains a viable fallback position, safeguarding the project against delay.
2. Avoiding Undue Delay to a Consented Development: If the NGET planning permission is not granted, or is delayed, and no alternative powers exist, the project would face significant delay while a new consent route is pursued. This would be contrary to the objective of timely delivery of renewable energy infrastructure under national policy which identifies an 'urgent need'.

3. Proportionate and Contingency-Based Approach: The inclusion of DCO powers does not preclude delivery via the offsite route. Rather, it provides a proportionate contingency to ensure that the connection can be delivered by an alternative means if required.
4. Alignment with Delivery of National Infrastructure Objectives: Timely connection of renewable generation is critical to meeting wider energy and decarbonisation objectives. Introducing avoidable consent risk at the connection stage would run counter to these objectives. Providing flexibility within the DCO ensures that the scheme can be delivered in a timely manner, irrespective of external consenting risks. In its letter dated 1 June 2026, the SoS confirmed that the Project is likely to make a material contribution to the development of supply chains in line with Regulation 9 of the Electricity Market Reform General Regulations 2014 and the Supply Chain Plan Guidance Document published in October 2025.
5. No Prejudice to Assessment or Environmental Safeguards: All infrastructure included within the application has been properly assessed as part of this consent – either as part of the Project in the event the new NGET substation is delivered onsite; or cumulatively if delivered offsite. Therefore, granting these powers does not introduce unassessed impacts, but simply enables an alternative delivery route within an already assessed envelope.

In summary, the inclusion of the powers for the new NGET substation within the DCO is a necessary, proportionate and reasonable in light of the uncertainty of NGET's own programme, as it ensures the timely and certain delivery of the solar farm. It provides essential programme resilience in light of ongoing uncertainties associated with the NGET's separate planning application, without prejudicing environmental considerations or the preferred delivery strategy.

To confirm, in August 2025 NESO carried out the Gate 2 Whole Queue exercise, designed to reduce the number of projects in the connection queue and to align the queue with the renewable generation targets set out in the Government's Clean Power 30 paper (CP30). This described the targets for offshore wind and ground mounted solar in Phase 1 (2030) and Phase 2 (2035). In January 2026 Botley West Solar Farm was confirmed by NESO as a Gate 2 Phase 1 protected connection. Therefore, ensuring timely delivery is essential to meeting the targets of this process.

Para 12	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.

The Outline Layout and Design Principles is a secured document under Requirement 5 and Requirement 8 of Schedule 2 of the DCO [**REP7-006**]. As confirmed by Schedule 13 of the DCO, Rev 6 of the Outline Layout and Design Principles [**REP7-029**] is to be the certified copy of that secured document. That version is therefore the appropriate reference point.

The latest version of the Guide to the Application is [**REP7-002**] and supersedes [**CRS-002**]. In any case, paragraph 2.1.9 of [**REP7-002**] – which summarises the parameters of the NGET substation – aligns with paragraph 2.1.9 of [**CR2-002**]. The Guide to the Application is primarily a signposting document only for the purposes of Examination and is not a secured document for the purposes of the DCO. Therefore, from a consenting perspective, the parameters in the Outline Layout and Design Principles take precedence and should be the focus. To the extent that there are any inconsistencies between the Guide to the Application and the Outline Layout and Design Principles, the Outline Layout and Design Principles take precedence.

For context, the works required in relation to the new National Grid 400kV substation are primarily set out in Work No. 2 (development of a New National Grid Substation) of the DCO [**REP7-006**]. The defined term "New National Grid Substation" for the purposes of Work No. 2 is set out in Schedule 1 of the draft Order as follows: "*a compound containing electrical equipment (including power transformers, gantries, switchgear, reactive compensation equipment, electrical protection equipment devices (disconnectors, circuit breakers), harmonic filters, cables and back-up generators), with control buildings, lightning protection masts, communications masts, access, fencing and other associated equipment, structures or buildings"* (our emphasis). The reference to 'gantries' is an interchangeable term for the 'connecting towers' referred to in the Outline Layout and Design Principles. The DCO therefore already secures consent for those connecting towers, however for consistency, the Applicant has updated the DCO as part of this response (Rev10 [EN010147/APP/3.1]) to remove the reference to gantries and replace with a reference to connecting towers.

The updated Outline Layout and Design Principles document [**REP7-029**] sets out parameters for:

- The "Gas Insulated Substation (GIS) building" (i.e. the 'compound containing electrical equipment', as defined in Schedule 1);
- An "adjacent building to GIS building" (i.e. '…other associated equipment, structures or buildings', as defined in Schedule 1); and
- A "variety of other electrical infrastructure" (i.e. the full suite of National Grid substation equipment as set out in the definition of 'New National Grid Substation', other than the two substation buildings). In other words, the scope of the 'variety of other electricity infrastructure' referred to within the Outline Layout and Design Principles is limited by the scope of the works power set out in Work No. 2 (and the definition of "New National Grid Substation" in Schedule 1). All of this equipment is stated in [REP7-029] to be no greater than approximately 15m in height. The connecting towers are therefore one element of this wider body of National Grid substation infrastructure, not the whole of it. The Outline Layout & Design Principles document (Revision 7) [EN010147/APP/7.7] has been updated to clarify this.

In relation to the connecting towers (or 'gantries'), these are the structures within the National Grid substation (Work No. 2) that connect the substation up towards the main tower. They are no greater than approximately 15m in height. In the DCO these are presently referred to as "gantries" but this has been updated to "connecting towers" for consistency with [**REP7-029**].

In relation to the "tower structures", these are the overhead line towers (pylons) of approximately 60 to 80m that carry the existing 400kV overhead line, together with the works to replace one such tower with two. These are distinct from the connecting towers within Work No. 2 but are covered under Work No. 4(a)(iii) which includes powers for "*grid connection infrastructure, including works to lay up to and including 400kV electrical cables, to connect Work No. 2 or Work No. 3A to the National Grid network*".

To clarify the role of the connecting towers and tower structures and the consent being sought in relation to each, see the below sequence of the connection in the event that the National Grid substation is delivered within the Order Limits:

- The Main Substation (Work No. 3A) connects by 400kV underground cable to the National Grid substation (Work No. 2) – this is secured through Work No. 4(a)(ii). The cable is underground and is not a tall structure.
- Within the National Grid substation (Work No. 2), the connecting towers take the connection from the substation up to the 400kV overhead line tower – this is secured through Work No. 4(a)(iii). They are no greater than approximately 15m in height.
- The connecting towers connect to the main 400kV tower, an overhead line tower (pylon) of approximately 60 to 80m in height – this is secured through Work No. 4(a)(iii) (the works powers are intentionally broad to facilitate all grid connection infrastructure required to connect the Project to the National Grid Network). The screening request report describes the replacement of one existing main tower with two replacement towers of this height.
- The main tower carries the existing 400kV overhead line (the Cowley to Walham route).

In summary and to be absolutely clear, if the NGET substation is to be delivered within the Order Limits, the full scope of works to facilitate a connection to the existing National Grid network is facilitated through the DCO works powers. The specific location(s) and other final design of the connecting towers, tower structures and other infrastructure will to be subject to the detailed design requirements in the DCO and ongoing engagement with NGET.

Para 13	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.

This response has been prepared jointly with NGET, who has had reference to the Applicant's response to paragraph 12.

See the response to paragraph 12 which clarifies the sequence of connection works and the consent sought in respect of those works, as secured under the DCO. As shown on Sheet 13 of the Works Plans, Work No. 2 overlaps with Work No. 4 and Work No. 6 (see Sheet 13a in the event that the new National Grid substation is delivered within the Order limits).The response to paragraph 12 also confirms that the connecting towers within Work No. 2 are distinct from the overhead line tower structures addressed for this paragraph 13 response.

Each of the three matters raised in paragraph 13 are addressed in turn below.

- **Whether works to the overhead line tower structures will be necessary should the NGET substation be delivered within the Order Limits**: Yes. NGET has confirmed that works to the existing overhead line tower structures will be necessary in any case (i.e. whether the new NGET substation is outside or within the Order limits) in order to connect the National Grid substation to the existing 400kV Cowley to Walham overhead line. It is worth noting that different tower structures would be impacted in each scenario. In the event that the new substation is within the Order limits, these works are secured through Work No. 4 (see the response to paragraph 12).
- **Whether the towers referred to in the screening request report are those referred to in [REP7-029]**: No. The tower structures referred to in the screening request report are the overhead line tower structures on the existing 400kV route. The towers referred to in [**REP7-029**] are the connecting towers (gantries) for the purposes of Work No. 2, which connect the NGET substation to the overhead line and are no greater than approximately 15m. The two are distinct structures but are in close proximity to each other.

- **Whether the works to tower structures would fall within the Order Limits**: Yes, if the NGET substation is to be delivered within the Order Limits, the works to the overhead line tower structures described in the screening request report would fall within the Order Limits and would form part of the authorised development, secured through the DCO. No extension to the Order Limits would be required. See the response to paragraph 12.

The precise location of the existing tower to be replaced and the configuration of the two replacement towers remain the subject of ongoing discussion between the Applicant and NGET and have not yet been finalised. For that reason, the Applicant is not currently able to identify the specific tower locations on the Works Plan. This will be confirmed as part of detailed design.

If the NGET substation is delivered on NGET's preferred site outside the Order Limits, the overhead line tower works may fall partly within the Order Limits, however the final positioning of the works in this scenario is yet to be confirmed.

Para 14	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.

The Applicant addresses each of the three documents below.

- Grid Connection Statement [**APP-019**]. The Grid Connection Statement describes the connection arrangements between Botley West Solar Farm and the National Grid substation, including the works to be undertaken by National Grid. The detailed configuration of the connection to the existing 400kV overhead line, including the overhead line tower works described in the Applicant's response to paragraph 13, remains the subject of ongoing discussion with NGET and has not yet been finalised. The Applicant is finalising this information with NGET and will provide an updated Grid Connection Statement reflecting the agreed connection arrangements once that information is available.
- Guide to the Application [**REP7-002**]. An updated Guide to the Application [**EN010147/APP/1.3]** has been provided to align with the DCO wording and the updated Outline Layout and Design Principles Rev 7 [EN010147/APP/1.3].
- Outline Layout and Design Principles [**REP7-029**]. An updated Outline Layout and Design Principles Rev 7 [EN010147/APP/1.3] has been provided to align with the DCO wording and the updated Guide to the Application.

3. Cultural Heritage

Para 15	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.

The Applicant has provided an updated version of ES Appendix 7.5: Settings Assessment **[EN010147/APP/ 6.5]**. This updated version (Rev 4) includes an assessment of the likely impact and effect on the heritage significance of the Grade II listed Park Walls enclosing the Blenheim Palace World Heritage Site ('WHS') as a result of any change within the setting of the boundary wall. The methodology for the Settings Assessment is primarily based on The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (second edition), referred to here as GPA3 as that is the principal guidance document for proposed developments in England.

The significance of the Grade II listed Park Walls principally derives from the historical associations with the palace and with the designed landscape around the palace. There are also aesthetic values as the wall provides a clear boundary to the Registered Park and Garden and to much of the Blenheim Palace WHS. There are clear group values associated with the heritage assets within the Registered Park and Garden. Views out of, and into, the Registered Park and Garden are largely restricted by the presence of the wall and by substantial areas of dense mature woodland within the Registered area which extends up to the wall. Consequently, the setting of the Grade II listed wall makes a substantial contribution to its heritage significance; this is derived from not just the Registered Park and Garden but also the landscapes and townscapes outside the WHS which contrast with the enclosed designed landscape.

The image from Viewpoint 19 (see Volume 3, Figures: Figures 8.296 to 8.299) [**APP-075**]) looks south east from a location adjacent to the A4095 road and close to the Grade II listed wall. No part of the Project would be visible within this view.

The Grade II listed boundary wall around the Registered Park and Garden at Blenheim Palace would not be visible in any views from, towards or across the Site. No part of the listed structure, or any of the associated heritage assets which are key contributors to its heritage significance, would be physically impacted by the Project. Any group values associated with these heritage assets would remain unchanged. The heritage significance of the Grade II listed boundary wall would not be harmed and there would be no effect.

The Applicant has also provided an updated version of ES Appendix 7.4: Blenheim Palace World Heritage Site – Heritage Impact Assessment (Rev 2) **[EN010147/APP/ 6.5]**. The methodology for this Heritage Impact Assessment is primarily drawn from the 2022 UNESCO Guidance and Toolkit for Impact Assessments in a World Heritage Context, with references also made to the Operational Guidelines for the Implementation of the World Heritage Convention, and UNESCO's Policy Document on Climate Action for World Heritage 2023, as well as GPA3.

Paragraph 5.9.10 of NPS EN-1 (2023) states that 'A*s part of the ES the applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more*

than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact'.

The suite of documents submitted in support of the application provide a clear description of all heritage assets that could potentially be affected by the Project. The principal documents for this are ES Appendix 7.1: Historic Environment Desk-based Assessment **[APP-131]**, ES Appendix 7.4: Blenheim Palace World Heritage Site – Heritage Impact Assessment (Rev 2) **[EN010147/APP/ 6.5]** and ES Appendix 7.5: Settings Assessment (Rev 3) **[EN010147/APP/ 6.5]**. Some further assessment is provided within ES Chapter 7: Historic Environment **[CR2-019]**.

In respect of all heritage assets, the assessments identify the contribution that their setting makes to their heritage significance and provides a level of detail that enables an understanding of the potential impact (of the Project) on that heritage significance. The relevant Historic Environment Record was consulted and the heritage assets were assessed using appropriate expertise. The Project is therefore fully compliant with the policy set out in paragraph 5.9.10 of NPS EN-1 (2023). Paragraph 5.9.12 of NPS EN-1 (2023) states '*The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent and detail of these studies will be proportionate to the significance of the heritage asset affected*'.

The suite of documents submitted in support of the application provide sufficient information such that the likely impact of the Project on the significance of heritage assets can be adequately understood. The principal documents for this are ES Appendix 7.1: Historic Environment Desk-based Assessment **[APP-131]**, ES Appendix 7.4: Blenheim Palace World Heritage Site – Heritage Impact Assessment (Rev 2) **[EN010147/APP/ 6.5]** and ES Appendix 7.5: Settings Assessment (Rev 3) **[EN010147/APP/ 6.5]**. Some further assessment is provided within ES Chapter 7: Historic Environment **[CR2-019]**. Additional baseline information is presented within ES Appendix 7.2: Assessment of airborne remote sensing and satellite imagery for archaeology **[APP-132**] and ES Appendix 7.3: Geophysical survey **[APP-133 to APP140**], also the two reports on the results of the archaeological trial trenching that were submitted at Deadline 6 (Cotswold Archaeology **[REP6-055 to REP6-062]** and Wessex Archaeology **[REP6-063]**). The assessment of the likely impact of the Project on the significance of heritage assets includes consideration of the potential impacts arising from noise (construction and operation), vibration (construction), lighting (construction and operation) along with any indirect impacts. The Project is therefore fully compliant with the policy set out in paragraph 5.9.12 of NPS EN-1 (2023).

Paras 16–17	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.

An updated ES Appendix 7.4: Blenheim Palace World Heritage Site – Heritage Impact Assessment (Rev 2) **[EN010147/APP/ 6.5]** has been prepared and this addresses Items 16 and 17 in the SoS letter. This latest version (Rev 2) also responds to concerns raised by Historic England and others, including relevant attributes of the Outstanding Universal Value (OUV) of the Blenheim Palace WHS. The methodology used for the HIA is primarily based on the 2022 UNESCO Guidance and Toolkit for Impact Assessments in a World Heritage Context but also takes account of other relevant guidance including GPA3. Reference is made within the updated HIA to the Operational Guidelines for the Implementation of the World Heritage Convention and UNESCO's Policy Document on Climate Action for World Heritage 2023. The assessment reviews tangible and intangible elements of OUV and matters relating to integrity and authenticity as defined with the Statement of OUV for this world heritage property.

The updated HIA reviews the summarised attributes that convey the OUV of the Blenheim Palace WHS and now agrees with Historic England that Attribute 1 is relevant to the assessment as well as Attribute 7. This change has resulted from discussions with Historic England and detailed consideration of the attribute as it relates to the defined OUV of the WHS as set out in the Statement of OUV, rather than the wording of the summarised attribute as set out in the 2017 Revised Management Plan for the WHS. The assessment now concludes that there would be a minor degree of change to each of these attributes, resulting in each case in a minor negative impact. Overall, it is concluded that these minor negative impacts on two of the attributes that convey the OUV of the WHS do not affect the ascribed 'authenticity' and 'integrity' of the WHS. The OUV and any other element contributing to the significance of the WHS would not be harmed.

The updated HIA also provides a cumulative effects assessment looking at the likely effects on the OUV of the Blenheim Palace WHS when the Project is considered in conjunction with recently built and planned residential developments at Woodstock. The assessment concludes that there is some potential for cumulative effects, and that these would arise from changes to the same attributes that are considered relevant for the assessment of the Project alone. The Project would make a larger contribution to any cumulative effects as it covers a greater area of land than the combined area of the residential developments. However, the contribution made by the Project to any cumulative effects would be time-limited and fully reversible, whereas the contribution made by the residential developments would be permanent and fully reversible.

The cumulative effects assessment within the updated HIA identifies that all of the residential developments have been or will be considered within the national planning system in which harm to the significance of designated heritage assets is weighed against the public benefits of the development. This will also be the case for the Project It is therefore important to note the position set out in the National Policy Statement for Renewable Energy Infrastructure (NPS EN-3; DESNZ 2023) in the section regarding factors that could influence site selection and design '*In considering the impact on the historic environment as set out in Section 5.9 of EN-1 and whether it is satisfied that the substantial public benefits would outweigh any loss or harm to the significance of a designated heritage asset, the Secretary of State should take into account the positive role that large-scale renewable projects play in the mitigation of climate change, the delivery of energy security and the urgency of meeting the net zero target*' (paragraph 3.3.8).

Paragraph 5.9.12 of NPS EN-1 (2023) states '*The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent and detail of these studies will be proportionate to the significance of the heritage asset affected'*.

The suite of documents submitted in support of the application provide sufficient information such that the likely impact of the Project on the significance of the Blenheim Palace WHS can be adequately understood. The principal document for this is the updated ES Appendix 7.4: Blenheim Palace World Heritage Site – Heritage Impact Assessment (Rev 2) **[EN010147/APP/ 6.5]**. The assessment of the likely impact of the Project on the significance of the WHS includes consideration of the potential impacts arising from noise (construction and operation), vibration (construction), lighting (construction and operation) along with any indirect impacts. The Project is therefore fully compliant with the policy set out in paragraph 5.9.12 of NPS EN-1 (2023).

Paragraph 5.9.13 of NPS EN-1 (2023) states '*The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:*

- *enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected*
- *considering where required the development of archive capacity which could deliver significant public benefits*
- *considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme*'

The Project requires land to be leased from The Blenheim Estate and this results in an increase in monies available for the maintenance of the world heritage property, therefore enabling enhancement of the significance of the Blenheim Palace WHS. Very little archive material would be produced for the Project, thus it is not reasonable for the Project to directly develop any archive capacity. However, the increased monies available for the maintenance of the world heritage property could be used for the further development of archive capacity at Blenheim Palace and/or the access to that archive. The potential for visual and noise effects with regard to the WHS is considered within the updated Heritage Impact Assessment (Rev 2). The design of the Project includes enhanced access to land within the setting of the WHS through the provision of permissive footpaths. The Project is therefore fully compliant with the policy set out in paragraph 5.9.13 of NPS EN-1 (2023).

Paragraph 5.9.14 of NPS EN-1 (2023) states '*Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent*'.

The design of the Project has carefully considered all potential impacts on heritage assets, including the Blenheim Palace WHS. This has included the removal of development elements from any land that is visible from locations within the WHS, and from land within the setting of the WHS where development could affect one or more of the summarised attributes that convey the OUV of the WHS. The updated HIA identifies that there would be minor negative impacts on two of the attributes that convey the OUV of the WHS. These impacts would be direct (in that they are a direct consequence of the Project) and temporary (in that the Project is time-limited and the identified impacts are fully reversible). The Project is therefore fully compliant with the policy set out in paragraph 5.9.14 of NPS EN-1 (2023).

Para 18	18. The Secretary of State encourages early engagement between the Applicant and Historic England as part of any update to the assessment.

In preparing the updated ES Appendix 7.4: Blenheim Palace World Heritage Site – Heritage Impact Assessment (Rev 2) **[EN010147/APP/ 6.5]** the Applicant has engaged with Historic England and has met with Historic England to discuss the revisions to this document. An initial draft of the updated HIA was submitted to Historic England for their review, and the updated HIA provided responds to comments provided by Historic England on the initial draft.

Para 19	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.

The Applicant's response to the ICOMOS Technical Reviews (TRs) is presented below. It should be noted that the first TR (submitted into the Examination as Appendix 1 of Historic England's Relevant Representation **[RR-0398]**) was prepared as a response to the consultation on the Preliminary Environmental Impact Report (PEIR) for the Project and therefore does not take into account any changes to the design that were undertaken ahead of the submission of the application for development consent.

As further changes to the design of the Project were agreed within the Examination process, this response to the ICOMOS TRs concentrates on the third TR [**REP7-117**]. This is because the third TR takes account of the changes to the design. The response then looks at the two earlier TRs to see if any additional points were raised in either of these reviews that were not subsequently covered in the third one.

Response to the third ICOMOS Technical Review [REP7-117]

ICOMOS Third TR: Section 3 of the TR addresses the issue of the Outstanding Universal Value (OUV) of the Blenheim Palace World Heritage Site (WHS). ICOMOS advise that the Statement of OUV (SOUV) for the WHS states that it was inscribed for its '*influence on the architecture and organisation of space in the 18th and 19th centuries*' and for being '*typical of 18th century princely residences*'. The TR goes on to say '*In order to fully understand in detail this influence and typicality, Blenheim Palace needs to be seen and understood not just as a palace, but rather as the centre of a large country estate, a working landscape beyond the walls that supported its palace. The palace was and still is more than a monument in ornamental grounds, but rather the centre of an economic and social unit that encompasses land and settlements beyond its walls*', also '*The estate has a symbiotic relationship with the Palace. For the Outstanding Universal Value of Blenheim Palace and grounds to be well understood, the estate needs to demonstrate its link to the Palace and how it provides its geo-cultural context as encapsulated in its authenticity - the ability of a property to convey its value*'.

Applicant's Response: The Applicant agrees with ICOMOS that the palace needs to be seen as the centre of a large country estate with a working landscape beyond the walls that supports the palace. However, the Applicant considers that the Project would not affect this aspect of the OUV of the WHS and how it is understood. All parts of the Site that form part of the Blenheim Estate will remain in the same ownership and the use of the land will continue to support the palace through the provision of revenue, with that being greatly increased above the present situation.

ICOMOS Third TR: Section 4 of the TR addresses the setting of Blenheim Palace. ICOMOS advise that '*The setting and wider setting provides the context for World Heritage properties, and any "feature, quality or characteristic" of the setting that contributes to the Outstanding Universal Value of the property needs to be protected, as set out in the United Kingdom's Levelling Up and Regeneration Act, 2023'*.

Applicant's Response: The Applicant understands this comment on legislation to be a reference to Section 102 of the Levelling-up and Regeneration Act 2023. This section of the Act deals with the need to consider the setting of certain types of heritage asset (including World Heritage Sites) within the planning process. [Currently the only type of heritage asset that enjoy legislative consideration of their settings is that of listed buildings (through Section 66(1) of the Planning (Conservation and Listed Buildings) Act 1990]. However, the Applicant notes that Section 102 of the Levelling-up and Regeneration Act 2023 was not in force at the time that the Act received Royal Assent and is still not in force at the current time, therefore it is not yet part of the UK's legislative system. In September 2025 the Ministry of Housing, Communities and Local Government (MHCLG) answered a day question in the House of Commons regarding the proposed programme for bringing Section 102 of the Levelling-up and Regeneration Act 2023 thus '*The government is reviewing heritage planning policy in the context of wider reforms to the planning system. As part of*

that work, we will consider the outstanding measures from the Levelling-up and Regeneration Act 2023 including the duty of regard to certain heritage assets in granting permissions in section 102 of the Act'. The question was raised again in December 2025 and MHCLG referred to the answer provided in September 2025.

ICOMOS Third TR: Section 4 continues with an interpretation of setting that focuses on the Blenheim estate, described here as '*consisting of agricultural lands, woodland and grazing rolling hills within which lie Woodstock and the network of villages*' and '*In ICOMOS' view it is more than visual appeal that contributes to the value of the estate and the contribution of the estate as the setting of the World Heritage property. The Duke of Marlborough was given an estate to match the status he was deemed to deserve, and its mosaic of historic parkland, rolling hills, farmland and woodland that anchored the new Blenheim Palace in its landscape gave it the status of an historic manor. This estate still contains the integrity it had when Blenheim was built in terms of it still being linked to the Palace through ownership and use, and in terms of how its evolution still allows an understanding of its 18th (century) layout. It is therefore a cultural unit that should be respected for its inextricable links to the Palace. The scope, extent and integrity of the estate is vividly shown in drone views'.*

Applicant's Response: The Applicant does not disagree with the concept that the setting of the Blenheim Palace WHS includes the estate presented to the Duke of Marlborough and the continued ownership and use of the land to support the palace. However, the change to this as a result of the Project is purely a visual change in terms of how the land within the Site is used, which represents just part of the setting (the remainder being retained unchanged). It will still be owned by the Blenheim Estate and will still be used to support the palace in terms of funds generated for repair and maintenance, with those funds seeing a significant increase above the current situation. Any surviving elements of the 18th century layout will remain intact, although it should be acknowledged that much of the landscape surrounding the WHS is the product of 19th century reorganisation through the process of enclosure. The visual change will be time-limited and fully reversible, with the land potentially returned to agriculture following the decommissioning of the Project.

ICOMOS Third TR: Section 5 addresses the protection of the setting (of the WHS) and refers to '*an obligation to define and protect the setting and wider setting of a World Heritage property*', citing paragraph 112 of the Operational Guidelines for the Implementation of the World Heritage Convention (the Operational Guidelines) and emphasising this part of clause 112 '*The wider setting may relate to the property's topography, natural and built environment, and other elements such as infrastructure, land use patterns, spatial organization, and visual relationships. It may also include related social and cultural practices, economic processes and other intangible dimensions of heritage such as perceptions and associations. Management of the wider setting is related to its role in supporting the Outstanding Universal Value*'.

Applicant's Response: The Applicant has examined the Operational Guidelines with regard to the issue of setting and its role in supporting the OUV. Clause 99 of the Operational Guidelines establishes that '*Boundaries should be drawn to incorporate all of the attributes that convey the Outstanding Universal Value and to ensure the integrity and/or authenticity of the property*', whilst Clause 100 goes on to say *'For properties nominated under criteria (i) – (vi*) (as is the case for the Blenheim Palace WHS)*, boundaries should be drawn to include all those areas and attributes which are a direct tangible expression of the Outstanding Universal Value of the property, as well as those areas which, in the light of future research possibilities, offer potential to contribute to and enhance such understanding*'. In other words, the Operational Guidelines establish the principle that the defined boundary of the WHS should contain all of the defined attributes that convey the OUV. Whilst the setting of the WHS can play some part in supporting the OUV, the key elements should all be included within the defined boundary. In citing paragraph 112 of the Operational Guidelines, ICOMOS did not emphasise the final sentence of that clause, which states (with regard to the setting of the WHS) '*Its effective management may also contribute to sustainable development, through harnessing the reciprocal benefits for heritage and society*'. The Project represents a sustainable development that seeks to achieve reciprocal benefits to society through the production of renewable energy.

ICOMOS Third TR: Section 5 goes on to address the issue of 'climate action' emphasising that 'climate change mitigation projects cannot be seen to have higher value than Outstanding Universal Value' and that 'the 2022 UNESCO/ ICOMOS/ ICCROM/ IUCN Guidance and Toolkit on Impact assessments in a World Heritage Context makes it clear that harm to Outstanding Universal Value cannot be mitigated by benefits, such as climate mitigation benefits, however great these may be deemed to be'.

Applicant's Response: The Applicant does not ascribe higher value to the Project than the OUV of the Blenheim Palace WHS, nor does the Applicant claim that any climate mitigation benefits would mitigate perceived harm to the OUV of the WHS. However, the relevant national planning policy and guidance set out how any identified harm to the significance of heritage assets is weighed against the (public) benefits of a proposed development. This is in accordance with the general approach to development and cultural heritage in the UK, which is one which looks to manage change rather than prevent it from happening. With regard to the public benefits of the Project, it is important to note the position set out in the National Policy Statement for Renewable Energy Infrastructure (NPS EN-3; DESNZ 2023) in the section regarding factors that could influence site selection and design '*In considering the impact on the historic environment as set out in Section 5.9 of EN-1 and whether it is satisfied that the substantial public benefits would outweigh any loss or harm to the significance of a designated heritage asset, the Secretary of State should take into account the positive role that large-scale renewable projects play in the mitigation of climate change, the delivery of energy security and the urgency of meeting the net zero target*' (paragraph 3.3.8).

ICOMOS Third TR: Section 6 of the TR expresses ICOMOS's view regarding the impact of the Project on the setting and the OUV of the Blenheim Palace WHS '*ICOMOS considers that the proposals as currently defined would in effect sever the connection between Blenheim Palace and its estate in terms of historical continuity and how the estate provides the essential geo-cultural context for the Palace and explains its history and rationale. The estate would no longer be seen to maintain its integrity as an agricultural landscape – it would become partly an industrial landscape, which could harm the way it contributes to an understanding of Blenheim Palace World Heritage property and its Outstanding Universal Value*'.

Applicant's Response: The Applicant disagrees with ICOMOS in terms of the impact of the Project. Some of the land within the setting of the Blenheim Palace WHS would no longer be seen as a traditional agricultural landscape, but all of the land to the north, west and south-west of the WHS would remain unchanged, as would other land adjacent to the WHS on its north-eastern, south-eastern and southern sides where the design of the Project has ensured clear separation. As such the Project would not '*sever the connection between Blenheim Palace and its estate in terms of historical continuity*'.

ICOMOS Third TR: Section 6 goes on to describe '*whether a smaller overall project with discrete area of panels might be accommodated*', referring to its previous advice that some form of survey of the setting should have been undertaken as a baseline for assessing impact.

Applicant's Response: Great care was taken in the design of the Project with regard to the setting of the Blenheim Palace WHS, including considerable consultation with Historic England. During the Examination further changes were made to the design in order to reduce impacts on the OUV of the WHS. In their consultation response to the Applicant's Change Request Report [**EN010147/APP/16.2**], Historic England advised '*Based on the Explanatory Note (July 2025) and Appendix 1: Change 1 map), it appears that this proposed change seeks to remove solar development from the field parcels identified in our Written Submission (REP1-086). We consider that if this should be the case, this amendment has the potential to remove the previously identified harm to the Outstanding Universal Value of the WHS and the significance of the ensemble of the RPG (*Registered Park and Garden*) and palace*'. The changes set out in the Change Request Report were duly made.

ICOMOS Third TR: Section 7 of the TR represent ICOMOS' conclusions. In the opening paragraphs ICOMOS introduce the issue of cumulative impacts on the OUV of the Blenheim Palace WHS.

Applicant's Response: A more detailed assessment of the potential for cumulative effects is presented in the updated Heritage Impact Assessment (Rev 2) [EN010147/APP/ 6.5] submitted in response to the Secretary of State's letter. This addresses the potential for cumulative effects when the Project is considered in conjunction with residential developments at Woodstock.

Response to the second ICOMOS Technical Review [REP4-052]

ICOMOS Second TR: In this Technical Review ICOMOS address the issue of development pressures in the setting of the property (page 4). Here ICOMOS refer to another Technical Review titled '*ICOMOS Technical Review of four proposed and partially approved urban development projects in the setting of the Blenheim Palace World Heritage Property*', which was issued to the State Party in February 2024 and which is reproduced as Annex B of the second Technical Review. ICOMOS' stated position is that the approved projects have already '*led to a cumulative erosion of the property's rural setting and negatively affect its Outstanding Universal Value (OUV)*', also that '*the remaining proposals* (for residential development) *– if granted – could intensify this harm. The Technical Review found that the current Management Plan and local planning framework do not sufficiently protect the property's setting, particularly in the absence of a buffer zone. ICOMOS recommends that no further development in the setting be approved until a comprehensive Landscape Character Assessment is undertaken and a revised Management Plan is adopted*'.

Applicant's Response: The Applicant notes that the Technical Review titled 'ICOMOS Technical Review of four proposed and partially approved urban development projects in the setting of the Blenheim Palace World Heritage Property' was issued to the State Party and not to the Applicant. The actions recommended by ICOMOS including the preparation of a 'comprehensive Landscape Character Assessment and a revised Management Plan' rest with the State Party. The Applicant is aware that a revised Management Plan is being prepared as these are done on a 10 year cycle, with the most recent one adopted in 2017. The Applicant is not involved in the preparation of the revised Management Plan and is not aware of the proposed timescale to completion and adoption of this document. The Applicant is not aware of any actions taken by the State Party to prepare a 'comprehensive Landscape Character Assessment'. The Applicant considers that it is unreasonable for the determination of the DCO application for the Project to be delayed until documents required to be prepared by others have been completed, including documents for which no programme is known to exist.

ICOMOS Second TR: In section III of their second TR, ICOMOS review the changes to the design of the Project since their first TR, which was produced in response to the consultation on the PEIR. This acknowledges the reduction in the total area of the solar array, the reduction in the maximum height of the solar PV panels (from 2.5 m to 2.2 m) and the introduction of conservation grazing across all parts of the Site other than land identified for community food production. The second TR also acknowledges changes made to reduce any potential impact on the setting of the Blenheim Palace WHS, specifically the changes to cable route options and amendments to proposed woodland planting.

Section IIIb of the second TR then goes on to examine the updated Heritage Impact Assessment (HIA) that was submitted with the application and makes several points. The first of these is that '*the HIA relies on the World Heritage Site Management Plan' predefined list of attributes, without applying an independent methodology for identifying and analysing OUV*'.

Applicant's Response: Additional discussion regarding the defined attributes that best convey the OUV of the Blenheim Palace WHS was included within subsequent iterations of the Heritage Impact Assessment and this is set out in the updated Heritage Impact Assessment (Rev 2) submitted in response to the Secretary of State's letter. However, the Applicant contends that is not the role of any applicant seeking consent for development within the setting of the WHS to produce a revised inventory of attributes as requested by ICOMOS. The current attributes were defined through consultation with a number of stakeholders and published within the 2017 revised Management Plan. Any revisions should go through the same consultation process and can then be included within the next revision of the Management Plan. This approach has been discussed and agreed with Historic England.

ICOMOS Second TR: Section IIIb of the second TR continues '*The assessment does not meaningfully explore how the broader landscape setting supports the property's Outstanding Universal Value, including through and use, spatial organization, or cultural associations. It approaches the relationship between the property and its setting primarily in visual and physical terms, focusing on visibility from within the property, topographical screening, and key outward views. There is little consideration of how changes in land use—such as the shift from arable farmland to energy infrastructure over a period of 35-42 years—might affect the legibility or perception of the designed landscape, or how the arrangement of rural villages, approach routes, and their spatial relationship to the estate contribute to the experience*

of OUV. Similarly, the assessment does not address the symbolic or cultural significance of the setting, such as the Arcadian landscape ideals associated with Blenheim—an issue specifically raised by ICOMOS. The HIA concludes that, because the development is not visible from within the Palace, any impact on OUV will be minor and reversible. However, ICOMOS has stressed that setting should be understood more broadly, incorporating perceptual, cultural, and experiential dimensions. These remain largely unexplored in the November 2024 HIA'.

Applicant's Response: Additional discussion regarding the broader landscape setting of the Blenheim Palace WHS was included within subsequent iterations of the Heritage Impact Assessment and this is set out in the updated Heritage Impact Assessment (Rev 2) submitted in response to the Secretary of State's letter. The Heritage Impact Assessment includes a section on intervisibility between the WHS and the Site and explains how design changes to the Project have ensured that no part of the Project would be visible from any location within the WHS. In the Statement of Common Ground between the Applicant and Historic England [EN010147/APP/11.7/4], Historic England advise that '*We have received additional visualisations which indicate that the solar development should not be visible from within the WHS*' (ref. 4.1.9, page 12). In terms of views towards the Blenheim Palace WHS from locations within the Site, the top of the Column of Victory is visible in views from within the Northern Site at a distance of more than 2 km. This element of the monument is difficult to discern in these views as it is generally at the same height in the views as the trees which are on or close to the boundaries of the Site. In some views from the elevated land within the Site on the eastern and southern side of Bladon, it is possible to see the upper parts of trees within the Blenheim Palace WHS. With regard to all of the views towards the Blenheim Palace WHS from within the Site in which elements of the WHS are visible, this visibility would remain unchanged during the construction, operation and maintenance, and decommissioning of the Project. What would change, however, is the visible character of the land in the foreground and/or middle ground in such views, as this land would be occupied by solar PV panels and associated elements. This is an important section of the Heritage Impact Assessment as Attribute 7 refers specifically to views into and out of the WHS which '*still provide key linkages between Blenheim and the traditional English countryside and villages surrounding it*'.

ICOMOS Second TR: Section IIIb of the second TR continues '*A major omission is the absence of a Landscape Character Assessment, which ICOMOS identified as essential to understanding how the wider setting supports OUV. Instead, the HIA describes the surrounding landscape as having 'generally low' sensitivity – a judgement ICOMOS explicitly rejects given the site designed and Arcadian context'*.

Applicant's Response: The comment in the second sentence of the quotation provided above is incorrect. At no point within the updated Heritage Impact Assessment submitted in support of the application [**APP-141**] is the landscape surrounding the Blenheim Palace WHS described as having 'generally low' sensitivity. A section in that iteration of the Heritage Impact Assessment addressed sensitivity and a 'sensitivity heat map' was provided as Figure 1.3. This shows the landscape surrounding the Blenheim Palace WHS and within the ownership of The Blenheim Estate. Each parcel of land is identified as being within one of three defined categories – High Sensitivity, Medium Sensitivity or Lower Sensitivity. Most of the land within the Site is within areas identified on the sensitivity mapping as being of Lower Sensitivity, and no part of the Site is within an area mapped as being of High Sensitivity. Land within the Central Site Area to the north of Burleigh Wood and Bladon Heath, and between the settlements of Bladon and Begbroke, is mapped as being of Medium Sensitivity. It is not clear which document ICOMOS were reviewing when they found the description of the landscape surrounding the WHS as having 'generally low' sensitivity but it was not the iteration of the Heritage Impact Assessment submitted in support of the application. The ICOMOS comment regarding the absence of a Landscape Character Assessment is addressed below in the section that responds to the conclusions and recommendations of the ICOMOS Second TR.

ICOMOS Second TR: Section IV of the Second TR represents ICOMOS' conclusions and recommendations. One observation is that '*ICOMOS does not consider that removing the areas marked 2.1, 2.2, 2.5, and 2.20-2.26 from the development is sufficient to reduce the substantial harm this project will have on the Outstanding Universal Value of the property'*.

Applicant's Response: This comment refers to the changes requested by Historic England in their Written Representation [**REP1-086**, paragraph 3.5]. In this part of their Written Representation, Historic England say '*We considered that whilst the majority of the scheme would not harm the OUV of the WHS, land parcels 2.1, 2.2, 2.5 and 2.20-2.26 of the central section of the Botley West Solar Farm would do so. This is because these land parcels do contribute to the maintenance of Blenheim's OUV as these fields are locations in which the Blenheim ensemble can be appreciated from open countryside. Solar array development in these fields would therefore*

detract from the contribution made by the setting of Blenheim, in a way that would harm its Outstanding Universal Value. We therefore recommended the removal of panels from these parcels'. Historic England continue to say that their position on this was informed by The Historic England Advisory Committee who provide expert advice to Historic England on policy matters and casework.

Following receipt of these comments and further consultation with Historic England and The Historic England Advisory Committee, the Applicant amended the design of the Project including the removal of all solar PV panels and associated infrastructure from those fields identified by Historic England as a cause for concern regarding the potential impact on the OUV of the WHS. In their consultation response to the Applicant's Change Request Report [**EN010147/APP/16.2**], English Heritage advised '*Based on the Explanatory Note (July 2025) and Appendix 1: Change 1 map), it appears that this proposed change seeks to remove solar development from the field parcels identified in our Written Submission (REP1-086). We consider that if this should be the case, this amendment has the potential to remove the previously identified harm to the Outstanding Universal Value of the WHS and the significance of the ensemble of the RPG (Registered Park and Garden) and palace*'. The changes set out in the Change Request Report were duly made.

Historic England's position therefore is that the removal of solar PV panels and associated infrastructure from those fields identified as being of concern in their Written Representation would lead to the removal of the potential for the Project to cause harm to the OUV of the Blenheim Palace WHS. ICOMOS take a very different view in their second TR where they conclude that the removal of solar PV panels and associated infrastructure from these fields would not be '*sufficient to reduce the substantial harm this project will have on the Outstanding Universal Value of the property*' (emphasis added).

These two positions are very different and difficult to reconcile. The concept of 'substantial harm' was introduced in the first iteration of the National Planning Policy Framework (NPPF) in 2012, along with the corresponding term 'less than substantial harm'. Neither term was defined within the Glossary (Appendix 2 of the NPPF). This situation remains unchanged throughout all subsequent iterations of the NPPF, whilst the two terms are also used (but not defined) within the suite of National Policy Statements (NPSs) including those which are relevant to this application.

In the web-based Planning Practice Guidance (PPG) which provides advice on how to implement the policies set out in the NPPF, the issue of 'substantial harm' is addressed in paragraph 018 of the section on Historic Environment (reference ID: 18a-018-20190723, last updated in July 2019) (https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment#decision-making-historic-environment). This states '*Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting. While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later additions to historic buildings where those additions are inappropriate and harm the buildings' significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm, depending on the nature of their impact on the asset and its setting*'.
In the absence of a clear definition, this concept of 'substantial harm' being a 'high test' has been explored through case law, most notably Bedford Borough Council v Secretary of State for Communities and Local Government and NUON UK Ltd [2013] EWHC 2847, and the decision by the Secretary of State for Communities and Local Government relating to the site known as Land at Chapel Lane, Wymondham, Norfolk (APP/L2630/A/13/2196884).

In the Bedford case, focusing on setting issues, the Inspector originally identified in his Report that 'There is no specific guidance as to the level at which harm might become substantial but on a fair reading, it is clear that the author(s) [of the PPS5 Practice Guide] must have regarded substantial harm as something approaching demolition or destruction' (Bedford judgment, paragraph 22).

While it was queried whether this was setting too high a bar for substantial harm, Mr Justice Jay identified that with regard to the above statement, given that the harm under consideration was based on change within the setting of the listed building rather than physical intervention, the above quotation was clearly intended to be appended by the words 'to significance'. Mr Justice Jay therefore concluded that *'What the inspector was saying was that for harm to be substantial, the impact on significance was required to be serious such that very much, if not all, of the significance was drained away. Plainly in the context of physical harm, this would apply in the case of demolition or destruction, being a case of total loss. It would also apply to a case of serious damage to the structure of the building. In the context of non-physical or indirect harm, the yardstick was effectively the same. One was looking for an impact which would have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced*' (Bedford judgement, paragraphs 24-25).

The Bedford judgement therefore provides context for the PPG's identification that substantial harm will occur where an '*adverse impact seriously affects a key element of its special architectural or historic interest*'; such an adverse impact would have to impact upon a '*key element*' of the building's significance, such that the significance of the asset as a whole was '*either vitiated altogether or very much reduced*'.

Subsequently the Wymondham decision has provided further clarification of the meaning of 'substantial harm', and the 'draining away' of significance. 'In this case, again focused on an impact upon the setting of a heritage asset (the Grade I listed Wymondham Abbey), it was identified by the Inspector that *'the scheme would not call into question the Grade I status of the building, and when in the immediate environs of the Abbey its special architectural and historic interest would be unaffected. I therefore do not share the Council's view that substantial harm would be caused to the setting of this listed building. Rather the harm caused by the development would be less than substantial'* (Chapel Lane, Wymondham, Inspector's Report, paragraph 130). This was then upheld by the Secretary of Statement for Communities and Local Government, who advised that *'Overall, the Secretary of State shares that Inspector's conclusion that the scheme would not call into question the Grade I status of the building, and when in the immediate environs of the Abbey and that the harm caused would be less than substantial*' (Chapel Lane, Wymondham, decision, paragraph 14).

These judgements/decisions have subsequently been cited in a number of planning decisions at which the definition of 'substantial harm' is taken to be the point at which the significance of a heritage asset is 'very much drained away' or 'vitiated altogether'. If correct, the assertion made by ICOMOS in their second TR that the Project would result in substantial harm to the OUV of the Blenheim Palace WHS would mean that the OUV of the WHS would be either totally lost or very much reduced. This is not the position of the Applicant, nor of Historic England (advised by The Historic England Advisory Committee). No other consultee has advised that the Project would result in 'substantial harm' to the OUV of the WHS. Indeed, it should be noted that in their Relevant Representation [**RR-0413**], ICOMOS-UK (the UK National Committee of ICOMOS) advised that '*the proposed Botley West Solar Farm would not have a direct impact upon the OUV of Blenheim Palace or its setting as identified by the map 'Character of Setting of WHS' on page 50 of Appendix II of the Management Plan*'. This position established by ICOMOS-UK was based on the design of the Project at the time of submission, rather than the amended design which responded to the concerns expressed by Historic England. The ICOMOS assertion that the Project would result in substantial harm to the OUV of the Blenheim Palace WHS is very much at odds with the position of all other consultees as well as the Applicant.

ICOMOS Second TR: Section IV of the Second TR goes on to set out four recommendations aimed at the State Party:

- 'Commission a Landscape Character Assessment focused specifically on the way in which the wider setting supports the Outstanding Universal Value of Blenheim Palace;
- Require a revised and enhanced Heritage Impact Assessment for the Botley West Solar Farm that independently defines attributes of the Outstanding Universal Value, addresses the full range of experiential and cultural dimensions of setting, and integrates the findings of the Landscape Character Assessment;
- Undertake a cumulative impact assessment that considers the Botley West Solar Farm alongside other approved or proposed developments in the setting, including recent and planned urban expansions;
- Assess the current planning and management system for the property's setting, including the adequacy of policy protections in the absence of a buffer zone, and consider introducing additional safeguards.

The section goes on to say '*ICOMOS also recommends that no further decisions on the approval or implementation of the project be taken on the Botley West Solar Farm until the above measures are completed and reviewed, specifically the cumulative impact assessment. The current trajectory of landscape change in the immediate and wider setting of Blenheim Palace suggests a need for a more coordinated and heritage led response to spatial planning. Without this, the risk to the integrity and authenticity of the property's Outstanding Universal Value will increase*'.

Applicant's Response: It should be clearly noted that most of the actions requested by ICOMOS are aimed at the State Party and not at the Applicant. The only one for which action is required from the Applicant is the production of '*a revised and enhanced Heritage Impact Assessment for the Botley West Solar Farm … that integrates the findings of the Landscape Character Assessment*'. As stated above, the Applicant is not aware of any actions taken by the State Party to prepare a Landscape Character Assessment. It is likely that this request will be actioned through delegation to the relevant planning authorities. The Applicant has prepared an updated Heritage Impact Assessment (Rev 2) in response to the Secretary of State's letter. This updated document provides additional details including a cumulative effects assessment as requested in the third bullet point advice, but it does not integrate the findings of a Landscape Character Assessment as no such assessment has been undertaken on behalf of the State Party. The Applicant considers that it is unreasonable for the determination of the DCO application for the Project to be delayed until documents required to be prepared by others have been completed, including documents for which no programme is known to exist.

Paras 20–21	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.

The Applicant is aware that Historic England's conclusions on the likely magnitude of impact (of the Project) on certain designated heritage assets differ from their own conclusions. With regard to the Sansom's Platt scheduled monument, the Grade I listed church of St Peter and St Paul, the Grade I listed Church of St Peter at Church Hanborough and Cassington, and the Grade II* listed Church of St Michael at Begbroke, the Applicant's assessment (as set out in ES Appendix 7.5: Settings Assessment) found that the likely magnitude of impact would be negligible adverse, whilst Historic England consider that for each of these designated heritage assets the likely magnitude of impact would be low adverse. This disagreement on the likely magnitude of impact (of the Project) on these designated heritage assets is recorded in the signed Statement of Common Ground between the Applicant and Historic England (Rev 2 [**REP7-037**], Items 4.1.11 - 4.1.14). In each case, both parties note that '*Whilst Historic England and the Applicant disagree on the likely magnitude of impact, both parties agree that this is a matter that the Examining Authority can come to a view on*'.

Specifically with regard to the Sansom's Platt scheduled monument, the Applicant provided an amended design in this area, which is set out in the updated Works Plans (Rev 3) submitted at Deadline 7 [**REP7-004**]. The amendments were made following consultation with Historic England and were aimed at further reducing the likely impact on this scheduled monument as a result of the change within its setting. The Applicant is aware of the question posed by the Secretary of State (Item 22 in the Secretary of State's letter) seeking Historic England's position regarding the likely impact on this scheduled monument following the design amendments set out in the updated Works Plans submitted at Deadline 7 [**REP7-004**]. Notwithstanding Historic England's response to this question, and for the purpose of clarification, the Applicant considers that the design amendments set out in the updated Works Plans submitted at Deadline 7 [**REP7-004**] will further reduce the impact (of the Project) on this designated heritage asset, but the magnitude of impact will remain as negligible adverse. This is confirmed in the ES Addendum submitted with this response.

With regard to the likely impact (of the Project) on the three churches, the Applicant considers that this comes down to the interpretation of guidance presented in the document The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (second edition), referred to here as GPA3. Paragraphs 14-16 of GPA3 address the issue of how setting (as a concept) differs from landscape and amenity. Paragraph 14 advises that '*Analysis of setting is different from landscape assessment*' and goes on to say '*Careful analysis is therefore required to assess whether one heritage asset at a considerable distance from another, though intervisible with it - a church spire for instance – is a major component of the setting, rather than just an incidental element within the landscape*'. A text box within this section of GPA3 provides additional guidance '*Being tall structures, church towers and spires are often widely visible across land- and townscapes but, where development does not impact on the significance of heritage assets in a wider setting or where not allowing significance to be appreciated, they are unlikely to be affected by small-scale development unless that development competes with them, as tower blocks and wind turbines may. Even then, such an impact is likely to be only the landscape values of the tower or spire rather than the heritage values, unless the development impacts on its significance, for instance by impacting on a*

designed or associative view'. The Applicant has examined the setting of these Grade I and II* listed churches and reviewed the nature and extent of the Project in relation to the setting. No designed or associative views would be impacted, and the Project would not compete with the heritage significance of the churches in views from, towards or across the churches. As such, whilst there would be some impact on the heritage values or the churches, there would also be impacts on their landscape values. These latter impacts are addressed in ES Chapter 8: Landscape and Visual Impact Assessment **[REP6-012]**. The Applicant now proposes additional design changes in the form of increased buffers around residential properties. This will further reduce likely impacts on a number of designated heritage assets including the Grade I listed Church of St Peter and St Paul at Church Hanborough and the Grade I listed Church of St Peter at Cassington.

The difference in the conclusions of various historic environment practitioners with regard to the likely impacts of the Project arising from change within the settings of heritage assets is not unusual, as these assessments are made on the basis of subjective judgements rather than quantifiable outcomes. There are numerous planning appeals and development consent decisions every year where similar different conclusions are examined and tested against guidance and policy. One very recent example is the decision on the application for development consent for the Springwell Solar Farm in Lincolnshire (decision letter dated 8 April 2026). Paragraph 4.24 of the Decision Letter explains that the Applicant identified 24 designated heritage assets that would experience less than substantial harm as a result of change within their setting and that the Examining Authority agreed with this assessment. However, statutory consultees including the County Council and a District Council considered that there would be impacts on some additional designated heritage assets and, also, that in some cases the magnitude of impact would be greater than as stated in the Applicant's assessment. The Examining Authority disagreed with the stakeholders and found that the Applicant's assessment was correct.

In the signed Statement of Common Ground between the Applicant and Oxfordshire County Council ([**REP8-002**], Item 4.2.1) the approach, scope and methodology for the assessment of impacts and effect on the historic environment is noted as agreed. Where differences between the two parties are noted within the Statement of Common Ground, none of these relate to the recorded outcomes of the assessment as presented in ES Appendix 7.5: Settings Assessment.

In the signed Statement of Common Ground between the Applicant and Cherwell District Council ([**REP8-003**], Item 4.2.1), the approach, scope and methodology for the assessment of impacts and effect on the historic environment is noted as agreed. Where differences between the two parties are noted within the Statement of Common Ground, none of these relate to the recorded outcomes of the assessment as presented in ES Appendix 7.5: Settings Assessment.

In the signed Statement of Common Ground between the Applicant and Vale of White Horse District Council ([**REP8-004**], Item 5.2.1), the approach, scope and methodology for the assessment of impacts and effect on the historic environment is noted as agreed. The Applicant has assessed the likely magnitude of impact on a Grade II listed building as 'negligible adverse'. The Vale of White Horse District Council consider that the likely magnitude of impact on this listed building '*goes beyond negligible*', but go on to say '*The impact is minor adverse and should be outweighed by public benefits as per National and Local Policy Tests*' ([**REP8-004**], Item 5.2.4).
In the signed Statement of Common Ground between the Applicant and West Oxfordshire District Council ([**REP8-005**], Item 4.2.1), the approach, scope and methodology for the assessment of impacts and effect on the historic environment is noted as agreed. West Oxfordshire District Council consider that impacts arising from the Project on some heritage assets of international and national importance are 'significant', citing the Blenheim Palace WHS, the Grade I listed churches at Church Hanborough and Cassington, the scheduled monuments at Sansom's Platt and Bladon Camp, and the Conservation Areas at Church Hanborough and Bladon. The Applicant's assessment of impacts and effects on these designated heritage assets (except for the Bladon Camp scheduled monument) is set out in ES Appendix 7.5: Settings Assessment (Rev 4). The Applicant considers that the effects in respect of all of the designated heritage assets cited by West Oxfordshire District Council (except for the Bladon Camp scheduled monument) would be 'not significant' and that the harm to the significance of these designated heritage would be 'less than substantial' with regard to national and local planning policies. West Oxfordshire District Council do not state that, in their opinion, the harm to the significance of any designated heritage asset would be substantial, only that the effects would be significant. (The Applicant scoped out any detailed assessment in respect of the Bladon Camp scheduled monument on the basis of its location within a heavily wooded landscape that prevents any inward or outward visibility. This decision has not been queried by Historic England, who are the principal statutory consultee on proposed developments that could affect the significance of scheduled monuments).

In the signed Statement of Common Ground between the Applicant and Historic England (Rev 2 [**REP7-037**], Item 4.1.3), both parties agree that the harm to the significance of all designated heritage assets considered by Historic England, including the Blenheim Palace WHS, is less than substantial. This position is also agreed with regard to all designated heritage assets in the Statement of Common Ground between the Applicant and Cherwell District Council (**REP8-003**], Item 4.2.5) and in the Statement of Common Ground between the Applicant and Vale of White Horse District Council ([**REP8-004**], Item 5.2.3).

Therefore, the position agreed with Historic England and two of the Oxfordshire Host Authorities is that, in all cases, harm to the significance of designated heritage assets is less than substantial (the other Oxfordshire Host Authority considers that impacts to some designated heritage assets may be 'significant', but does not go on to define whether or not they consider the resultant harm to the significance of the heritage assets to be substantial or less than substantial).

The correct policy test therefore is agreed by all parties who have provided an opinion to be the one set out in paragraph 5.9.32 of NPS EN-1 (2023) '*Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use*'.

With regard to the public benefits of the Project, it is important to note the position set out in the National Policy Statement for Renewable Energy Infrastructure (NPS EN-3; DESNZ 2023) in the section regarding factors that could influence site selection and design '*In considering the impact on the historic environment as set out in Section 5.9 of EN-1 and whether it is satisfied that the substantial public benefits would outweigh any loss or harm to the significance of a designated heritage asset, the Secretary of State should take into account the positive role that large-scale renewable projects play in the mitigation of climate change, the delivery of energy security and the urgency of meeting the net zero target*' (paragraph 3.3.8).

Para 23	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.

Paragraph 4.2.11 of NPS EN-1 (2023) states that '*Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate SNCB or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated*'.

With regard to cultural heritage impacts, the Project demonstrates the application of the mitigation hierarchy, as confirmed by paragraph 4.2.11 of NPS EN-1, in the following ways.

Avoid

In the initial stages of the design of the Project, some land initially available for development was excluded due to the potential for direct physical impacts on heritage assets. One example of this is the land within which the Sansom's Platt scheduled monument is located, as well as the land just to the south-west within which another scheduled monument is located. Other land that was within the Conservation Areas at Bladon and Church Hanborough was retained within the Order Limits but no development is proposed in these areas. The land within these two Conservation Areas was retained for use in offsetting other impacts, such as management for specific wildlife species, or for the provision of land for community food growing.

In addition, in the initial stages of the design of the Project, consideration was given to the need to avoid (where possible) any change within the setting of designated heritage assets that could represent a major change within their setting that could result in unacceptable harm to their heritage significance. One example of this can be seen in the detailed review of the defined important view from Blenheim Palace towards the Church of St Martin at Bladon. This consideration is discussed in detail in the updated version of ES Appendix 7.4: Blenheim Palace World Heritage Site – Heritage Impact Assessment (Rev 2) **[EN010147/APP/ 6.5]**. Development within one of the fields visible in this defined important view was subsequently excluded from the Project in order to avoid any impact relating to this defined important view.

Key extant elements of the historic landscape have been preserved within the design of the Project. These include woodlands and hedgerows. No closures or amendments to any historic roads or tracks are required by the design of the Project.

A programme of archaeological investigation was undertaken, including the examination of LiDAR data and aerial photographs as well as geophysical survey and trial trenching. This programme identified a number of archaeological sites within the Site, including ones of regional and potentially national importance. Some of these archaeological sites had been known from previous studies, but many were unknown prior to the programme of work undertaken for the Project. Within the design, a total of 43 significant archaeological sites have been protected from impact through the provision of an appropriate buffer zone within which no development would occur. These zones are secured through Work No. 5 of the DCO and shown on the Works Plans. The draft DCO includes Requirement 5 which is for detailed design where these buffer zones would be reviewed and agreed with the archaeological advisor to the local planning authorities prior to the commencement of construction. Through this design process the Project has avoided any direct physical impacts on these significant archaeological sites. If the Project does not go ahead, all of these significant archaeological sites are at continued risk of damage from agricultural activities as no mechanism for the protection of the archaeological sites is in place. The impact of arable practices, particularly during the post-war period, was very clear during the programme of archaeological work undertaken for the Project. This potential for a solar farm development to enable the protection of buried archaeological remains is noted in NPS EN-3 (2023) in which paragraph 2.10.110 states

'*Equally, solar PV developments may have a positive effect, for example archaeological assets may be protected by a solar PV farm as the site is removed from regular ploughing and shoes or low-level piling is stipulated*'.

Reduce

A considerable amount of work was undertaken on the design aimed at reducing the likely impacts on designated heritage assets as a result of change within their setting, in situations where the impacts could not be completely avoided. This work included consultation with key stakeholders such as Historic England. Examples of this include the removal of solar PV panels and associated infrastructure from fields to the south and south-east of the Blenheim Palace World Heritage Site (WHS), in response to concerns expressed by Historic England in their Written Representation [**REP1-086**, paragraph 3.5]. Other examples include the removal of solar PV panels and associated infrastructure from land to the south-west of the scheduled monument at Sansom's Platt, again in response to concerns raised by Historic England. Design changes were also introduced to reduce the likely impacts on a group of Grade II buildings at Lower Dornford Farm, on the Grade II listed Church of St Martin at Bladon, the Grade II listed Spring Hill farmhouse at Yarnton, the Grade II listed Burleigh Farmhouse, the Grade II listed Mill Farmhouse and attached mill building at Lower Road, the Grade II listed Dunbar (formerly New Barn Farmhouse) at Church Hanborough, the Grade II listed Eynsham Mill and the Conservation Areas at Bladon, Begbroke and Church Hanborough. The Applicant now proposes additional design changes in the form of increased buffers around residential properties. This will further reduce likely impacts on a number of designated heritage assets including the Grade I listed Church of St Peter and St Paul at Church Hanborough and the Grade I listed Church of St Peter at Cassington.

The programme of archaeological investigation undertaken for the Project also identified a number of less significant archaeological sites. ES Chapter 7: Historic Environment (Rev 3 **[CR2-019]**) explains that further archaeological investigation of these sites would be undertaken, enabling appropriate strategies to avoid or reduce impacts to be developed and agreed with the archaeological advisor to the local planning authorities prior to the commencement of construction (paragraph 7.9.33).

Mitigate

The Outline Written Scheme of Investigation (OWSI, Rev 3 [**CR2-053**]) sets out a programme of further archaeological work that would be undertaken ahead of and during construction. The results of this archaeological work, and of all previous archaeological undertaken for the Project, would be described in reports that would be made available in suitable formats to be agreed with the archaeological advisor to the local planning authorities. The archive relating to the programme of archaeological work would be suitably conserved and deposited in accordance with the requirements of the archaeological advisor to the local planning authorities. The examples set out above demonstrate how the mitigation hierarchy has been applied with regard to the likely impacts of the Project on all aspects of cultural heritage, in compliance with the policy requirement set out in Paragraph 4.2.11 of NPS EN-1 (2023).

4. Landscape

Para 24	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.

Para 24(a)	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];

The focus of NPS EN-1 paragraphs 5.10.6, 5.10.16, 5.10.19, 5.10.22 and 5.10.24, is on the careful design of a project, having regard to the siting of infrastructure to minimise harm to the landscape through reasonable mitigation. EN-1 highlights the need to consider residential amenity and the potential for landscape enhancement.

Following the Secretary of State's invitation to consider whether an updated LVIA may be required, the Applicant completed an independent review of the LVIA submitted, including the methodology and findings, as well as the representations made by the OHA and wider Interested Parties.

The review identified areas to be resolved as identified in the Applicant's Initial Response to the SoS' letter where an extension was suggested; however, in line with the paragraphs highlighted from NPS EN-1, the Applicant has focussed the time available on updating the Project, to embed further landscape and visual mitigation, identifying the most sensitive receptors that have potential to experience the greatest magnitude of change, and therefore the greatest level of significance. The updated design is detailed in the response to 24(d), below, but focusses on avoiding and minimising adverse landscape and visual impacts, particularly on the visual amenity of residents through the extension of all residential offsets to a minimum of 100 m with the potential for further extension to 250 m to craft view corridors responsive to the baseline conditions and people's visual amenity.

In response to the specific matters raised by the OHA beyond those best resolved through updated design.

- Use of DMRB and GLVIA3: The LVIA review agrees that it is best practice for LVIA for this form of development to be based on guidance provided by GLVIA3. However, upon review of the methodology used, the process adopted is in alignment with GLVIA3 with minor modifications included to accommodate DMRB for consistency between EIA topics. This is reflected in the agreement of the methodology reached with the OHA, accepting that the application of the methodology was challenged. There is also precedent supporting that alternative approaches may be taken, for example the Mona Offshore Wind Farm DCO Examination as explained in the Applicant's Response to Examining Authority's Rule 17 (14 Oct 2025) [**REP6-052**] and other earlier submissions.
- The Project does not include any permanent lighting during operation. Lighting would be restricted to allow safe entry/exit of the Project substation and task-specific lighting in the event of maintenance during hours of darkness. As such, proposed lighting would not result in potential for significant adverse landscape or visual effects and therefore, whilst acknowledged in the LVIA as submitted, does not contribute to impacts.
- The assessment of cumulative effects has been covered within section 8.10 / 8.11 of the submitted Landscape and Visual Impact Assessment [REP6-012] and brought together in a concluding summary ES Chapter (Chapter 20). The cumulative schemes have all been identified in the longlist and shortlist of cumulative schemes [REP5-034] and have been considered within the LVIA for relevance on whether cumulative effects could occur. All projects and plans considered alongside the Project have been allocated into 'tiers' reflecting their current stage within the planning and development process. A tiered approach as set out in in the Planning Inspectorate's Planning Advice Note Seventeen: Cumulative Effects Assessment, is a recommended process for undertaking cumulative effects assessments in the context of NSIPs (requirement of NPS EN-1 and NPS EN-3).

Regarding the OHA comments detailed in REP7-190, in particular their view that the level of impact on landscape character and views remain underestimated, and the use of a standard 25 m buffer to settlements and residential properties, the Applicant seeks to resolve these comments through the updated design commitments

included in this submission to provide a more sensitive and responsive proposal that builds on the mitigation offered across Examination and supersedes the without prejudice offer. This updated design commitment secures minimum offsets whilst retaining flexibility for further design iteration in line with discussion with the OHA. The increased offsets also decrease the reliance of the Project on new planting to mitigate adverse landscape and visual impacts.

Para 24(b)	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: b. Consider and respond to Interested Parties comments received at Deadline 7;

The IP responses have been grouped into the main sub-topics below and a response has been provided below.

Project scale and visual dominance
The key factors in judging the project scale and perceived visual dominance within the LVIA undertaken are as follows.

Scale and extent
- Size of the Project in the view and the way in which the above ground infrastructure relates to and interacts with the existing landscape elements within the view, with consideration of the angle of view obtained.
- Proportion of the view occupied, including consideration of both the vertical and horizontal proportion of the views altered.
- Distance from the receptor in recognition that typically with increasing distance the perceived visual dominance will reduce.
- How wide an area is affected, acknowledging the number and nature of receptors impacted, with consideration of both fixed visual experiences and sequential experiences such as along public rights of way or roads.

Duration and reversibility
- Duration is categorised as short, medium or long-term. GLVIA explains that as there are no standard lengths of time within these categories, the appraisal must state what these are and why these have been chosen (GLVIA, para 5.51). Reversibility is described as 'a judgement about the prospects and practicality of the particular effect being reversed in, for example, a generation' (GLVIA, para 5.52). Projects can be considered to be permanent (irreversible), partly reversible or fully reversible. For the purposes of the LVIA assessment the Project is considered to be fully reversible.
- It is acknowledged that the duration and effects of the Project, although temporary and reversible, would be long term. I.e. more than 10 years.

Residential buffer zone — 25 m vs 250 m
The Applicant proposes to increase the buffer distances from residential properties to a minimum distance of 100 m (and where appropriate up to 250 m, whereby the offset will be resolved through detailed design interrogation), except where otherwise agreed with the respective property owners. In accordance with the mitigation hierarchy approach, the provision of a 100 m minimum distance will ensure that the immediate setting of a given residence will remain free of above ground infrastructure, where the introduction of such elements would be most apparent, and thereby avoiding harm in the most sensitive area of a residents' setting.

As a direct result of this increased buffer to 100 m, an appreciable reduction in impacts on the residential visual amenity will likely occur for residents in the vicinity of the Order Limits.

RVAA methodology and adequacy
The Residential Visual Amenity Assessment (RVAA) [REP7-042] is based on the 'four step' process, as set out in the LI industry standard guidance (LI TGN 02/2019).

The RVAA concluded that no residential properties that are to be considered for Step 4 of the RVAA such that the residential Visual Amenity Threshold may be engaged, which included consideration of both internal and external views and the extent to which the horizontal and vertical proportion of views may be altered as a result of the Project and the relationship between the properties and wider landscape (including the orientation of dwellings and location of windows for example).

Notwithstanding the above, it is acknowledged that conclusions with respect to magnitude are disputed in conjunction with whether or not the schedule of properties considered is fully comprehensive and an appropriate assessment has been undertaken. In the absence of a revised RVAA having been completed at present, a residential buffer zone (as set out above) has been established to wholly avoid the most apparent harm to residents such that the threshold is unlikely to be engaged, while incorporating the flexibility to increase this distance to 250 m where appropriate.

That is not to say that at 100m distance adverse effects will not arise. LI TGN 02/209 recognises that "*It is not uncommon for significant adverse effects on views and visual amenity to be experienced by people at their place of residence as a result of introducing a new development into the landscape. In itself this does not necessarily cause particular planning concern*" (Paragraph 1.6). This buffer is therefore informed by landscape and visual considerations but is then balanced against the urgent need for such development in light of this framework. It's also worth adding that the same guidance note refers to a range of 50 m-250 m as a suitable proximity range for assessment. The minimum 100 m buffer ensures that mitigation will be in place for the properties in close proximity, whilst the flexibility retained in the Requirement aligns with the 250 m upper limit of the technical guidance to ensure that such buffers may be imposed for any other properties that the guidance suggests will be in 'very close proximity'.

An updated RVAA is to be produced to ensure a comprehensive assessment is undertaken and to inform an appropriate offset as part of the detailed design stage.

LVIA methodology and conclusions disputed

In accordance with NPS EN-1 paragraphs 5.10.6 and 5.10.16 an LVIA has been conducted on behalf of the Applicant. It is understood that the scope and content of the LVIA methodology is broadly accepted, with the main area of disagreement relating to the application of the methodology with regards to conclusions on magnitude. While an LVIA methodology seeks to bring objectivity to the assessment process, given the nature of landscape and visual effects a degree of subjectivity may remain, and accordingly divergence among the opinion of landscape professionals is commonplace.

Notwithstanding the above, the most important function of the LVIA process is not the assignment of significance labels per se, but the role that iterative landscape and visual assessment has played in informing and shaping the design of the proposed development. The LVIA has been undertaken as a live and evolving process, with findings feeding directly into design development to reduce adverse effects and, where possible, realise landscape benefits (refer to the detailed response related to Para 24(d) in this document). This iterative relationship between assessment and design is considered to represent good practice in accordance with GLVIA3 and NPS EN-1 paragraphs 5.10.6 and 5.10.19 and is a more meaningful measure of the value of the LVIA than whether any two practitioners arrive at identical significance conclusions.

Photomontages and viewpoint adequacy

Refer to the detailed response related to Para 24(c) in this document.

Important views in adopted Neighbourhood Plans

The Cumnor Parish Neighbourhood Plan Important Views (February 2021) has been reviewed and taken into account in the selection of Representative Viewpoints as part of the engagement process with stakeholders and to inform the approach to siting and design within the Order Limits in line with NPS EN-1 paragraph 5.10.19. Where Important Views are orientated towards the Botley West site, equivalent or nearest publicly accessible locations have been adopted as Representative Viewpoints within the LVIA.

To assist the SoS, the following Representative Viewpoints are considered to correspond to the Important Views identified in the Neighbourhood Plan:

- Representative Viewpoint 44 — Important View 23
- Representative Viewpoint 45 — Important View 20b
- Representative Viewpoint 51 — Important View 31
- Representative Viewpoint 53 — Important View 3 (photomontage included)
- Representative Viewpoint 55 — Important View 24

Representative Viewpoints were agreed with all host authorities following consultation, as set out in Table 8.5 of Chapter 8: Landscape and Visual Resources.

Loss of countryside / rural character and amenity
It has been agreed with the OHAs that the Cotswold National Landscape Board in its Response to Examining Authority's First Written Questions [REP2-068] states:

"Having reviewed the applicant's DCO submission and visited the site and surrounding area, the Board concluded in our response dated 24 February 2025 that the proposed solar farm would have, at worst, a temporary negligible to minor adverse significance of effect at all stages of the project (i.e. construction, operation and decommissioning) on the landscape character and special qualities of the CNL and a temporary negligible adverse effect on views to and from the CNL. Our response dated 24 February 2025 provides further details on the relationship between the site and the CNL and, in particular, an assessment of the potential effects of the development on views from within, and back towards, the CNL.

The Board also considers that the 'new planting/areas for enhancement' on land between the solar PV arrays and the CNL have the potential to provide landscape enhancements which could be considered to contribute to furthering the purpose of CNL designation and should be secured as part of the Development Consent Order should, without prejudice, the Secretary of State be minded to grant such an order. As such the Board considers that the impacts of the proposal would not represent an impediment in respect of relevant authorities' adequate discharge of the s.85 CROW Act duty."

Nevertheless, the Examining Authority requested the Applicant to undertake a study to assess the effects on the Cotswolds National Landscape, which the Applicant duly did [**Annex 3 of REP4-037**]. This study confirmed what the Cotswold National Landscape Board had stated in its REP2-068 and what the Applicant had reported within ES Chapter 8: Landscape and Visual Impact Assessment (LVIA) [**REP6-012**] – that the Project would have no significant effects upon the 14 Special Qualities of the Cotswolds National Landscape, and that the proposed landscape proposals may provide enhancements to furthering the purposes of the National Landscape.

The wider IP responses relating to the loss of countryside / rural character and amenity have been considered as part of the updated Masterplan provided with this submission (ES Figures 2.1a to 2.4c: Illustrative Masterplan Rev 4 [EN010147/APP/ 6.4]), including for example the increased offset from dwellings and the removal of above ground infrastructure in the land to the south of Stratford Lane to protect the visual amenity experience and to maintain rolling countryside views.

Loss of Green Belt openness (visual function)
The Applicant's submission has sought to reduce its harm to the Green Belt, but where that harm exists has provided Very Special Circumstances (VSC), which offset that harm [**REP1-012**].

In addition, the Applicant since its previous Green Belt submission, has now also accepted that it is prepared to increase the buffer distance from residential properties over above that which the project already benefits from, by a minimum of 100m to a maximum of 250m where appropriate and/or except where otherwise agreed with the respective property owners. This is a substantial increase and further reduces harm to openness of the Green Belt. This has been secured by new Requirement 15.

Topography — panels on rising land / hillsides

The nature of the landform in the local area, one of a gently undulating landscape, is such that it would not be possible nor appropriate to screen the Project from all views as detailed within the submitted LVIA [**REP6-012**]. Where panels are located on rising ground such as to the north of Cassington, views of panels will be available. The Project has been designed and located in those areas of the landscape considered to be less sensitive to a development of this nature in accordance with NPS EN-1 paragraph 5.10.6. Views of panels to the north of Cassington will relate to a localised area of the overall Project, with existing and retained vegetation within the area of panels breaking-up the overall visibility of the above ground infrastructure, while wholly screen other parts within the Order Limits. It is considered that due to the low-lying nature of the solar panels, following the topography, which would not break the skyline, the overall characteristics of the views would generally remain.

Fencing, CCTV, security infrastructure — visual intrusion (incl. PRoW corridor width)
The LVIA [**REP6-012**] has assessed individual Public Rights of Way (PRoW) at Appendix 8.6, as well as individual Representative Viewpoints, many of which are located on the PRoW network (Appendix 8.7).

The Applicant acknowledges the recommendation of 15m PRoW corridors. A minimum 5m PRoW corridor has been adopted for the Project, which is considered appropriate. There are a number of PRoW where more than 5 m has been designed into the Project. Including PRoW 416/5/20 and 132/4/10, 8m for the PRoW corridor is recommended within a total of 16 m (fence to fence). It is noted that there are existing PRoW corridors throughout the Project site where there is a PRoW corridor less than 5 m, most notably 416/11/30 (Dornford Lane). As such, this is a characteristic of the existing landscape.

A range of typical plans and sections across new paths is shown on figures 7.6.3.2 A to 7.6.3.2 M, of the outline Landscape and Ecology Management Plan (oLEMP) Rev8 [EN010147/APP/7.6.3]. These plans and sections have been produced to illustrate proposed planting at Year 1, 5 and 15 (maturity).
A typical planting schedule is included at Appendix B of the oLEMP, giving details of the proposed species mix.

The wording in Appendix C of the oLEMP has been revised and submitted as an updated document to clarify that 3 m would be the approximate height that hedgerows will be maintained at, unless there is a requirement from the LPAs to maintain them at a different height (e.g. to protect important views that they may wish to define). As hedgerows are managed on an annual basis, the growth over the course of a year, when established, will mean that the hedgerows will necessarily vary slightly from 3 m (or any other agreed height). Maintenance of new and retained hedgerows, including their height, is specified in section 11.3 of the oLEMP which is secured through Requirement 6 of the draft DCO and will be developed in more detail, in liaison with the LPAs, as part of detailed design and the discharge of the Requirements.

The Applicant would have the responsibility of ensuring the hedgerows and other 'soft' landscape proposals are maintained. This responsibility is likely to pass onto a separate management company but working to any approved management plan.

The LVIA [REP6-012] has assessed the effects in relation to PRoWs in detail for each route at Appendix 8.6.

Substation and ancillary infrastructure — visual impact
For assessment purposes, it is assumed that the NGET substation will be within the Project Site and an area is provided for this. To cater for the eventuality that National Grid pursue development of the NGET outside of the Project Site, then an assessment has been made under a cumulative scenario and is also explained in ES Chapter 20: Cumulative Effects and Inter-relationships [REP5-022]. The cumulative effects assessment (section 8.10) within the LVIA [REP6-012] includes the NGET substation (P25/V1685/SCR) as a Tier 3 scheme.

The LVIA (REP6-012) assessed the NGET substation based on maximum design parameters set out in ES Chapter 6: Project Description. The design parameters have been agreed with the National Grid Energy Transmission (NGET) Plc in the Statement of Common Ground (REP7-039).

New planting, including hedgerows, trees and woodland, are proposed adjacent to the NGET substation. As shown on the Landscape, Ecology and Amenities Plan (REP7-022).

Construction phase visual disturbance
The LVIA (REP6-012) considers construction phase landscape and visual effects.

Cumulative visual impacts
The cumulative effects assessment (section 8.10) within the LVIA [REP6-012] includes the NGET substation (P25/V1685/SCR) as a Tier 3 scheme.

To reiterate, for assessment purposes, it is assumed that the NGET substation will be within the Project Site and an area is provided for this. To cater for the eventuality that National Grid pursue development of the NGET outside of the Project Site, then an assessment has been made under a cumulative scenario and is also explained in ES Chapter 20: Cumulative Effects and Inter-relationships [REP5-022].

The RVAA [REP6-064] has assessed the settlement of Cassington as a whole as parts of it fall within the ZTV. In addition to this a number of individual smaller groups of properties are assessed separately. Including, Eynsham Road, Barrow Court and Williams Court.

Notwithstanding this, in light of this and other concerns raised by IPs the Applicant intends to continue the RVAA work in order to inform the detailed design approach.

The assessment of the likely impact of the Project on the significance of heritage assets as a result of the change within their setting is presented in ES Appendix 7.5: Settings Assessment. An updated (Rev 4) version of this document has been prepared in response to issues raised in the SoS letter. The methodology for the assessment is primarily based on the Historic England guidance document *The Setting of Heritage Assets* (2017). The change within the setting of heritage assets arising from the Project is largely a visual one, although impacts arising from traffic, noise, dust and lighting are also included within the assessment.

'Temporary' v permanent landscape character change
The Applicant notes the definition of temporary as set out in NPS EN-3 at paragraphs 1.1.18 of The Applicant's response to the Rule 17 Letter [REP2-029]. Temporary is defined in NPS EN-3 paragraph 2.10.65 as "Time-limited consent, where granted, is described as temporary because there is a finite period for which it exists, after which the project would cease to have consent and therefore must seek to extend the period of consent or be decommissioned and removed."

The Project is time limited and is to be decommissioned following its operational life. It is the Applicants view that landscape character change as a result of the Project will therefore be temporary, albeit long term, as reflected in the LVIA findings.

The introduced mitigation planting, apart from providing screening effects and assisting in the integration of the Project into the landscape, seek to respond positively to the landscape character areas' / landscape character types' management guidelines and would provide biodiversity enhancements in accordance with NPS EN-1 paragraph 5.10.24.

These mitigation effects are, by nature, long-term, beneficial and assist in minimising the adverse effects attributable to the temporary energy infrastructure elements, i.e., the proposed landscape mitigation would be retained after the removal of the infrastructure elements and will continue to provide a positive long-term contribution to and reinforcement of the character of the landscape, in line with the management guidelines for the area where appropriate.

In the unlikely event that the proposed landscape mitigation be considered detrimental to landscape character at decommissioning, then it could be removed. However, as it follows the current management guidelines this is unlikely to be recommended.

Para 24(c)	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: 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;

The Applicant established the visual baseline as recommended in table 6.1 of GLVIA 3, following the respective steps:

- Provided Zone of Theoretical Visibility based on the digital terrain model to establish the extent of the possible visibility (including Figure 8.7: Zone of Theoretical Visibility and Representative Viewpoints).
- With reference to the Zone of Theoretical Visibility, identified people who may be affected
- Identified visual receptors and selected representative viewpoints based on ZTVs, fieldwork and consultation with LPAs.

A summary of initial consultation carried out with the OHAs, regarding Representative Viewpoints, is shown below.

OCC

Subject: JSL4317 Botley West Solar Farm (requesting comments regarding viewpoints or confirmation that the extent of coverage is sufficient to inform the assessment)
Sent to: Jacqui Cox
Date: Wednesday 26th October 2022 (09.28)

No response received / on file.

Cherwell DC

Subject: JSL4317 Botley West Solar Farm (requesting comments regarding viewpoints)
Sent to: Planning Enquiries.
Date: 13.10.2022

Subsequent emails to and from Suzzanne Taylor up to and including 24.05.2023 suggesting further viewpoints. These are detailed in Table 8.5 of LVIA [REP6-012].

VoWHDC

Subject: JSL4317 Botley West Solar Farm (requesting comments regarding viewpoints)
Sent to: Planning Enquiries.
Date: 13.10.2022

Subsequent emails to and from Avril Williams up to and including 30.11.2022. Details of alternative / additional viewpoints included in Table 8.5 of LVIA [REP6-012].

WODC

Subject: JSL4317 Botley West Solar Farm (requesting comments regarding viewpoints)
Sent to: Planning Enquiries.
Date: 13.10.2022

Subsequent emails to and from Andrew Thomson up to and including 14.12.2022. Details of alternative / additional viewpoints included in Table 8.5 of LVIA [REP6-012]. Andrew also forwarded suggested addition from Church Hanborough PC, 19.12.2022. Again, these are also included in Table 8.5 of the LVIA.

Para 6.21 of GLVIA 3 highlights the need to cover "*as wide range of situations as is possible, reasonable and necessary to cover the likely significant effects*". It emphasises the number of viewpoints must be proportionate in relation to the scale and nature of the proposals and its likely significant effects.

The Applicant's position is that the number of viewpoints provided is reasonable and necessary to cover the likely significant effects and is proportionate to the scale and nature of the proposals. The Applicant provided 55 Representative Viewpoints, of which 33 were selected as location for Type 3 photomontages, that cover the full extent of the Study Area with potential visibility. By comparison, the Springwell Solar Farm (an 800MW solar DCO) included a viewpoint analysis for a total of 40 assessment viewpoints.

The views of the receptors experiencing significant visual impacts are represented by Type 1 and Type 3 photography as summarised in the table below.

Viewpoint Number	**Representative Receptor Group**	**Visual Significance of Effect**
Representative Viewpoint 4	Recreational (Bridleway) Users	Moderate Adverse (Significant) at winter Year 1.
Representative Viewpoints 5b and 5c	Recreational (footpath) Users	Moderate to Major Adverse (Significant) at winter Year 1.
Representative Viewpoint 13	Recreational (Bridleway) Users	Moderate to Major Adverse (Significant) at winter Year 1.
Representative Viewpoint 17	Recreational (Footpath) Users	Moderate to Major Adverse (Significant) at winter Year 1.
Representative Viewpoint 23	Recreational (Footpath) Users	Moderate to Major Adverse (Significant) at winter Year 1 and summer Year 15.
Representative Viewpoint 25	Recreational (Footpath) Users	Moderate to Major Adverse (Significant) at winter Year 1.

Viewpoint Number	Representative Receptor Group	Visual Significance of Effect
Representative Viewpoint 26	Recreational (Footpath) Users	Moderate to Major Adverse (Significant) at winter Year 1.
Representative Viewpoint 33	Recreational (Footpath) Users	Moderate to Major Adverse (Significant) at winter Year 1.
Representative Viewpoint 38	Recreational (Footpath) Users	Moderate to Major Adverse (Significant) at winter Year 1.
Representative Viewpoint 39	Recreational (Footpath) Users	Moderate to Major Adverse (Significant) at winter Year 1.
Representative Viewpoint 41	Recreational (Footpath) Users	Moderate to Major Adverse (Significant) at winter Year 1.
Representative Viewpoint 48	Recreational (Footpath) Users	Moderate Adverse (Significant) at winter Year 1. Moderate to Major Adverse (Significant) at summer Year 15.
Representative Viewpoint 49	Recreational (Footpath) Users	Moderate Adverse (Significant) at winter Year 1.
Representative Viewpoint 50	Recreational (Footpath) Users	Major Adverse (Significant) at winter Year 1. Moderate to Major Adverse (Significant) at summer Year 15.
Representative Viewpoint 54	Recreational (Footpath) Users	Major Adverse (Significant) winter Year 1.

The methodology used for Type 1 and Type 3 photography is detailed in Appendix 8.4 of the LVIA [**APP-149**].

The Applicant provided Type 1 Annotated Viewpoint Photography in line with the requirements described in Para 4.2 of the LI Technical Guidance Note 06/1, to represent context and outline or extent of development (missing) and of key feature.

The Applicant provided Type 3 Photomontage / Photowire in line with the requirements described in Para 4.4 of the LI Technical Guidance Note 06/1. Type 3 to represent appearance, context, form and extent of development. Type 3 photography does not require the survey-verification, which means the camera position and survey features are not being recorded by highly accurate survey processes.

- The design changes made in the updated masterplan (ES Figures 2.1a to 2.4c: Illustrative Masterplan Rev 4 [EN010147/APP/ 6.4]) require amendment and re-submission of the following representative viewpoints.
- Representative Viewpoints 40 and 41- Included as part of the original LVIA submission (REP6-012) as Type 3 photomontages. They were taken from publicly accessible locations to the northwest of Cassington, along public rights of way, and are representative of views for the village edge.

- Representative Viewpoint 32 - Due to airport safety the PV panels were removed from the northwest of Begboke diminishing the significant visual effects of the recreational users along the public right of way.

The Hill End Outdoor Education Centre (Hill End Charitable Trust) is not a residential property and is therefore not included within the RVAA.

Para 24(d)	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: 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.

The Applicant has noted the Secretary of State's request and sets out in this response an explanation of how the mitigation hierarchy has been applied in the development of the Project, regarding landscape and visual impacts. It is noted that the Secretary of State has directed the Applicant to the following provisions of NPS EN-1.

- Paragraph 4.2.11 — Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate SNCB or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated.
- Paragraph 5.10.6 — having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.
- Paragraph 5.10.19 - consideration of landscape and visual matters in the early stages of siting and design.
- Paragraph 5.10.37 — The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.

The mitigation hierarchy is defined in the Glossary of NPS EN-1 as 'A term to incorporate the avoid, reduce, mitigate, compensate process that applicants need to go through to protect the environment and biodiversity'. The Applicant has applied the mitigation hierarchy in accordance with NPS EN-1 paragraph 4.2.11 through successive stages of the development of the Project, from pre-application site selection through to Change Request 2 [**CR2-038**].

Design changes made during Examination, including the reductions and amendments at Change Request 1 and Change Request 2 [**CR2-038**], represent further application of the mitigation hierarchy in response to consultation and Examination input. The design decisions taken at each tier are recorded in the LVIA Revision 4 [**REP6-012**] and in the Outline Landscape and Ecology Management Plan Revision 7 [**REP7-027**].

The Applicant's position is that the design process prior to submission was an iterative one, making use of and informed by the mitigation hierarchy, with an aim of avoiding impacts, where practicable.

4.1 Avoid

The first step in the mitigation hierarchy is avoidance. Chapter 5 of the Environmental Statement sets out the approach to identifying environmental constraints to inform the siting and design process. Paragraph 5.7.1 sets out the following high-level landscape constraints that were used (amongst others) to inform the siting and design.

- National and local environmental designations e.g. National Landscapes, ecological designations.
- Blenheim Palace World Heritage Site and all listed buildings, registered parks and gardens and Conservation Areas.
- Landscape designations including protected trees and Ancient Woodland and all existing lines of trees/hedgerow.

Paragraph 5.7.3 summarises how the various iterations of the evolution of the design of the solar farm have included the following decisions.

- Remove solar arrays on land that might adversely affect the setting of the Blenheim Palace World Heritage Site e.g. areas of land south of Bladon village, or other listed buildings (avoid).
- Remove solar arrays on land within or close to Conservation Areas e.g. Church Hanborough Conservation Area, where the environmental consultants advised against placement of panels or other electrical infrastructure within the Conservation Area (avoid).

Early site visits were made to Blenheim Palace, including its south facing upper floors, not normally accessible to the public, to gain an appreciation of what if any parts of the Proposed Development might be seen when looking south towards Bladon. Fields east of Baldon were removed from the layout deliberately to avoid views between the palace and the Proposed Development.

Visits were also undertaken of the surrounding landscape. Parts of fields south of Church Hanborough and east of Bladon were removed as they were within Conservation Areas.

In addition, it is noted that the following avoidance measures have been included in the siting and design process:

- exclusion of the Cotswold National Landscape from the Order Limits at site selection stage;
- exclusion of ridgeline zones identified during the LVIA process; and
- field-parcel removals at Bladon (Change Request 2) responding to landscape and visual effects on the village and impacts on the setting of the Blenheim Palace WHS.

Overall, approximately 35 hectares were removed from the Proposed Development during this design evolution process. Although some of these areas were primarily removed to avoid harm to identified archaeological features, this would also result in avoidance and/or reduction in landscape and visual effects breaking up the absolute visibility of the Proposed Development. More detail was provided at [**REP6-052**].

4.2 Reduce

Impacts will be reduced as far as practicable by a comprehensive designed-in mitigation scheme. The approach to mitigation is set out in Chapter 8 of the Environmental Statement. This includes a description of the approach to landscape design, which aimed to use the existing features and character of the area to reduce the impact of the Proposed Development. For example, at paragraph 8.8.10, the design principles include:

- Landscape Integration and Local Character – To respond to the setting, scale and character of the site and to provide screening to the Site from within the local area and from elevated areas to the west.

At paragraph 8.8.11, the following measures are set out that would reduce impacts.

- Minimised ground excavation – The panels would be mounted upon a prefabricated alloy metal frame. The module frames will be anchored to the ground via steel piles, which will be driven approximately 1.5 m- 3 m below ground. The framed mounting system would be pile-driven. Therefore, no foundations would be required.
- Areas of new hardstanding would be limited to the Project Substations, and inverter foundations.
- Existing structure vegetation, such as field boundary hedgerows and woodlands such as Pinsley Wood, Burleigh Wood, Bladon Heath, Smith Hill Copse, Denman's Copse, Saddle Copse, Whitley Brake helps to screen and break up the Project in views to it and helps to integrate the Project into the surrounding landscape;

- Existing vegetation along the site's perimeters and within it have been identified as being important landscape elements in the existing landscape character and will be retained and enhanced with new and appropriate planting where vegetation is presently sparse. This will avoid direct landscape effects and reduce visibility of the Project.
- Vegetation removal will be kept to a minimum as far as practicable, as shown on the hedgerow removal plans [**EN010147/APP/2.10**].
- Trees - In general trees are being retained wherever possible
- Hedgerows –The maximum to be removed is approximately 666 m of hedgerows and non-hedgerow linear features at 80 locations

The Applicant has reduced the impact on the landscape character of the surrounding landscape, by adopting a scheme that minimises the loss of characteristic landscape elements, such as hedgerows and trees, by placing solar panels within fields and using existing field gates/accesses to fields. Appendix 8.3 Strategic Arboricultural Impact Assessment and Method Statement for tree protection and root protection zones, sets out the methods by which trees and hedgerows will be protected during construction and losses kept to a minimum.

In addition to the above, the following measures have been identified to reduce the impact of the Proposed Development.

- maximum panel height confirmed at 2.2m;
- array layout adjusted within field parcels to exploit existing topographic and vegetative screening identified through Zone of Theoretical Visibility analysis;
- solar panel row orientation and spacing per the LVIA design principles;
- a minimum 25 m buffer zone, from individual properties and settlements, has been incorporated into the Proposed Development. Individual properties were looked at on a case-by-case basis. And in some cases, Purwell Farm for example, it was considered appropriate to have a greater buffer zone.

The Analysis of Buffer to Farms (Appendix B PVDP Buffer Zone Analysis) [**REP6-065**] is further evidence of the early phase design work undertaken by the Applicant and its application of the mitigation hierarchy, as this process helped to inform the appropriate design mitigation to be incorporated into the Project. This is explained in the Applicant's Response to ExA's Rule 17 Letter (23 Oct 2025) – FINAL [**REP7-047**].

With respect to buffer zones, the Applicant decided that it would be necessary to include such buffers between residential properties and the solar arrays to protect amenity. There is no 'rule' as to what such a buffer should be; instead, it is ultimately a matter for professional judgement based on years of experience in the Applicant's landscape and planning team. That initial judgement settled on a minimum distance of 25 m from the curtilage of residential properties. They took the view that if a property had a view of the arrays, that distance was a good starting point to mitigate any unacceptable adverse effects. This could include screen planting within that buffer, or to increase that buffer if that was judged to be necessary.

Properties were looked at on a case-by-case and greater distances were adopted where it was considered appropriate, e.g. at Purwell Farm. This was an example where that property is in relatively high ground and the Applicant wished to protect its setting and views of panels rising up the slope towards Purwell Farm, so it was judged to remove panels around this property, particularly to the west and south; its northern edge was well screened from existing vegetation. This property, therefore, for the reasons outlined, benefitted from a reduced impact due to the greater buffer distance than other properties within the Order Limits.

Notwithstanding the above mitigation measures, in response to the Secretary of State request for information letter (dated 20th April 2026), the Applicant has offered to increase the buffer distances from sensitive receptors to parts of the solar installation, to a minimum of 100m and to a maximum of up to 250 m. These updates are illustrated on the updated Masterplan (ES Figures 2.1a - 2.4c, Figures 2.1a to 2.4c: Illustrative Masterplan Rev 4 - EN010147/APP/ 6.4]). It is judged that these updates would result in beneficial effects for a number of individual residential receptors and settlement areas including, but not limited to, the residential visual amenity of Dornford Cottage, properties at Shipton Slade Farm, properties in Bladon, Burleigh House, College Farm and Church Hanborough.

4.3 Mitigate

Impacts would be mitigated by a comprehensive designed-in mitigation scheme. Mitigation has been considered alongside reduction, where appropriate, to ensure that impacts are first reduced and then suitably mitigated (with enhancement measures included where practicable and appropriate to the landscape). As set out in paragraph 8.8.10, the landscape strategy aims to:

- Provide an appropriate setting for the proposals, responding to adjacent pastoral/arable land uses where appropriate, ensuring that the landscape proposals include native species planting appropriate to the local area.

Paragraph 8.8.11 includes the following mitigation measures:

- Utilising a sensitive colour palette for built structures to aid assimilation into the landscape
- Implement advanced planting, where agreed, to minimise visual effects.

The Illustrative Masterplan, Figures 2.1a to 2.4d [**CR2-026**] – as updated as part of this response – and the Landscape, Ecology and Amenities Plan [**CR2-043**] have been prepared and developed as an iterative process, underpinning the design principles of the Proposed Development.

As set out in Table 8.18 of Chapter 8 of the Environmental Statement, the following mitigation measures are included in the mitigation strategy.

- Creation of woodland belts.
- Reinforcement of existing field boundary hedgerows where required.
- Planting of lengths of new hedgerows along lengths of PRoWs and where existing hedgerows require more extensive infilling.
- Meadow grassland to perimeter of solar array areas and areas of enhancement.
- Planting of individual trees where appropriate.

As part of the iterative design process, site visits continued through the pre-submission period and iterative adjustments were made to the design. This included, for example, linear woodland blocks, which were added to the eastern slopes of the Evenlode valley, near Purwell Farm. This was to break up the Proposed Development, particularly within views available from areas around Lower Road and on higher ground to the west at Church Hanborough.

The Applicant details the extensive landscape and ecological compensation measures in paragraph 1.1.35 of [**REP2-029**].

Many of the individual properties have existing vegetation within their boundaries which further limits the effects of the Project. Mitigation, as shown on the Illustrative Masterplan [**AS-019**] and the Landscape, Ecology and Amenities Plan [**AS-022]**, was included to further screen available views from residential properties.

Mitigation of landscape and visual effects is delivered principally through the landscape and ecology planting commitments secured by the Outline Landscape and Ecology Management Plan Revision 7 [**REP7-027**], together with the construction-stage measures secured through the Outline Code of Construction Practice. The principal operational mitigation is the screening planting programme including new hedgerow, hedgerow reinforcement and woodland belt planting, consistent with NPS EN-1.

A Green Way Plan has been produced, in consultation with the OCC Public Rights of Way (PRoW) Officer, to ensure that the PRoWs are returned to their definitive map route/alignment. PRoW routes/corridors are to be 15m, in width (including hedgerows) throughout the Proposed Development with natural variation, e.g. through existing retained field gates and entrances where there is an existing pinch point.

The Applicant has described the proposed mitigation in various documents submitted to the Examination. The detailed design of this mitigation would be worked up with the relevant officers at the Local Planning Authorities and is secured by both Requirement 5 (detailed design approval) and Requirement 6 (landscape and ecological management plan) of the draft DCO. The Landscape and Visual Resources Clarification Note [**REP5-006**], notes at paragraph 1.2.4 that "*...all effects would be reduced through the landscape mitigation proposals which in themselves are ultimately reversible*."

In clarification to Examining Authority Q2.13.9 of [**REP5-006**] the Applicant notes that 'T*he impacts of the project would be minimised by the comprehensive designed-in landscape mitigation scheme, as noted in paragraph 1.1.23, of The Applicants Response to the Rule 17 Letter [REP2-029]. It also notes that post-decommissioning this landscape structure could be retained but need not be – this would be decided by the landowner/tenant at the time of decommissioning*.'

Crucially, in response to the Secretary of State request for information letter (dated 20th April 2026), the Applicant proposes to increase the buffer distances from sensitive receptors to parts of the solar installation, from a minimum of 100m and up to 250 m. These updates are illustrated on the updated Masterplan (Figure 2.1a - 2.4c, Rev 3, dated 03.06.2026 [**EN010147/APP/6.4**]). It is judged that these updates would result in beneficial effects for a number of individual residential receptors and settlement areas. Including, but not limited to, the residential visual amenity of Dornford Cottage, properties at Shipton Slade Farm, properties in Bladon, Burleigh House, College Farm and Church Hanborough.

4.4 Compensate

Where residual landscape and visual effects remain after avoidance, reduction and mitigation, the Proposed Development provides landscape enhancement within the Order Limits but outside the array footprint through the Outline Landscape and Ecology Management Plan Revision 7 [**REP7-027**], including grassland creation, hedgerow restoration beyond the direct mitigation zone, and Public Rights of Way enhancement. These commitments are made in accordance with NPS EN-1 paragraph 4.2.12.

- Trees – The number of trees that are being planted will exceed those removed.
- Hedgerows – At least 26.5 km of new species-rich hedgerow.
- Additional habitat creation will include:
- Approximately 100 ha of new floodplain mosaic habitats along the River Evenlode Corridor
- At least 26 km of existing hedgerow to be reinforced through additional planting
- Approximately 5 ha of new native woodland creation
- Wildflower grasslands to be managed for wintering and breeding birds
- Tussocky grasslands alongside hedgerows. Hedgerow buffers will be at least 5 m wide
- Flood attenuation features to north of Cassington to be managed as wetland habitats
- Additional mixed scrub habitats alongside hedgerows
- A range of grasslands within the solar arrays to be managed for conservation value.

The Green Way Plan is part of a compensation package to enable improvements to the off-site PRoW network.

Updates to the illustrative masterplan and application of the mitigation hierarchy

The updated Illustrative Masterplan (ES Figures 2.1a to 2.4c: Illustrative Masterplan Rev 4 - EN010147/APP/ 6.4] has been prepared in response to ongoing design iteration, post Examination discussions, and the Secretary of State's Request for Information. The updates demonstrate the continued application of landscape and visual considerations throughout the evolution of the Proposed Development and provide further evidence of how the mitigation hierarchy has been applied to avoid, reduce and mitigate potential effects.

The original masterplan was developed having regard to the site-specific characteristics across the Order Limits and the surrounding locality, including landform, field pattern, vegetation structure, settlement pattern and visual relationships. This initially informed the extent of the Order Limits. For instance, the northern parcel is contained between Banbury Road and the River Dorn, with the updated layout retaining the exclusion of the more sensitive valley sides associated with the River Dorn and focusing development on the intervening plateau landform. The central parcel remains informed by the containment provided by the A40 and Woodstock Road, whilst the southern parcel continues to be influenced by the enclosing valley landform associated with the watercourse east of Farmoor Reservoir. These landscape features provide a clear framework for the arrangement of development parcels and assist in limiting landscape and visual influence beyond the immediate locality.

Building upon this foundation, the initial Masterplan sited solar and associated infrastructure within the existing landscape framework, limiting vegetation removal and retaining the existing pattern and structure of the landscape. The updated Illustrative Masterplan has refined the extent of above ground infrastructure, informed with ongoing engagement with statutory consultees post examination, and has resulted in the removal or reconfiguration of development in response to archaeological constraints, heritage considerations, airport safeguarding requirements, flood risk considerations, ecological requirements and residential amenity concerns as part of the wider iterative process with regard to NPS EN-1 paragraphs 5.10.6 and 5.10.19 with the overriding principle of minimising landscape harm in conjunction with exploring opportunities to provide meaningful mitigation and/or enhancement from the outset in adherence to the mitigation hierarchy.

Particular attention has been given to the relationship between the Project and nearby residential properties. As a matter of principle, a buffer of 25 m between residences and the Project was established at the initial stage of the schemes' development, as explained above. Following further review of residential visual amenity matters raised during Examination and in response to the Secretary of State's Request for Information, additional desk-based review and fieldwork were undertaken including another site visit post-Examination. This review found that the first 100m from a dwelling typically comprises the immediate setting of the property and the foreground of views, which are generally the most sensitive to change. The introduction of above ground components within this zone would have the greatest potential to result in significant adverse effects on residential visual amenity. Beyond this distance, existing intervening features within the landscape, such as agricultural buildings, topography, woodland, hedgerows and other vegetation, together with proposed planting once established, typically screen, filter or soften views, while typically the vertical proportion of the view occupied by above ground components will diminish with increasing distance. With regards to the latter, the vertical angle of an object (i.e. that which is visible above ground) falls off as an arctangent of distance, which means that the closer a receptor is to the Proposed Development, the greater the proportion of their vertical field of view it will occupy, and critically, the greater the visual benefit that would be achieved by any increase in setback distance. As a result, the magnitude and significance of visual effects on residential visual amenity generally reduce with increasing distance, though the rate of that reduction diminishes the further a receptor is from the Project.

In response to these findings, the updated Illustrative Masterplan has been revised to remove Work No. 1, Work No. 2 and Work No. 3 within 100 m of residential dwellings, other than where an alternative distance has been agreed with the relevant landowner. This approach is illustrated on the updated masterplan submitted alongside this response and establishes a consistent baseline offset around residential properties.

The review also identified a number of locations where principal views from residential properties extend beyond the immediate 100m setting and remain sensitive to change. In these circumstances, the updated Illustrative Masterplan has been designed to accommodate additional offsets extending beyond the baseline 100 m offset. These further offsets are proposed to be subject to discussion and agreement with the OHA as provided for in Requirement 15. Such extensions may extend up to 250 m in the most sensitive locations and are focused on protecting important view corridors where additional separation is required to further reduce potential visual effects.

The Applicant agrees with the OHA that further justification and evidence should be provided in relation to the design decisions affecting residential receptors and the resulting landscape and visual effects. In particular, the Applicant agrees that the location and extent of any enhanced stand-offs beyond the baseline 100 m offset should be informed by a detailed understanding of principal views, site-specific landscape characteristics and the nature of effects experienced by individual residential receptors. Accordingly, the Applicant proposes that the final extent of any enhanced offsets extending beyond 100 m will be informed through a combination of further

landscape and visual analysis, additional fieldwork and ongoing consultation with the OHA. Where this work identifies opportunities to further avoid or reduce effects on residential visual amenity, corresponding refinements to the layout may be incorporated in discharging the Requirements. This approach ensures that the mitigation hierarchy continues to be applied through the avoidance and reduction of effects where practicable, whilst enabling the Secretary of State to consider the effects of the scheme alongside the measures proposed to address them as part of the determination of the application.

The location and extent of these enhanced offsets will be informed by further detailed fieldwork and ongoing consultation with the OHA. This approach allows the final extent of the offsets to respond to the characteristics of individual properties, whilst also enabling the layout of the Proposed Development to respond appropriately to existing landscape features, retain the structure of the historic landscape and avoid unnecessarily constraining the future agricultural use of the land consistent with its quality and versatility.
In addition to reducing the potential for adverse visual effects, the revised layout creates opportunities for additional landscape enhancement, habitat creation and reinforcement of existing vegetation between residential properties and above ground infrastructure.

The residential offsets set out within proposed Requirement 15 are greater than those typically secured through the design of comparable solar energy developments. A review of consented schemes of a similar scale identified residential stand-offs that generally range between 30m and 80m, albeit with some exceptions. The 100m baseline offset, together with the provision for enhanced stand-offs of up to 250m in the most sensitive locations, demonstrates the extent to which residential visual amenity considerations have influenced the evolution of the updated Illustrative Masterplan and the application of the mitigation hierarchy.

Collectively, these changes have resulted in a substantial reduction in the extent of the operational development area compared with the original DCO submission. These reductions demonstrate that the evolution of the Proposed Development has not been limited to the introduction of mitigation measures but has included the removal and reconfiguration of substantial areas of development in response to environmental constraints and stakeholder feedback.

The updated Illustrative Masterplan also builds upon the substantial landscape and ecological enhancements already embedded within the Project.

The following table provides a summary of the changes proposed.

Masterplan Change	Reason for Change	Mitigation Hierarchy Stage	Landscape and Visual Benefit
Removal of development in areas affected by archaeological constraints	Further environmental assessment and consultation	Avoid	Avoids impacts on sensitive heritage assets and associated landscape settings
Removal and reconfiguration of development following engagement with Historic England	Heritage and setting considerations	Avoid	Reduces potential effects on heritage significance and associated views
Removal of development associated with Oxford Airport safeguarding requirements	Airport safeguarding review	Avoid	Reduces the extent of development and associated landscape change
Removal of development in flood risk affected areas and incorporation of additional watercourse buffers	Flood risk assessment and environmental constraints	Avoid	Protects river corridors and reinforces existing landscape structure
Introduction of dedicated bat corridors and enhanced ecological connectivity routes	Ecological assessment and stakeholder feedback	Mitigate / Enhance	Maintains landscape permeability and strengthens habitat connectivity

Masterplan Change	Reason for Change	Mitigation Hierarchy Stage	Landscape and Visual Benefit
Additional green infrastructure corridors and landscape enhancement areas	Landscape, ecological and visual considerations	Mitigate / Enhance	Reinforces landscape character and assists integration of the scheme within the wider landscape
Increased separation from residential receptors through revised layout and enhanced stand-offs of between 100m and 250m	Residential visual amenity review and Secretary of State RFI	Reduce	Reduces potential visual effects and increases opportunities for screening and landscape enhancement
Removal and reconfiguration of solar arrays in selected locations	Landscape, visual, ecological and residential amenity considerations	Reduce	Reduces the extent of development in sensitive locations and strengthens landscape containment
Reduction in solar installation area	Combined outcome of environmental, technical and stakeholder-led design refinements	Avoid / Reduce	Demonstrates substantial reduction in development footprint and associated landscape effects

The updated masterplan therefore provides further evidence that opportunities to avoid and reduce potential effects through design have been prioritised before the introduction of additional mitigation and enhancement measures, consistent with the principles of good design set out within NPS EN-1.

LVIA mitigation hierarchy conclusion

The mitigation hierarchy was also addressed by the Applicant throughout the Examination in various responses, e.g. at the Applicants Response to the Rule 17 Letter [**REP2-029**] and subsequent Rule 17 responses.

REP2-029 stated that:

In respect of NPS EN-1, the Applicant acknowledges paragraph 4.1.5 which sets out the need to avoid, reduce, mitigate or compensate for any adverse impacts (the mitigation hierarchy). As confirmed by paragraph 4.2.11 of NPS EN-1, Applicants must apply the mitigation hierarchy and demonstrate that it has been applied.

However, for clarity, the Applicant also reiterates that paragraphs 5.10.5 and 5.10.13 of NPS EN-1 state that:

5.10.5 Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.

5.10.13 All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites.

This is supported by paragraph 4.2.15 of NPS EN-1 which provides that "*Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts*".

Therefore, even where residual landscape and visual impacts are present, this does not preclude the granting of consent. The national policy envisages consent being granted with such conclusions. In addition, the Applicant has offered further reductions in the areas of solar arrays further reducing any adverse effects.

Para 25	25. If the Applicant decides to update the assessment, the Applicant is encouraged to consult with OHA when producing this updated assessment.

On receipt of the additional questions received by the Secretary of State, the Applicant re-engaged with the OHA to seek to put in place an extension to the agreed Planning Performance Agreement (PPA), to allow the OHA to dedicate additional resources to work with the Applicant to secure further areas of agreement on key matters if possible. That agreement was secured in mid-April 2026.

After an initial meeting with the OHA on 27th April, the Applicant followed up by email dated 8th May stating:

'... Following on from our last discussions, we have decided to appoint an external landscape consultant who we should like you to meet in order to advance our need to address the various landscape issues that the Secretary of State has invited us to consider. They will work with RPS/TetraTetch Tech as required, to understand what has gone before, and to help bridge the gap between our respective positions on key landscape matters. You will be aware that the Secretary of State has asked us to liaise with you directly on key landscape matters and I am also aware he has asked you direct questions on landscape too. Another meeting with you will positively address this.

The landscape firm is Iceni Projects, who have extensive experience in DCO scale solar LVIA assessment work, and we hope with them we can reach some more common ground on a possible new LVIA, and follow up work on character assessment, buffers and RVAA etc with you. We anticipate we will make adjustments to our current documents and plans and where possible want to agree that with you where we can, as quickly as we can.

Timing is still key of course, and so we would really like to meet your landscape team in particular, on either of the following dates: 14th, 15th, 18th or 21st May. Ideally, we should meet on the 14th to start this process, as we may need quick follow up meetings in order to agree matters with you before we need to respond back to the Secretary of State.

As with our last meeting, PVDP will agree cover your reasonable costs...'

This proposal was welcomed by all the OHA's.

Following the first meeting with Iceni Projects, the Applicant followed up by email dated 20th May stating:

'.. *Thank you for your cooperation to date. I understand the meeting with Iceni was positive and we should like to build on that going forward, we should grateful if we could set aside say up to 2 hrs for a weekly meeting, to ensure we take advantage of the limited time we have to seek closer agreement with you on key aspects of the landscape and visual assessment work - some meetings will be more involved than others but we feel reserving a weekly slot with you is a sensible measure in the circumstances. Sam at Iceni will suggest some dates with you shortly.*

In terms of costs, again we can confirm we will cover your reasonable costs, and we are assuming the meetings will mainly be with your landscape officers, with them briefing the planners amongst you afterwards (possibly by sharing recordings of the meeting), rather than everyone attending every meeting. Let me know if this is a sensible use of your resources.'

By reply on 28th May 2026, the OHA's indicated that:

'...Apologies for the delay in getting back to you. As I'm sure you understand there have been a lot of people on annual leave over the last week and we weren't able to meet to discuss your email until this morning.

We are happy to have regular meetings with Iceni with regards to the Landscape and Visual works and we await contact from Sam at Iceni. As I outlined to Iceni when we met them the a couple of weeks ago, whilst we are happy to discuss any proposed changes to the LVIA methodology at these meetings, we will not be able to agree anything until we have seen in writing exactly what changes you intend to make to the assessment methodologies and design and have had a chance to review it. Once we have agreed to whatever changes you intend to make to the methodology, we would then expect the results of the revised LVIA to be shared with us so we can discuss what impact these may have on the design of the scheme.

In terms of costs, it is welcomed that you have agreed to cover reasonable costs of these meetings. We would need at least one of the OHA planners to be in attendance at the meetings to provide wider planning context for any discussions. It is likely that this will be me unless I cannot attend any particular meeting and then another OHA planner will attend.

We will also require LUC to attend being as they provided advice throughout the examination. We are in the process of asking for a quote from LUC for this work but we expect it will be quoted at an hourly rate. We will share this estimate once it has been provided by LUC. ...'

Lastly, when the Applicant notified the OHA's that its request for an extension to time had been rejected by the SofS, so curtailing the intended progress working collaboratively with the OHA's on finding mutually acceptable solutions to key issues, the Applicant set out its likely intended approach to buffers (see below) so the OHA's had sight of them prior to their submission. In reply, the OHA's indicted that they had run out of time to discuss the approach but then sent to the Applicant their submissions to the SofS so the Applicant could see what the OHA's position was to be.

Notwithstanding, both parties hope to meet up in the near future to see what further practical way they may continue to seek resolution of key issues. The new draft Requirement secures the appropriate mitigation based on further analysis carried out with OHA's post-Examination whilst also retaining flexibility for ongoing analysis to be carried out with those OHA's to ensure a bespoke and property-specific suite of mitigation is applied at the time of discharge of requirements during detailed design.

Aside the above exchanges, the Applicant has had separate meetings with the OHA's to discuss ecology and waste matters.

In the absence of being able to update the Applicant's assessments, the Applicant has increased the buffers around all residential properties by between 100 m to 250 m, except where they may have agreed a different buffer distance with owners of individual properties (this is secured under a new Requirement 15 of the draft DCO, where a new residential and visual amenity plan is to be submitted and approved by the relevant OHA). See the cover letter and the response to 24(d) for an explanation of this refined proposal.

Having exchanged emails on this with the OHAs, and as a result of early sight by the Applicant of the OHA submissions to the SofS, it is pertinent to note that the OHA's appear to support a bespoke approach to agreeing buffers to individual or groups of properties rather than impose a standard buffer to all properties. However, where the Applicant and OHA's appear to disagree, is in the delivery process. The Applicant supports the imposition of a new Requirement (15) that sets out a clear process by which suitable buffers can be assessed then approved by the OHA's, but the OHA's do not accept that approach due to:

- a lack of time to process and discharge the Requirement. As such they claim there is a significant risk that an inappropriate buffer would be granted via a deemed consent due to the nature of the time scales proposed;
- a lack of sufficient resource to discharge the requirement, and the absence of a new PPA to overcome this concern;

- that having numerous individual post consent alterations of buffers would not allow public scrutiny of the process. The procedure for discharging a requirement outlined in Schedule 16 of the DCO does not have a formal duty for members of the public, householders, or local communities to be consulted, nor to publicise notices; and
- the combination of the above would therefore make it impractical to discharge

In response, the Applicant is of the view that the Requirement now proposed to address this issue, which is over and above that which the Applicant had said it thought to be acceptable from an amenity viewpoint in any event, is not fundamentally different to discharging any other Requirement on a DCO. It addresses the differences of professional option between the parties and sets out measures in which they can be resolved. The absence of sufficient local authority and/or time resourcing should not be a reason to reject this approach. The Applicant has previously stated its willingness to enter into a post consent PPA in any event. The planning authority will determine any and all Requirements having regard to the public interest with or without further public scrutiny.

In summary (a) flexibility is retained in the Requirement to ensure a bespoke process applies, following additional analysis and engagement, which aligns with the OHA's view; but (b) a minimum buffer is secured in the meantime, which has been informed by landscape consideration and therefore aligns with the principle agreed by the OHAs that is it property specific.

Para 26	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.

In the absence of additional time to be able to refresh its RVAA submission and in part to address paragraph 27 of the Secretary of State's request for information (see below), the Applicant has further assessed whether it is possible and viable to impose a larger buffer than is currently shown on the Applicants submission. The applicant has judged that whilst reducing the flexibility and function the Project could/should otherwise benefit from, it could accept an increased buffer of between 100 m-250 m from residential properties. This distance is measured from the boundary of residential properties to the edge of the nearest solar arrays, the precise buffer distance to be determined by the submission of an updated residential and visual amenity plan (secured under new Requirement 15), with appropriate assessment and justification, for approval by the relevant planning authority. The exception to the application of this buffer is where the Applicant may have already agreed a different buffer distance with owners of relevant residential properties.

Para 27	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.

In the absence of additional time to be able to refresh its RVAA submission and in part to address the Secretary of State paragraph 26 (see above), the Applicant has further analysed whether it is possible and viable to impose a larger buffer than was previously shown on the Applicant's submission at the close of Examination. The applicant has judged that whilst reducing the total MW the Project could/should otherwise benefit from, it could accept an increased buffer of between 100 m-250 m from residential properties. This distance is measured from the boundary of residential properties to the edge of the nearest solar arrays, the precise buffer distance to be determined by the submission of an updated residential and visual amenity plan (secured under new Requirement 15), with appropriate assessment and justification, for approval by the relevant planning authority. The exception to the application of this buffer is where the Applicant may have already agreed a different buffer distance with owners of relevant residential properties. This has been informed by additional landscape analysis, as explained at paragraph 24(d) and balanced against the need to retain scheme viability.

The physical effect of imposing up to a 250 m buffer (save for the exceptions stated above) is shown on the updated Masterplan (Figure 2.1a - 2.4c, Rev 3, dated 03.06.2026 [**EN010147/APP/6.4**]). The consequential effects upon the receiving environment, are set out in the accompanying Environmental Statement (ES) Addendum. The Applicant is still able to deliver on its Point of Connection agreement with NESO (of 840 MW), albeit at the expense of a loss of the total amount of KWh as a result of the reduction on solar array areas.

Para 28	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.

See the Applicant's response to paragraph 27.

5. Soils and Agriculture

Para 30	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.

The Applicant has noted the Secretary of State's request at Paragraph 30. An updated Outline Soil Management Plan ('oSMP') has been provided. The update specifically includes the following additions to ensure that soils (including those that comprise areas of Best and Most Versatile ('BMV') land) would be handled, restored and monitored effectively on the Site. These updates include:

- An additional section to describe how the Soil Management Plan (SMP)(s) would be developed and approved (Section 9.2)
- Additional text to describe the additional soil survey work that would be undertaken within the currently unsurveyed areas of the Site to ensure that that appropriate soils data can be incorporated into the detailed SMP(s) (Section 9.4).
- Text to identify how soil restoration specifications for the stripping storage and restoration of best and most versatile soils would be developed within the detailed SMP(s) (Section 9.6).
- Text to identify how soil handling and management would be monitored during soil handling operations to ensure that management measures are correctly implemented and any soils that comprise best and most versatile land can be protected (Section 9.8).
- Text to identify how soils would be monitored during the operational period and be tied into the proposals for monitoring of new habitat areas through the Landscape and Ecological Management Plan. (Section 9.11).

With respect to soil restoration specifications, Section 9.6 of the updated oSMP sets out that:
The development of the detailed Soil Management Plan(s) for identified work(s) areas would include soil restoration specifications that are based on the distribution of the soil types across the Site and the distribution of Agricultural Land Classification ('ALC') grades within soil types, including areas of best and most versatile land. For the limited areas on the Site where soil resources would require stripping, storage and reinstatement, the following information would be included:

- *A plan showing the locations of where topsoils or topsoils and subsoils would be stripped, including for access roads; construction compounds; substations; trenching and cable routes.*
- *A specification for the thickness of topsoils and subsoils to be stripped within different soil types and ALC grade areas, including areas of best and most versatile land;*
- *The volumes of different topsoil and subsoils resources to be stripped, stored and reinstated.*
- *A plan showing the location of proposed storage bunds within the area and any associated haul routes*
- *The specification for the thickness of topsoils and subsoils to be reinstated within different soil types and ALC grade areas, including areas of the best and most versatile land.*

With respect to monitoring to ensure delivery of the specifications, Section 9.8 sets out that:
The Site Supervisor will be present on site at all times during soil handling who can ensure on-site compliance with this SMP.

The Site Supervisor will be responsible for undertaking site inspections during soil stripping, storage and replacement operations to confirm that soil handling and management is being undertaken in accordance with the SMPs. Soil stockpiles will also be monitored on a monthly basis during the period of storage to check for potential trafficking or contamination.
An example of an on-site inspection checklist to be applied is provided below in the updated OSMP and would be completed during site inspections. The results of these inspections will be available on site for inspection and will be made available to the nominated Soil Handling Supervisor to ensure that the soil handling is being undertaken in accordance with the SMP(s) and identify any site actions required.

This response has been prepared having regard to NPS EN-1 paragraphs 5.11.12, 5.11.13, 5.11.14 and 5.11.34, NPS EN-3 paragraphs 2.10.33 and 2.10.34, the MAFF Agricultural Land Classification of England and Wales: Revised Guidelines and Criteria for Grading the Quality of Agricultural Land (1988), and Natural England Technical Information Note TIN049 (2012).

Para 31	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.

See the response to paragraph 7 which addresses paragraph 5.11.34 in this context.

Para 32	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.

The data presented does not change the ALC grading of the Site or the assessment and conclusions presented in Chapter 17 of the ES [**APP-054**] where the areas and % of grades of agricultural and non-agricultural land recorded within the Order Limits remains as shown in Table 17.17.

The reference to 42.5% in REP7-237, is based on a calculation taken from the response to ExQ2 Q2.11.4, which contains a table of proposed uses within the agricultural land as part of the Order Limits but does not include other valuable non-agricultural areas, mainly existing woodland which is included in Table 17.17. Irrespective of the %, where the majority of the agricultural land is lower quality subgrade 3b land, the assessment of effects is based on the permanent loss of agricultural land within the Order Limits.

The Agricultural Land Classification system was updated in December 2025 by Defra ('Agricultural Land Classification of England and Wales: Guidelines for grading the quality of agricultural land - JP069'). The preface to the document explains that there have been "changes to the grading criteria", but the document seeks to provide more clarity within the text and the underlying assumptions.

This ALC update therefore has no effect on the ALC grades that have been identified within the Order Limits but does provide clarity in how standard agricultural management practices and chemical limitations are to be considered.

Section 1 (page 8) sets out that:
'*The Agricultural Land Classification (ALC) provides a framework for classifying land according to the extent to which its physical or chemical characteristics impose long- term limitations on agricultural use. The limitations can operate in one or more of four principal ways: they may affect the range of crops which can be grown, the level of yield, the consistency of yield and the cost of obtaining it.'*

Page 9, Points 1 and 2 explain further that:

- *'Land is graded according to the degree to which physical or chemical properties impose long-term limitations on agricultural use. It is assessed on its capability at a good but not outstanding standard of management that is appropriate to the type of land and farming system.*
- *Where limitations can be reduced or removed by normal management operations or improvements, for example cultivations or the installation of an appropriate underdrainage system, the land is graded according to the severity of the remaining limitations. Chemical problems which cannot be rectified, such as high levels of toxic elements or extreme subsoil acidity, are also taken into account.'*

The criteria for the inclusion of Chemical Limitations which cannot be rectified in the ALC assessment are then provided on Page 21 as follows:
'*Chemical Limitations*
The chemical status of a soil does not affect ALC grading where nutrient levels can be maintained or corrected by normal applications of fertiliser or lime. Chemical factors will only affect grading where they have, or are likely to have, a detrimental long- term effect on the physical condition of the soil, the crop yield, the range of crops that may be safely grown, stocking rates or grazing management.'

The standard nutrient testing data provided by Blenheim, which would be used to inform fertiliser or lime requirements, do not constitute a long term chemical limitation as defined within the ALC system.

Representative samples are taken for laboratory testing as part of the ALC survey specifically to check soil textural classification which is applied in the assessment of ALC limitations including soil wetness and droughtiness. The result of this data is contained in Appendix 17.1 to the ES [**APP-223**]. As part of the standard laboratory testing, nutrient levels are also identified.

Whilst the nutrient levels identified do not affect the ALC of the land, this data and that collected by Blenheim Estate, are helpful in providing some initial baseline information which can be used, together with further soil analyses undertaken pre-construction to inform the development of the Outline Landscape and Ecology Management Plan and vegetation establishment strategy.

6. Ecology and Biodiversity

Para 33	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.

The Applicant has engaged with the OHA to develop an outline Skylark Compensation Strategy (oSCS) through both meetings (30/04/26 and via follow-up e-mail exchanges. The oSCS set out below is based on the outcome of the meeting on the 30/04/26 when the process by which the final compensation requirements would be determined was agreed. The oSCS is to be secured via a new Requirement inserted in the dDCO (Requirement 16) that sets out that, prior to commencement, a detailed SCS (dSCS) will be agreed with the Secretary of State in consultation with the OHA and relevant statutory nature conservation body, and that the detailed SCS will be substantially in accordance with the principles set out in the oSCS.

The oSCS is to be based on the following process:

- Agree baseline of skylark population to establish requirements for mitigation/compensation;
- Agree carrying capacity of Site with respect to skylark territories, to be based on the final masterplan ;
- Based on the baseline and carrying capacity of masterplan, agree number of territories displaced to be provided offsite; and
- Options with respect to offsite provision.

Baseline of skylark population

Breeding bird surveys were undertaken to support the application in 2023 and repeated in 2024 to provide two full breeding surveys with data provided in ES Appendix 9.9 [APP-158]. Data were highly varied with 72 skylark pairs recorded in 2023 and 228 in 2024. As set out in the Skylark Technical Note (STN) [REP4-037], this variability was considered to represent the key issue with skylark population decline in an agricultural setting with appropriate breeding conditions not being present on a year to year basis. Therefore, it was agreed with the OHA that a third year of breeding skylark survey data would be gathered during the breeding season in 2026. Such surveys are currently on-going and are anticipated for completion July 2026.

Once complete, the third year's data will be used to derive an average number of territories that the Site has supported over three years of survey. It is this figure that will be used as the baseline number of skylark territories that the Site supports, recognising the inter-annual variability of skylark populations in an arable setting.

Carrying capacity of masterplan

In order to determine the carrying capacity of the masterplan with respect to skylark, the analysis completed to inform the STN would be repeated. This would comprise two elements.

- The number of territories directly supported within the Site.

- The uplift in the number of territories outwith the Site provided for by the enhanced foraging opportunities within the Site through the provision of skylark plots, organic grazing for management over the majority of the site, new hedgerow margins etc, as set out in the oLEMP.

To derive (1), an assessment of the area of habitat within the Site would be completed using the following criteria, as a precautionary approach to where skylark may nest:

- greater than 50m from hedgerow, tree, woodland and solar infrastructure (including fence lines) (i.e. area is away from any location where avian predators may perch);
- grassland habitat;
- >16m^2 in area; and
- within an area of grassland >5ha in overall size.

The SoS has highlighted that consideration should only be given to areas outside of array areas. Collectively, the Applicant and OHA assume this means the areas of grassland between panels which would be excluded. However, it was agreed between the parties that areas of grassland where panels have been left out to protect buried archaeology could be included in the calculation as long as they met with the four criteria above.

Once the area of habitat within the Site that is considered suitable for nesting skylark has been determined, the carrying capacity of that area would then be calculated based on a territory density of 0.47 territories/ha. The use of a high territory density (from Fox 2022) is based on the fact that, as set out in Table 11.1 of the oLEMP Rev 8 [EN010147/APP/7.6.3], the grassland areas will be managed to ensure they are the correct height during the breeding season to allow skylark to nest and to have multiple broods (skylark will have up to four broods a year in optimal habitat conditions), with that management also combined with the enhanced foraging opportunities for skylark that the organic management regime and other features (such as skylark plots amongst the panels) set out in the oLEMP will allow.

To derive (2), it was agreed with the OHA that this element could be part qualitative and based on professional judgement and part quantitative. Accounting for this enhancement in the dSCS will be based on an analysis of the area of suitable nesting habitat in the fields 50-100m around the Site. This is on the basis that skylark will forage circa 100m from their nests but will avoid nesting within 50m of hedgerows; as such, an assessment of hedgerow presence on the edge of the Site final design will be made and a measurement of the suitable habitat within 50 m-100 m completed if a hedgerow is present and 100 m if a hedgerow is absent. To account for the current population of that surrounding landscape, the current land use will be assessed and the density of skylark territories in that habitat used (from Fox 2022). Provision of enhanced foraging opportunities can double the skylark territory density so the difference between the Fox (2022) density and the enhanced density would be used to calculate the final uplift in territory enhancement outwith the Site.

The final carrying capacity will therefore be:
(1) Number of territories directly supported + (2) Uplift in number of territories present in surrounding landscape = carrying capacity of Site.

Number of displaced territories requiring offset
Following the above analysis, the final number of displaced territories requiring offset will be calculated as:
Baseline average number of territories – carrying capacity of the Project site = number of displaced territories.

Offsite provision

Once the number of territories to be displaced has been established, the requirement for offsite provision with respect to skylark will be agreed. The SoS's request that such provision is not associated with any third party land has been considered and discussed with Blenheim Palace who have confirmed they have land available to implement appropriate compensatory measures. In any event, the draft Requirement secures the need for evidence of relevant land agreements to be provided.
Such measures will be fully detailed in the dSCS but will include a combination of the following:

- Fields currently under intensive winter-sown arable converted to spring-sown arable;

- Fields currently under intensive winter-sown arable converted to meadow grassland; and
- Provision of skylark plots and other features to support skylark foraging in winter-sown arable.

The management of these measures will be set out in the dSCS but with the following core principles, as necessary:

- Ensure grass/crop height across the majority of the field is between 20-30cm in March to enable skylark nesting and multiple broods to be raised. This can be achieved through either low-intensity grazing or mowing parts of the sward;
- Ensure a variety of other sward heights are present (i.e. shorter sward/bareground, longer grasses and areas of tussocky grassland) to provide the best opportunities for breeding and foraging birds;
- Grassland grazing will be shut up between April and July to maximise skylark nesting opportunities; and
- Provision and management of skylark plots will be as per section 11.7 of the oLEMP.

It is anticipated that adaptive management will be adopted to ensure that, for example, grazing stocking rates are managed to maintain the necessary sward heights, following the results of monitoring. The provision of alternative or adaptive management is also built into the drafting of the new Requirement 16.

In addition to land within Blenheim ownership, the Applicant discussed with the OHA Ecologists, the option of agreeing a contribution to the pilot Skylark Compensation Scheme being run in Oxfordshire by NatureSpace using a similar model to that adopted for the great crested newt District Level Licence. Such a contribution would be derived based on the same calculations described above to provide the necessary offsite compensation.

Monitoring and data sharing

If off-site compensation is delivered on land owned by Blenheim Palace, the areas chosen will be incorporated into the monitoring regime for the Project as a whole for breeding birds, as set out in sections 12 and 13 of the oLEMP. It will therefore comprise surveys in Years 1, 2, 4, 6 and 10 followed by every 5 years for the lifetime of the Project. If the NatureSpace solution is adopted, that scheme has its own monitoring, the cost of which is included within the price that users pay.
As set out in section 12 of the oLEMP, all monitoring data from the Project will be reported to the Local Planning Authority within four months of the completion of the relevant surveys.

Data will also be shared with the Thames Valley Environmental Records Centre, and relevant national/regional environmental recording schemes.

Securing the SCS

The SCS is secured within the dDCO through the inclusion of a new Requirement 16. This drafting has been based on the draft requirement suggested by the Examining Authority in their suggested modification PC004 of the dDCO [PD-015] as well as by reference to the precedent in the Five Estuaries Offshore Wind Farm DCO 2025.

(1) No part of Work No. 1 may commence until a skylark compensation strategy in relation to that part has been submitted to and approved by the Secretary of State in consultation with the relevant statutory nature conservation body and the local planning authority for the area in which the compensation measure is to be provided.

(2) The skylark compensation strategy must be substantially in accordance with the principles set out in the outline skylark compensation strategy and include—

(a) the location(s) of where the compensation measures will be delivered and the ecological suitability of that location or locations, including details of the capacity and ability of the compensation areas to successfully compensate for the impact of the authorised development on skylarks;

(b) confirmation that the necessary landowner agreement(s) are in place;

(c) an implementation timetable for delivery of the compensation measure, including any arrangements made with a third party for implementation of the measures;

(d) details for the ongoing management and maintenance of the compensation measures;

(e) details for the ongoing monitoring and reporting of the effectiveness of the compensation measures including—

(i) survey methods;

(ii) survey programmes;

(iii) success criteria; and

(iv) timescales for the monitoring reports to be delivered under sub-paragraph (4);

(f) details of any alternative or adaptive management measures, including details of the factors used to trigger any alternative or adaptive management measures; and

(g) details of how survey and monitoring data will be shared in the appropriate formats with the relevant Local Environmental Records Centre(s) and relevant ecological recording schemes.

(3) The undertaker must implement the measures set out in the skylark compensation strategy as approved by the Secretary of State, unless otherwise agreed by the Secretary of State following consultation with the relevant statutory nature conservation body and the local planning authority for the area in which the compensation measure is to be provided.

(4) Results from the monitoring and reporting scheme referred to in paragraph (2)(e) must be submitted to the Secretary of State, the relevant statutory nature conservation body and the local planning authority for the area in which the compensation measure is to be provided following the monitoring timetables set out in the outline skylark compensation strategy. This must include details of the effectiveness of the compensation measures delivered. If the undertaker, or on receipt of a monitoring report, the Secretary of State, determines that the compensation measures delivered have been ineffective the undertaker must provide proposals for any alternative or adaptive management measures to address this. Any proposals to address the ineffectiveness of the compensation measures must thereafter be implemented by the undertaker as approved in writing by the Secretary of State in consultation with the relevant statutory nature conservation body and the local planning authority for the area in which the compensation measure is to be provided.

Para 34	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.

The current Outline Landscape and Ecology Management Plan (Rev 7) [**REP7-027**] sets out the Applicant's approach to landscape and ecological management and monitoring across the Project lifecycle. This includes provisions for bird monitoring within the overall ecological monitoring framework, as described in Sections 12 and 13 of the oLEMP [EN010147/APP/7.6.3]. This set out that, during each monitoring year, three visits to map the breeding bird population would be undertaken, along with bird box inspections, with visits between March and August, and three monitoring visits between mid October and mid March to map wintering bird populations (Section 12.11). Reports of results of monitoring are to be provided to the relevant Planning Authority, Natural England and BBOWT (section 12.1.2). The timeframes over which monitoring will take place are set out in section 13.1.1 and cover Years 1,2 4,6 and 10 followed by every 5 years for the lifetime of the Project).

The updated oLEMP introduces the changes summarised at sections 3.1 to 3.5 below. The changes are set out in full in the updated oLEMP Rev 8 [EN010147/APP/7.6.3], and are presented on a species-group and survey-type basis so that the protocol reads as a complete standalone ornithological monitoring framework.

The updated oLEMP specifies the survey methods for each of the following (section 12.11.2 and 12.11.3), by reference to recognised guidance:

- Breeding bird surveys will follow territory mapping methodologies set out in Bibby *et al*. (2000) and Gilbert *et al*. (1998), consistent with the methodology applied in the baseline Breeding Bird Survey Report at ES Appendix 9.9 [APP-158]. The protocol specifies transect design, visit frequency, visit timing within the breeding season and recording conventions; and
- Wintering bird surveys applying the methodology of the baseline Wintering Bird Survey Report at ES Appendix 9.10 [APP-159] following the transect methodology set out in Bibby *et al*. (2000) and Gilbert *et al*. (1998), with visit frequency and timing across the wintering season (approximately October to March), and with coverage calibrated to detect species and flock distributions recorded in the baseline.
- The updated oLEMP sets out the bird monitoring programme:
- Where pre-commencement surveys are undertaken, these will form the baseline against which monitoring will be assessed. Otherwise, the data gathered to date (both at submission and Examination phases) will form the baseline; and
- Operational phase — set out in Section 13 of the oLEMP - breeding and wintering surveys to form part of overall monitoring to be completed during years 1, 2, 4, 6 and 10 and then every 5 years for the operational life of the Project.
- The monitoring programme set out in Section 13 of the oLEMP aligns with that secured under the Skylark Compensation Strategy (EB1), so that skylark monitoring on the off-site compensation land and skylark monitoring within the Project Site are reported together on a single cycle.

The updated oLEMP specifies the reporting regime:

- Monitoring reports are prepared following each breeding season and each wintering season and are submitted within a defined period (no later than four months after the end of the relevant survey season);
- Report content includes species-level summaries, year-on-year comparison against the baseline and prior monitoring years, spatial mapping of territories and flocks, and identification of any population trends; and
- Where monitoring identifies an adverse trend against the baseline, remedial action will be described (as per oLEMP section 17) to be agreed with the relevant planning authority, in consultation with relevant stakeholders.

The updated oLEMP bird monitoring protocol has been developed through engagement with the OHA. The OHA's position as recorded at their Closing Statement [REP7-191] have been taken into account in setting the methodology, thresholds and recipient list.

Para 35	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.

The Applicant has updated Section 17 of the oLEMP Rev 8 [EN010147/APP/7.6.3]. Section 17.1.8 of the updated oLEMP now explicitly states:
Any necessary remedial measures will be set out in the relevant monitoring report for agreement with the relevant planning authority, in consultation with Natural England, BBOWT (where it relates to the Evenlode Corridor) and any other relevant stakeholder. Agreement from consultees to the remedial management is required prior to their implementation.

This means that the updated §17 provides that, where ecological monitoring under the oLEMP identifies an outcome requiring remedial action, that remedial action is agreed with the relevant planning authority before implementation. The previous wording, which provided for notification of the relevant planning authority, is strengthened so that agreement (rather than notification) is the gateway to implementation.

Para 36	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.

The area between Bladon Heath and Burleigh Wood that will be kept free of panels is located around the Cassington Road, at the point at which the two woodlands meet around Burleigh Lodge (figure below, to the north of fields 2.39 and 2.41).

The oLEMP Rev 8 [EN010147/APP/7.6.3] has been updated at Section 8.2.2 to ensure that the final detailed design of the Project captures woodland planting to enhance the connectivity in this area.

Management with respect to the to the habitats in this area will follow the relevant prescriptions set out in Section 11 of the oLEMP. Specifically:

- Section 11.1 – Grasslands;
- Section 11.2 – Woodlands;
- Section 11.3 – Hedgerows; and
- Section 11.4 – Scrapes.

Note that the measurement of 160m width was taken when there were panels proposed to the north of the woodlands. Following CR2, these had been removed so the width of panel-free area between the woodlands is much larger than originally submitted.

Para 37	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.

REP2-054 (which REP4-062 refers to) sets out that the Forestry Commission's advice is to use habitat creation and enhancement (including the creation of woodland) to avoid fragmentation effects between areas of ancient woodland such as Burleigh Wood and Bladon Heath. The Applicant has therefore updated Section 8 of the oLEMP Rev 8 [EN010147/APP/7.6.3] (section 8.2.2), to explicitly include reference to woodland planting being created in the areas south of Burleigh Lodge, in accordance with the Forestry Commission's advice.

Note that, as of the CR2 masterplan [CR2-026], there are no longer any areas within the permanent Project site to the north of Burleigh Lodge and, as such, no woodland planting is proposed in this area.

REP2-054 goes on to state that woodland to be created should follow the Government's definition of woodland which states:
'We will typically apply the following interpretation. To be considered "woodland", the site must meet all the following:

- a minimum area of 0.5ha;
- a minimum width of 20m;
- a potential tree canopy cover of at least 20%; and
- a canopy consisting of specimens that meet the definition of trees'

Therefore, section 11.2.1 of the revised oLEMP has been updated to incorporate the above requirements, where practicable, when designing the areas of woodland to be created, both around Burleigh Lodge and across the Project more broadly. The caveat where practicable is included since it may not be possible for some areas of woodland to be created that meet these woodland criteria due to layout constraints. However, the inclusion of the Government's definition as a habitat design requirement in the revised oLEMP means that this commitment is now expressed explicitly within the goals for the Project in terms of woodland creation.
The provision of woodland in this location is secured via inclusion within the oLEMP which is secured via Requirement 6 of the dDCO.

Para 38	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.

In order to secure a standalone LEMP for the proposed River Evenlode Corridor biodiversity enhancement area within the dDCO, the Applicant proposes an amendment to Requirement 6 (LEMP). The amendment proposed is clause (6) and (7):

> *(1) No part of the authorised development may commence until a written landscape and ecology management plan has been submitted to and approved by the relevant planning authority for that part, or where the part falls within the administrative areas of multiple relevant planning authorities, each of the relevant planning authorities.*

…

> *(6) Pursuant to sub-paragraph (1), the undertaker must submit a standalone landscape and ecology management plan for the approval of the relevant planning authority (or each of the relevant planning authorities), in consultation with Natural England and the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust, in respect of the biodiversity enhancement area proposed for the River Evenlode Corridor.*
>
> *(7) The standalone landscape and ecology management plan to be submitted pursuant to sub-paragraph (6) must be substantially in accordance with the biodiversity objectives for the River Evenlode Corridor as set out in outline landscape and ecological management plan.*

This amendment is included in the updated dDCO included with this submission.

Para 39	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.

Ancient woodlands are shown on the figures within Appendix 8.3 Strategic Arboricultural Impact Assessment & Method Statement (Rev 1) [**REP6-014 to REP6-018**] and the area in question is understood to be the woodland along the southern perimeter of Worton Heath approximately 1 km west of Begbroke village, centred on Easting = 445913 Northing = 213343 / Grid Ref = SP45911334.

Since completing the veteran tree survey, along the southern edge of Worton Heath Woodland, additional trees have been added to the Woodland Trust's Ancient Tree Inventory (ATI) online mapping portal. The Applicant's specialist has sought to confirm whether these additional trees adopt the same methodology as used in the submitted veteran tree survey report submitted in 2024 [**REP6-014 to REP6-018**].

Where the ATI veteran trees qualify with Tetra Tech RPS veteran tree methodology, these will be added to the Veteran Tree data set and a suitable buffer zone added. During the consultation period for the Application, additional trees were added to the Woodland Trusts 'Ancient Tree Inventory (ATI). In particular, trees were noted along the southern edge of Worton Heath Woods. In May 2026, additional site surveys were completed by RPS / TetraTech to qualify if these ATI veteran trees conform with the survey methodology which is listed below in Section 3. Where these were found to agree with the methodology, they have been added to the veteran tree survey data (plan and schedules). In some cases, these ATI trees failed to comply with the methodology and have therefore been confirmed 'notable' status. Whilst important trees still, they have not been afforded veteran tree (buffer) qualities.

Para 40	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.

The Applicant has provided additional detail within the Strategic Arboricultural Impact Assessment & Method Statement to help guide works where they are near to veteran trees and also to detail how directional drilling will occur near to ancient woodlands.

During the evolution of the scheme's masterplan, arboricultural assets have been considered at all stages. This has included: -

a. Statutory & Non-Statutory Arboreal Constraints (i.e. TPO's and Ancient Woodlands) have been mapped digitally to provide a defined constraint.
b. Where appropriate, root protection or buffer zones have been defined around these constraints.
c. Aerial mapping has been used to located trees, hedgerows and woodlands; and these have been avoided with proposed built structures.
d. A thorough, and comprehensive site-wide veteran & ancient tree survey has been completed, and its results have directly informed the scheme masterplan.

The Strategic Arboricultural Impact Assessment & Method Statement provides a first-stage arboricultural impact assessment, establishing the basis for the implementation of tree protection upon consent and detailed design. The application of these protection regimes on a site-by-site basis will not be known until full site wide tree survey data is available.

Open-cut trenches and trenchless solutions have the potential to harm veteran and ancient woodlands. Therefore, the planning of these operations near to these irreplaceable trees and woodland habitats will be carefully designed and planned to avoid any RPA of buffer zones.

In places around the scheme selective use of trenchless service installation will be employed. This method provides a sound basis for tree and woodland retention, and the exact implementation of trenchless construction (also called HDD) shall be designed and detailed on a site-by-site basis.

This arboricultural report provides certain protection scenarios, which will be employed in any given HDD location depending upon the actual arboricultural constraints which exists locally. Further, site wide tree surveys will be used to inform the implementation of these scenarios, in each trenchless location.

Para 42	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.

The oCoCP has been updated to include a species-by-species pre-commencement survey methodology for: dormouse, great crested newt, badger, reptiles, arable weeds, otter and water vole. Each entry specifies survey standard, seasonal timing, survey effort, method statement expectation and licence expectation.

Dormouse

Survey standard: nest tube and nest box survey in accordance with Bright, Morris & Mitchell-Jones, The Dormouse Conservation Handbook (Natural England, 2025). Seasonal timing: April to November, with peak detectability in September and October. Survey effort: minimum 50 tubes per survey unit with monthly checks. Licence expectation: an EPS mitigation licence under the Conservation of Habitats and Species Regulations 2017 is anticipated, consistent with the evidence of dormouse presence in the Central Site Area hedgerow network recorded in ES Chapter 9 and reflected in oLEMP Rev 8 [EN010147/APP/7.6.3] §7.1.6. A draft licence has been progressed with Natural England's Wildlife Licensing Team who have issued a Letter of No Impediment (dated 18/11/25, attached to this response at Appendix C).

Great crested newt

Survey standard: Natural England eDNA survey followed, where required, by Habitat Suitability Index assessment and population size-class surveys (bottle trapping, torch, egg search, netting) in accordance with Natural England guidance. Seasonal timing: mid-March to mid-June (eDNA window 15 April – 30 June). Survey effort: all waterbodies within 500m of works. Licence expectation: a Natural England EPS mitigation licence or District Level Licence, per oLEMP §8.3.1. A draft EPS mitigation licence has been progressed with Natural England's Wildlife Licensing Team who have issued a Letter of No Impediment (dated 20/01/26, attached to this response at Appendix D). Method statement to accompany the licence application, covering precautionary working, exclusion fencing, capture and translocation, and receptor site provision.

Badger

Survey standard: sett survey and bait-marking in accordance with Harris, Cresswell & Jefferies, Surveying Badgers (Mammal Society, 1989) and current Natural England guidance. Seasonal timing: surveys undertaken year-round; optimal detectability October to April when vegetation is low. Survey effort: full walkover within the construction footprint plus 30m buffer (consistent with oLEMP §8.4.1). Licence expectation: a Natural England licence under the Protection of Badgers Act 1992 where sett disturbance, closure or destruction is required, per oLEMP §8.4.2. Method statement to cover timing restrictions (no closures during breeding season), artificial sett provision where required, and monitoring.

Natural England have issued a Letter of No Impediment with respect to badger in response to a draft licence application [REP6-050].

Reptiles

Survey standard: presence/absence and population-size assessment using artificial refugia and direct observation in accordance with Froglife Advice Sheet 10 (1999) and Herpetofauna Groups of Britain and Ireland methodology. Seasonal timing: April to September, avoiding peak summer temperatures; minimum seven visits in optimal conditions (temperature, time of day, weather). Survey effort: refugia deployed at a density consistent with the habitat extent. Licence expectation: no licence

required; common reptiles are protected against killing and injury only under Schedule 5 Wildlife and Countryside Act 1981. Method statement to cover phased vegetation cut, staged habitat manipulation, translocation to receptor habitat (if required), and supervision by an ecologist consistent with oLEMP §8.8.

Arable weeds

Survey standard: arable plant assemblage survey in accordance with Plantlife and BSBI guidance (Plantlife, Important Arable Plant Areas methodology). Seasonal timing: two visits — early summer (June) and late summer (August/September) — to capture both early- and late-flowering species. Survey effort: transects across representative field margins within the construction footprint. Licence expectation: no licence required. Method statement to cover translocation of seedbank or topsoil where rare species species are identified.

Otter and water vole — Natural England consultation framework

Surveys for otter and water vole were not undertaken at Environmental Statement stage. The Applicant will develop the pre-commencement survey methodology, method statements and any necessary licence applications in consultation with Natural England, the OHA and Environment Agency as follows:

i. Survey standard — otter: spraint, holt and couch survey along watercourses within and adjacent to the construction footprint, in accordance with Chanin (2003) Monitoring the Otter (English Nature); water vole: field sign survey (burrows, latrines, runs, feeding stations) in accordance with Dean, Strachan, Gow & Andrews (2016) The Water Vole Mitigation Handbook.

ii. Seasonal timing — otter: two visits, spring and autumn; water vole: two visits between April and September, at least two months apart, with at least one between mid-April and June.

iii. Survey reports sharing with Natural England, the OHA and Environment Agency. Where presence is confirmed, a method statement will be prepared in consultation with Natural England, as required.

iv. Method statements — covering construction stand-offs from watercourses (minimum 10m buffer per oLEMP §8.2.6), timing restrictions, ecological supervision, and any temporary displacement or translocation.

v. Licence applications — where works would otherwise constitute an offence, applications will be made to Natural England's Wildlife Licensing Team under the

Conservation of Habitats and Species Regulations 2017 (otter) or the Wildlife and Countryside Act 1981 (water vole)

Surveys and associated reporting along with any required mitigation will be undertaken as committed to within the oCoCP at section 1.10.5 of the updated oCoCP.

Para 43	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.

The Applicant has written to the Natural England case officer requesting a formal status update on Natural England's view on whether a bat mitigation licence should be sought.
Natural England has issued Letters of No Impediment for all protected species where licences are currently considered necessary:

- Badger [REP6-050];
- Dormouse, dated 18/11/25, attached to this response at Appendix C; and
- Great crested newt, dated 20/01/26, attached to this response at Appendix D.

With respect to bats, the Applicant's position is that no licence under Conservation of Habitats and Species Regulations 2017 (as amended) for potential disturbance is necessary as any potential impacts to bats from the presence of solar panels have been avoided and/or mitigated through the implementation of appropriate buffer areas. The effectiveness of this solution in avoiding/mitigating potential impacts to bats has been agreed with Natural England, as set out in their closing statement [REP7-180]:

'Botley West has produced a novel and innovative mitigation strategy which we advise is likely to avoid or mitigate any potential impacts to bats'.
With respect to the management of construction impacts on roosting bats, this will follow the protocols set out in the updated outline Code of Construction Practice (oCoCP):

- Disturbance of key flight lines will be avoided through the establishment and protection through appropriate fencing of the various flight lines (section 1.10.11 of the oCoCP, using the flightlines described in section 8.5 of the oLEMP Rev 8 [EN010147/APP/7.6.3]).
- Disturbance of roosts through noise during piling within trees along hedgerows will be avoided through control of spatial location of piling – no simultaneous piling on both sides of a hedgerow with trees and no piling in more than one location along a hedgerow at any one time. Scheduling of piling will also be controlled by the on-site Ecology Clerk of Works (ECoW) in consultation with the construction scheduling team (section 1.10.19 of the oCoCP).
- Disturbance of bats through lighting during construction will be managed through the implementation of an appropriate Construction Artificial Light Emissions Management Plan, as set out in section 1.8.15 et seq. of the oCoCP. This will be designed according to the requirements set out within the guidance on bats and artificial lighting at night (Bat Conservation Trust (BCT) and Institution of Lighting Professionals (ILP), 2023).
- Additional text has been added at section 1.10.25 in the updated oCoCP to ensure that potential impacts to any roosts through tree removal that might be required during construction (to facilitate access, for example) are appropriately managed. This includes for the following protocol:
- Pre-clearance roost surveys will be undertaken inspection of all trees to be cleared and the presence of any Potential Roost Features (PRF) noted.
- Any PRFs present will be inspected by a suitably qualified ecologist holding a Natural England bat survey licence and appropriately qualified in tree climbing. An appropriate number of survey climbs will be undertaken to fully characterise any roosting provision.
- The removal of any roosts identified will be covered by an appropriate licence from Natural England. Where features cannot be retained, soft-felling or sectional dismantling techniques will be applied, under supervision of the licensed ecologist. Mitigation for the loss of any roosts will be defined based on the type of roost to be lost and will be fully described within any licence. Such mitigation could include replacement roosting provision via appropriate bat box or veteranisation features added to retained mature trees in nearby locations.

7. Aviation

Para 44	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.

To clarify, EFATO issue was successfully resolved between the parties during Examination. The SoCG with OASL [**REP7-038**] confirms that at Deadline 7, "*the removal of panels and re-orientation of the sub-station has now satisfactorily addressed the need to accommodate a safeguarded zone as far as is reasonably practicable*". OASL's closing submission [**REP7-188**] was also silent on EFATO. Having said that, in response to the SoS' suggestion, the Applicant has agreed to remove the panels from the relevant fields and relocate the construction compound to ensure that the area remains clear of development.

To confirm, the relevant work number for the construction compounds is Work No. 7 (not Work No. 5, as referred to by the SoS). The Works Plans have been updated accordingly to reflect these changes. It is not expected that the new location will cause any materially new or materially worse environmental effects. The environmental impacts are assessed in the ES addendum.

Para 47	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.

Since the close of Examination, the parties have been negotiating a Wildlife Hazard Management Unit Agreement. The provisions of this agreement align with the principles secured in the letter of understanding. This is the legal mechanism that will facilitate the planning, establishment, and implementation of an additional Wildlife Hazard Management Unit during the operational lifetime of the proposed development, as appropriate. The parties have made good progress since the close of Examination in the negotiation of this agreement and it is substantially agreed.

At the date of this submission, the draft agreement remains with OASL for final consideration. The financial contributions to be made to facilitate the mitigation are agreed, along with all other key provisions. The Applicant considers that there are no outstanding matters that will prevent this agreement from proceeding for execution.

The Wildlife Hazard Management Unit to be delivered pursuant to the agreements includes an additional bird-scaring device which discourages birds from occupying land at LOA similar to the existing wildlife hazard management unit operated by OASL and compliant with: the legal requirements as set out in the CAA UK Regulation (EU) 39/2014 (October 2025) as amended; and the guidance for wildlife hazard management plans as set out in the CAA (UK Civil Aviation Authority) document entitled 'CAP 772: Wildlife Hazard Management at Aerodromes' (October 2017) as amended.

8. Socio-economics

Para 49	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.

The Applicant engaged with London Oxford Airport and Oxford Air Services Limited after the launch of the phase 1 consultation in November 2022. The Applicant met Operations Director Mr.Black in January 2023; adding larger landing lights for runway 19 on solar farm land was discussed. On 1st July 2024 a Tecnam P2008 , G-PFTE, suffered loss of power to the engine while a student pilot and instructor undertook touch and go landings on runway 19 at Oxford Airport. The instructor took control and landed the plane in the field 10 degrees to the left of the runway centre line. There were no injuries and the aircraft was undamaged. The AAIB report on the accident, published in November 2024, identified the cause of the loss of engine power as a broken throttle butterfly valve spring. The Applicant removed the field in question from the project – it will be available for forced landings should the solar farm be built.

OASL contributed three representations and the Managing Director, Mr.Curtis, spoke at both sets of hearings during the Examination in 2025. He outlined concerns over the safety of single-engined training aircraft taking off on runway 19, which is in use approximately 70% of the time. Take-offs on runway 01 do not pass over the project's fields. In subsequent negotiations, the Applicant agreed to address OASL's concerns by funding extra bird-scaring resource, commissioning a further glint and glare study, thermal plume study and removing panels from an extended centre-line of runway 19 through the solar farm, allowing a clear area for a single-engined light aircraft suffering from engine failure at take-off (EFATO) to land straight ahead on clear fields. These measures are detailed in our responses in paragraphs 44, 45, 46, 47 of this document. EFATO in the UK is extremely rare - partial power loss is more common (as in the case of G-PFTE) allowing the aircraft to choose its landing site and land in a controlled manner. Further, noise abatement rules at Oxford Airport require aircraft to climb straight to 1000 ft, meaning that only an engine failure over the runaway would result in the aircraft having to land on the fields within project order limits. A light aircraft taking off at the beginning of runway 19 will be at 50 feet after 2000 feet of runway; runway 19 is 5000 feet in length, meaning the aircraft would land back on the runway in the event of EFTO, or clear of the solar farm fields if over the airport boundary. FTE Jerez operates two Diamond DA-42 training aircraft. These are twin-engined advanced trainers; there is a very low risk of both engines failing at take-off. While Oxford is clearly important to FTE Jerez's training programme for UK commercial pilots, the bulk of its operations are at its base at Jerez in southern Spain. It signed the agreement with Oxford Airport in June 2025, during the Examination, meaning it was aware of the Applicant's plans for the solar farm at the time it agreed terms with OASL. London Oxford airport offers a broad range of services to the aviation industry. As well as three commercial pilot training companies, it hosts business jets, helicopters and offers hangar space for aircraft storage and maintenance. OASL's latest set of accounts for 2024 filed at Companies House state under the heading Future Outlook: "the company continues to pursue its strategic aims of increasing built rental space in order to provide increased revenues. Aircraft movements are not expected to increase dramatically in the coming decade." Aircraft movements are limited at the airport under a S106 agreement signed with Cherwell District Council in 2005.The Applicant understands the concerns expressed by London Oxford Airport and has made significant changes to the panel layout of the solar farm to mitigate the risk of EFTO on runway 19. The Applicant has agreed to fund significant extra bird-scaring resource and has commissioned reports on glint and glare and thermal plume which answer the airport's concerns. The Applicant does not believe that the project threatens the economic viability of London Oxford Airport and associated aviation operators. It notes that most of its competitors operate near residential and commercial buildings: on runway 23 at Cambridge airport, for example, aircraft take off straight over the Brookfields district of the city, comprising residential housing and a large Sainsbury's. As at Oxford, the airport hosts business jets, general aviation and flight training. Runways 05 and 23 at Southend Airport both have buildings at their departure end - aircraft on 23 take off directly over the town.

Para 50	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].

The Applicant has signed Memoranda of Understanding with Cherwell Collective and with Plot 4. Cherwell Collective teaches food growing skills to those it supports through establishing food forests, composite allotments, and providing training to those in need of help in all of the villages around the Botley West site. Plot 4 has been established by local Green Party politician Chris Goodall; it will grow produce for supply to local food larders such as Cutteslowe Larder in north Oxford. The Applicant is in discussions with Oxford Farm to Fork about attracting small growers to the site and with Roots, a subscription allotment company. The Applicant will work with bodies such as the parish councils to attract growers from local villages. The scheme with OxFarmToFork will involve setting aside a part of a field, deer - fencing it and ensuring there is a water supply. Plots would then be offered to small growers, with OxFarmToFork providing a market for the produce and using their electric vans to deliver the food to Oxford college kitchens. The areas set aside for community food growing are at [REP 7-020 6.4 Environmental Statement - Figures 2.1a - 2.4c - Illustrative Masterplan (Rev 3)]. All the sites are in the central section, adjacent to public roads and easily accessible. Growers operating on the project site will do so by means of a licence. This will set out the operating terms for the land, the rules of working on it and allow termination of the agreement for non-compliance. The licence would not allow the erection of any structures on the project site. By agreement a tool store may be sited beside the entrance gate to a field, lower than the hedge line, subject to consent from the LPA. This will be a communal store. No "associated paraphernalia" will be permitted. Plots that are not being worked would be taken back in hand. As stated, monitoring details will be set out in the Operational Management Plan.

9. Minerals

Para 51	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 4,581,500m3 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.

The Applicant notes the secretary of States comments on effect on minerals. The Applicant can now confirm that the areas affected based on the actual panel/apparatus areas is an area of 130 Ha (not 270 Ha) and a calculated excavation area of 2,222,920m3 (with an average depth of 1.70m - not 4,581,500m3). The documents attached demonstrates how these figures are arrived at.

See the response to paragraph 7 which addresses paragraph 5.11.19 in this context.

10. Waste

Para 52	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.

In response to point 52 of the Secretary of State's request for further information, the Applicant has provided the following clarification on the proposed decommissioning of the solar panels and update regarding discussions with the OHA. The Applicant's response is in line with NPS EN-1 paragraph 5.15.9 which requires information on how the reuse and recycling will be maximised in relation to the decommissioning of the solar panels. The clarification builds on the information provided in the Outline Decommissioning Plan **[REF6-036]**.

The Applicant's position remains that detailed waste information for the decommissioning phase cannot be provided prior to the completion of the detailed design process. The Applicant also notes that it is not possible to predict with any certainty the specific waste management companies that would be operating at the time of decommissioning (i.e. 2066). Nevertheless, the Applicant notes the concerns of the OHA in relation to projected waste arisings and proposed waste management routes at the decommissioning phase (as highlighted in REP5-125 and their closing submission). In response, the Applicant has provided clarification on the timing and likely process of decommissioning the solar panels, the key component materials and how they will be managed.

The decommissioning phase of the Proposed Development is expected to commence no earlier than 2066 (assuming a 37.5 year operation) and is expected to take 24 months to complete. The Applicant confirms that the decommissioning wastes will be managed according to the waste hierarchy and that the panels will be recovered and recycled by an authorised processor in accordance with the WEEE Regulations (as set out in the Outline Decommissioning Plan **[REF6-036]**. Whilst the Applicant cannot specify the individual waste processors at this stage, it can confirm its intention to work with a PV-producer compliance scheme such as PV CYCLE. PV CYCLE is the largest dedicated PV producer-responsibility compliance scheme in Europe and has operated in the UK since 2007.

The application of the waste hierarchy to the decommissioning of the solar panels would be as follows.

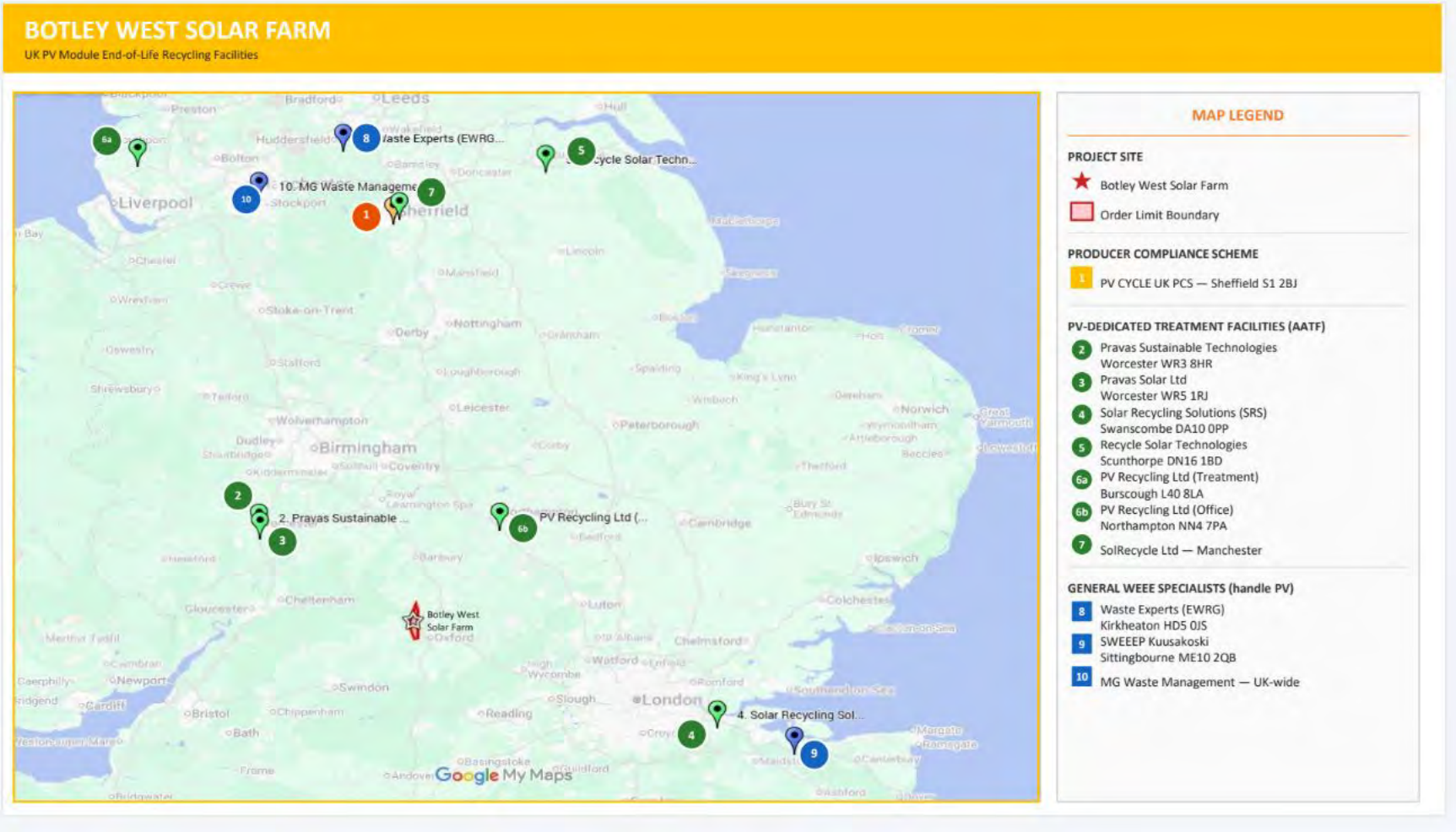
- Prevention – the specification of the solar panel will ensure a durable and robust design.
- Preparation for reuse – the solar panels will still be functional at the end of the operation phase. The panels will be assessed to identify their potential for resale or deployment (e.g. secondary markets, off-grid applications). The assessment will follow the relevant published standards at the time of decommissioning (e.g. the IEC Technical Report TR 63525 ED1 Reuse of PV modules and circular economy).
- Recycling – multiple technologies will be used in parallel to maximise the quantity and quality of materials separated for recycling. The technologies will be subject to the specification of the solar panel but are likely to include:
- Hot-knife peeling – each panel is delaminated by a heated blade between the glass and polymer layers, allowing the front glass to be removed intact and cells, backsheet and frame to be processed separately.
- Mechanical treatment/shredding – modules are mechanically broken down; glass, aluminium, copper and silicon fractions separated by sieving, magnetic and eddy-current sorting.
- Physico-chemical treatment – sequential, chemical and physical processes dissolve encapsulants and recover high-purity silicon, silver and copper.

- Pyrolysis – modules are heated in the absence of oxygen to thermally decompose the EVA capsulant, leaving glass, cells and metals available for separation.
- Emerging R&D – PV CYCLE supports and monitors new processes (e.g. high-purity silicon water reclamation for re-use in new cells). These will be considered in the detailed Decommissioning Management Plan if the technology is commercially viable at the time of decommissioning.
- Recovery – energy recovery for polymer fractions where recycling is not commercially available at the time of decommissioning
- Disposal – restricted to residual materials with no recovery route.

The indicative material composition of a typical crystalline silicon solar panel is set out in the table below, together with the recycling rate using current best practice processes and the recycling route. The quantities of materials that will be recycled will be confirmed in the detailed Decommissioning Management Plan based on the selected solar panel specification.

Material	% of mass	Recycling rate	Recycling route
Glass (tempered – front glass)	69%	85%	Routed to mature flat-glass cullet recycling
Aluminium (frame)	12%	95%	Routed to mature UK non-ferrous metal recycling network
Polymers (EVA, backsheet, JB)	14%	10%	Energy recovery although circular routes are being developed
Silicon (cells)	3%	90%	Separated at metallurgical-grade silicon (no further processing required)
Copper (module cables, busbars – junction box leads and ribbons)	1.7%	90%	Routed to mature UK non-ferrous metal recycling network
Silver (paste)	0.06%	95%	Recycled via dedicated PV processes
Tin (Lead free silicon based solder)	0.2%	90%	
Other/minor (adhesives, trace metals)	0.04%	50%	

During the DCO Examination. the OHA raised concerns regarding the capacity of local waste management facilities to accommodate the quantity of decommissioned solar panels from the Proposed Development. The Applicant confirms that the decommissioned solar panels will only be processed and recycled through commercial facilities and not facilities managed by the OHA. There are a number of dedicated recycling facilities within the UK that operate a nationwide service for processing solar panels. In addition, there are a number of WEEE processing facilities that also recycle solar panels. The location of these facilities is shown in the figure below. The processing capacity of a typical PV recycling facility is approximately 500 tonnes per day. Given that there are multiple PV recycling facilities within the UK to separate the component materials and that the majority of the separated materials are recycled through a well-established and extensive network of facilities, the Applicant considers there to be adequate capacity to sustainably manage the decommissioned solar panels from the Project.



The Applicant held a meeting with the OHA waste planning team on 28 May 2026 to share the updated information for the decommissioning of solar panels. Whilst the clarifications were welcomed, OHA requested that further information is provided regarding the timeframe for replacing the solar panels during the operations phase and the likely number of solar panels that would be generated. OHA also requested clarification on the capacity of existing solar panel processing facilities and their projected capacity (where possible). The Applicant agreed to provide these clarifications to OHA and continue their engagement to resolve OHA's outstanding concerns.

11. Hydrology and Flood Risk

Para 57	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.

The Applicant notes the Secretary of States request at Paragraph 57 of the request for information regarding providing further data to evidence the efficacy of the mitigation measures presented within the Conceptual Drainage Strategy [**REP4-018**]. This is particularly in relation to the concerns raised by Cassington and Cumnor Parish Councils, and the Examining Authority's second written questions.

Conceptual Drainage Strategy

A Conceptual Drainage Strategy was produced to accompany the application and was updated at Deadline 4 during the Examination (REP4 –018]. This document was produced to meet the requirements of NPS EN-1, the National Planning Policy Framework (NPPF) and local policy. Table 2.1 of the Conceptual Drainage Strategy sets out how the document complies with all relevant policy. The approach to developing the Conceptual Drainage Strategy was agreed in principle with the Environment Agency and Lead Local Flood Authority.

The Conceptual Drainage Strategy set out the principles to be adopted for each element of the Project.

Solar PV panels

For solar PV panels, it is noted that a negligible impact on drainage is likely. This is because evidence (Pisinaras *et. al*. (2014), Cook and McCuen (2013)) indicates that the solar panels do not change volume or peak rates. Any change in runoff characteristics from solar PV panels, compared to the existing situation, is likely to be insignificant provided the ground beneath the panels remains vegetated (see response to Cassington Parish Council below).

As such, the introduction of panels does not require specific surface water drainage. This situation is not altered by the results of infiltration testing. Nevertheless, measures are proposed to avoid water sheeting, as well provision of vegetative areas (filter strips) to ensure retention of vegetation beneath the panels and interrupt/slow flows. Bare ground will be avoided in the location of the solar panels.

Impact of ancillary buildings

The proposed ancillary buildings would result in the creation of an impermeable area of up to 0.633 hectares of the total solar PV installation area (971 hectares). This is a minimal increase in impermeable area. Nevertheless, permeable gravel trenches are proposed to provide attenuation for surface water. These would work to store and slow surface water flows.

Impact of substations

The drainage strategies for substations have been designed on the basis that attenuation basins, with outfalls to a surface water body will be utilised. This ensures that sufficient storage is provided on the Site to control the flows to the agreed greenfield runoff rate before discharge to watercourses. Drainage for the Applicant substation proposes to restrict runoff from a 1 in 100-year storm event, plus a 25% allowance for climate change, to the greenfield runoff rate of 2.5 l/s, requiring 792.7 m^3.

Drainage for the NGET substation proposes to restrict runoff from a 1 in 100-year storm event, plus a 25% allowance for climate change, to the greenfield runoff rate of 2 l/s, requiring 194.1 m^3. The volume of attenuation proposed is based on drainage calculations provided within Annex A and B of the Conceptual Drainage Strategy.

This approach was proposed on a worst-case basis that the underlying geology was likely to be unsuitable for the use of soakaways/infiltration and used maximum parameters for the design of the attenuation required. Infiltration testing (ref. 260522 R 00019 Botley West Soakaway Testing Report_V1), as noted below, has confirmed that the ground conditions are not likely to be suitable for infiltration. Therefore, the proposed use of attenuation basins and outfall to a surface water body remains the most suitable approach to manage surface water sustainably and without increasing risk elsewhere.

Infiltration Testing

Q2.10.3 of the Examining Authority's second written questions requests that preliminary infiltration testing is undertaken to resolve or narrow the amount of dispute with Cassington Parish Council, and demonstrate to the Secretary of State that the assumptions made in respect of flood risk and surface water drainage are robust.
The Applicant has undertaken infiltration testing (Appendix E, Botley West Soakaway Testing Report_V1) in accordance with the methodology outlined within BRE Digest 365 'Soakaway Design', at four trial pits centred around grid reference E445270, N205347. This has focused primarily on areas where the largest areas of impermeable surface are proposed, such as at substation locations. A fall from 75% to 25% effective storage depth was not achieved at any of the four tests pits. However, a sufficient fall was recorded at pit SA01 to allow estimation of an indicative infiltration rate. An infiltration rate could not be calculated for the remaining test pits (SA02, SA03, SA04) and therefore rates are assumed to be negligible. An infiltration rate of 1.84×10^{-7} m/s was extrapolated for SA01. Such a rate cannot be considered sufficient for the effective use of soakaways for the disposal of surface water.

Conclusion

The Conceptual Drainage Strategy sets out the principles of the drainage strategy for the Proposed Development and demonstrates that a suitable solution, that would manage surface water sustainably and would not increase risk elsewhere, is available. The Project design is in line with local and national policy relating to flood risk and drainage, as well as being in compliance with non-statutory guidance on drainage. The proposals will manage drainage sustainably whilst ensuring flood risk is not increase on-site or off-site. This meets the requirements of current planning policy NPS EN1 (5.8.15, 5.8.16, 5.8.36). Infiltration testing undertaken confirms that the proposed approach, which predominantly uses methods that do not rely on ground permeability, remains appropriate. The infiltration testing indicates that increased reliance on infiltration to ground is unlikely to be appropriate at this location.

As outlined within the Conceptual Drainage Strategy, the detailed drainage design will be confirmed at detailed design stage. At this stage, the discharge location and method of surface water flows across the Site will be confirmed, following full infiltration testing and further efficacy testing of proposed surface water attenuation features.

Response to Cassington Parish Council [REP7-068]

The Applicant notes the response submitted by Cassington Parish Council regarding flood risk [REP5-068].

Existing/Baseline Conditions
Surface water modelling has indicated that the in the existing (baseline) situation, Cassington experiences flood risk arising from field runoff.

As set out in Section 4.3 of the Conceptual Drainage Strategy, surface water modelling of the catchment upstream of Cassington was undertaken to review the existing situation (without the Proposed Development). Results indicate that approximately 2.037 m^3/s of flow and a volume of 13,807.1 m^3 accumulates in the fields in this area. The flood risk occurs from the runoff from the fields upstream of the Cassington catchment. Water runs off the fields via drains and collects and pools upwards of Cassington village within the sports field. Depths remain below 0.50 m in all scenarios. However, there are two significant water pooling areas downstream area

adjacent to Cassington. Downstream, water enters a stream which is culverted along sections of Cassington village. The channel capacity is exceeded at multiple locations and depths of up to 0.50 m.

This situation exists in the absence of the Proposed Development.

Impact of solar PV
Solar panels are not anticipated to exacerbate this situation. This is based on a detailed literature review. Details of relevant literature are found in Section 4.1 of the Conceptual Drainage Strategy.

Research undertaken by Cook and McCuen (2013) found that provided full vegetation cover beneath the solar panels is maintained, the change in runoff characteristics from solar farm sites is likely to be insignificant and that ground cover has a much more important control over runoff. The Proposed Development includes for seeded vegetation below and between rows of the solar PV modules to help interrupt and slow the channelised flows, reducing erosion and also enhance and promote the infiltration and interception capacity.

It is noted that conclusions from Galzki and Mulla (2024) include that '*ground-mounted PV sites are often treated as impervious surfaces (GPI, 2021), which our research results show is not correct. Ignoring the disconnected pervious soils beneath and between solar arrays leads to an overestimation of runoff. … These improved runoff estimates using Hydrus-3D for solar PV sites with perennial vegetation could significantly reduce the need to install expensive stormwater mitigation practices at ground-mounted solar PV sites*.'

Galzki and Mulla (2024) also state that '*perennial vegetation could significantly reduce the need to install expensive stormwater mitigation practices at ground-mounted solar PV sites*.'

Based upon the findings of Galzki and Mulla (2024) and Cook and McCuen (2013), it can be concluded that solar arrays will have limited influence on surface water flow rates. The Applicant is seeking to incorporate best practice standards for solar PV sites, by including gaps between solar cells to allow water drip on the shadow side of the panel and ensuring year-round vegetation cover is present beneath the panels.

Proposed improvements
There is no significant alteration as part of the Project to the baseline conditions. However, given the existing risk at Cassington, the Applicant proposes measures to enhance the existing situation.

The improvement measures include surface water attenuation features.

- Shallow ponds at a proposed 500 mm depth to provide storage of surface water runoff during high intensity rainfall events.
- Ditch widening to provide an increase in surface water storage capacity within ditches, and to enable greater rates of surface water runoff to be conveyed from fields to reduce surface water ponding to the north of Cassington.
- Re-use of cut material from earthworks associated with pond creation and ditch widening to create bunds (elevated ground) to direct surface water runoff from the fields surface water storage features rather than towards Cassington.

These features would enhance the baseline conditions by providing storage for surface water within the Site. This will allow existing runoff within the Site to be stored within the proposed features. This will control the volume and rate of runoff from the Site. The measures do not rely on infiltration (rather they rely on providing suitable storage and control of flows) and so the proposed improvement measures features remain suitable in this location and remain effective for improving the existing situation.

It is not proposed to undertake any further modelling at this stage. Further modelling will be undertaken, if required to inform design, at the detailed design stage.

Conceptual Drainage Strategy

The Project is to be fully operational by 2029. For the purposes of this assessment, the Project is expected to have a 37.5-year operating lifetime. Therefore, the development will no longer be operational by the end of 2066. Based on the development lifetime, and the type of development proposed, the 2070's central allowance for the Cotswold, Gloucestershire and Cherwell & Ray Management Catchment is considered to be appropriate, and a 25% climate change allowance is to be used.

The currently proposed surface water drainage strategy has assumed no infiltration and instead assumes that flow would be discharged at a 'greenfield rate' to local watercourse. Flows would be restricted to a 1 in 1-year greenfield rate for events up to and including a 1 in 100-year storm plus 25% climate change allowance. This approach would provide an overall improvement to local flood flows.

Given that the proposed drainage strategy will be designed to discharge surface water at a rate restricted to greenfield runoff rates, it is confirmed there will be no increase in flow to receiving watercourses. The required consents process will be undertaken for ordinary watercourses and main rivers. All proposed surface water attenuation measures are located within the Site and do not require additional land or consents beyond consents relating to watercourses.

As outlined within the Conceptual Drainage Strategy, the drainage design will be confirmed at detailed design stage. Current drainage design is based on a set of maximum design parameters available at this stage of the Project. The discharge location and method of surface water flows is to be determined at detailed design stage. In addition, the proposed surface water attenuation features will be modelled to ensure efficacy. At detailed design stage, consultation will be undertaken with the relevant stakeholders regarding proposed enhancements to be adopted. This will include consultation with the Lead Local Flood Authority and Cassington Parish Council. It is noted that the general approach to be adopted is in line with current solar PV standards accepted across the UK.

Field drainage records have been obtained from the Blenheim Estate. Further modelling undertaken at detailed design stage will capture the records within catchment delineation. The proposed piling methodology includes 2,500,000 driven piles total, each 0.00103 m² surface area which equates to a total post area 2,575 m² (0.275 ha), resulting in a ground impact of 0.02% across the Site. Individual piles are set at 1.0-2.5m below ground level. It is acknowledged that at these depths piling can intersect with field drainage. A pre-construction field drainage survey will be conducted and, where existing field drainage is intersected by piling, a drainage continuity protocol requiring either (i) pile relocation to avoid drain crossings, (ii) drain diversion around the pile, or (iii) drain replacement to maintain continuity. Post-construction verification of drainage continuity to be carried out.

Concerns regarding the existing balancing pond within the Blenheim Estate.

It should be noted that the maintenance is the operational responsibility of the Blenheim Estate. It should be noted that the Project SuDS maintenance commitments would be secured through the DCO provisions and are transferrable to any successor operator.

The DCO Requirements will include an enhanced annual reporting schedule regarding maintenance and monitoring of Project elements, including SuDS features. This will further work to ensure features are appropriately managed and operate as designed. The enhancement commitment in respect of Cassington is secured through the following DCO provisions.

- Requirement 12 (Operational management plan) – this sets out the obligation for an operational management plan to be submitted and approved prior to the commencement of commercial operation. That final plan must be substantially in accordance with the outline operational management plan. Table 3.1 of the Outline Operational Management Plan [REP6-032] sets out various commitments to 'Operational Mitigation and Management Measures'. Amongst other things, this includes: "*Shallow ponds, bunds and ditch widening is proposed at an area upstream of Cassington in accordance with baseline surface water modelling. The sizing and discharge location is subject to detailed design and proposed options modelling*". Section 2.8 also deals with 'Cassington Flood Risk'.

- Requirement 9 (Surface and foul water drainage) – this sets out the obligation for written details of the surface water drainage works and (if any) foul water drainage system (including means of pollution control) to be submitted and approved pre-commencement. Those written details must be substantially in accordance with the conceptual drainage strategy. The Conceptual Drainage Strategy [**REP4-018**] includes provisions in relation to the Cassington enhancement measures (for example, see section 4.3).

Response to Cumnor Parish Council [REP7-076]

The Applicant notes the response submitted by Cumnor Parish Council regarding flood risk [REP7-076].

The Applicant notes Cumnor Parish Neighbourhood Development Plan 2021 to 2031 Policy RNE2, regarding flood risk, in particular refences to *"inappropriate development in areas at risk of flooding"*, *"impacts in terms of runoff generation and surface water drainage and should provide the required mitigation measures"*, and *"nature and location sustainable drainage should be suitably designed to ensure that discharge rates do not exceed greenfield rates".* The surface water modelling and proposed drainage strategy for the Proposed Development are in line with Policy RNE2, and work to ensure that there is no increase in flood risk on or off-site, and ensures that flows from the development are restricted to a 1 in 1-year greenfield rate for events up to and including a 1 in 100-year storm plus 25% climate change allowance.

The Cumnor response states *'16.2 The southern site should be removed in its entirety from the application if consent is to be granted'.* This element is a scheme-reduction consideration, rather than flood risk and drainage, and is addressed by the Heritage and Landscape SoS responses. However, the Applicant notes that the Scheme is in compliance with local and national policy and the Southern site does not require removal on drainage grounds alone.

Consultation with the Environment Agency

Within the Statement of Common Ground, Ref 4.1.23 and 4.1.24 states that 'the surface water modelling was undertaken to support potential betterment upstream of Cassington and has been undertaken as enhanced mitigation, commitment 10.14 within 6.3 - ES Chapter 10 - Hydrology and Flood Risk [REP6-010]. At the detailed design stage, option modelling will be undertaken (where required) to quantify the betterment provided, and this will be submitted to the EA.' This position was agreed.

A meeting with the Environment Agency was held on Monday 1st June 2026, regarding the proposed approach in relation to infiltration tests undertaken, and the proposal that further modelling will be undertaken at detailed design stage, which will inform final designs for surface water drainage and enhancement measures. The Environment Agency are in agreement with the Applicant's approach.

12. Protective Provisions

Para 58	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.

Note: Joint response required with Network Rail Infrastructure Limited

An agreement has been reached between the Applicant and Network Rail to secure an agreed form of protective provisions, compliance with clearance conditions, and the requirement to enter into a Property Agreement (which is currently being negotiated). That agreement is going through the execution formalities, and we expect that Network Rail will be able to withdraw its objection once those formalities are completed. There are no substantive issues outstanding between the parties.

Para 59	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.

The Applicant's position is as set out in the Closing Submissions [**REP8-001**].

In summary, the Applicant has included protective provisions in the final draft DCO [**REP7-006**] for the benefit of Thames Water Utilities Limited (Part 5 of Schedule 15) – these protective provisions have been agreed with Thames Water, save for a placeholder at paragraph 5 of Part 5 of Schedule 15 in the draft DCO submitted at Deadline 6 [**REP6-004**]. This is confirmed in the Statement of Common Ground ("SoCG") with Thames Water [**REP7-041**]. That placeholder was intended for additional wording relating to compulsory acquisition, which Thames Water has requested as part of ongoing negotiations. That placeholder was removed in the updated DCO at Deadline 7 for the reasons set out in the Closing Submissions. This is supported by precedent, for example see paragraph 21.33 of the Secretary of State's decision letter for the Cambridge Waste Water Treatment Works DCO.

Since the close of Examination, the Applicant has continued to engage with Thames Water. Substantial progress has been made to the documentation, and the parties are near to agreement although some points are outstanding at the time of submitting this response.

Para 60	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.

This response has been prepared jointly with NGET.

The Applicant and NGET signed and completed a side agreement on 13 November 2025. There are no outstanding matters between the parties in respect of the protective provisions.

13. Land Rights

Para 61 and 62	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.

In response to paragraph 61 the Applicant has provided an updated version of the Land and Rights Negotiation tracker [**EN010147/APP/3.6**], which outlines the updated positions with each of the Land Interests. Substantial progress has been made on a number of the agreements, with several of the Heads of Terms now agreed and signed, and moving through the legal process. The Applicant and its agent are continuing to engage with the Interested Parties where agreements are still outstanding and will look to complete voluntary agreements where possible.

In reference to paragraphs 61 and 62 of the Request for Information respectively, the Applicant's Agent have set out the updated position with regard to the Land Interests outlined in paragraph 61 and sought to clarify the position of the interests noted in Paragraph 62. The Applicant has submitted update versions of the Land and Rights Negotiation Tracker and the Status of Negotiation alongside this response document. In relation to paragraph 62 of the Secretary of State letter, the Status of Negotiation document has been updated to reflect the current position with the Interested Parties mentioned, and aligned with the Land and Rights Tracker, and the detail set out in this Appendix.

This response should be read alongside and in conjunction with the following documents (each as updated with this response):

- Statement of Reasons [**CR2-015**];
- Book of Reference [**REP7-013**];
- Land Plans [**REP7-005**];
- Works Plans [**REP7-004**];

- Land and Rights Negotiation Tracker [**REP7-011**]
- Status of Negotiation [**REP7-048**]

With regard to paragraph 61, the Secretary of State has requested an update to the ongoing negotiations as outlined at the close of Examination in the Land and Rights Negotiation Tracker [**REP7-011**]. Included in this request, was clarification of whether the type of interest is Category 1 or 2, and the respective plots that are affected. The Applicant has provided an updated version of the Land and Rights Negotiation Tracker which outlines the position with the Interested Parties with whom landowner agreements are required.

As outlined in paragraph 61, the Secretary of State has requested an update from the Applicant on the following Parties;

- 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.

An overview, including the interests held by each party are outlined below.

Interested Parties

Oxfordshire County Council (Local Highway Authority)

Plots Affected
1-01, 1-02, 1-03, 1-04, 1-08, 1-09, 1-10, 1-11
2-01, 2-02, 2-03, 2-06, 2-08, 2-09, 2-14, 2-15, 2-16, 2-17, 2-19, 2-21
3-01, 3-02, 3-08, 3-10, 3-11, 3-15, 3-15, 3-16, 3-17, 3-18, 3-19, 3-22, 3-23, 3-24, 3-24, 3-25, 3-26, 3-29, 3-29, 3-31, 3-33, 3-34
4-01, 4-02, 4-03, 4-04, 4-07, 4-08, 4-08,4-12, , 4-14, 4-15, 4-15, 4-16, 4-17, 4-18, 4-19, 4-20, 4-21, 4-22, 4-24, 4-26
5-03, 5-05, 5-06, 5-07, 5-10, 5-13, 5-14, 5-15, 5-16, 5-16, 5-21,
6-02, 6-10, 6-12, 6-20, 6-21
7-02, 7-03, 7-13, 7-14, 7-16, 7-18, 7-20, 7-24, 7-29, 7-34
8-01, 8-02, 8-03, 8-04, 8-05, 8-05, 8-26, 8-29, 8-38
9-02, 9-03, 9-05, 9-06, 9-09, 9-12
10-04, 10-09, 10-11, 10-12, 10-16, 10-17, 10-18, 10-18, 10-19, 10-20, 10-20, 10-21
11-01, 11-01, 11-02, 11-03, 11-03, 11-04, 11-07, 11-08, 11-09, 11-09, 11-10, 11-11, 11-11, 11-12, 11-13, 11-14, 11-15, 11-17, 11-18, 11-19, 11-19, 11-20, 11-20, 11-21, 11-22, 11-23, 11-23, 11-26, 11-26, 11-27, 11-29, 11-35, 11-38, 11-39, 11-41, 11-42
12-01, 12-01, 12-05, 12-06, 12-09
13-01, 13-02, 13-02, 13-03, 13-04, 13-06, 13-09, 13-10

Powers Sought
All Powers Sought relate to the Compulsory Acquisition of Rights.

Comments
There are no ongoing negotiations between the Applicant and Oxfordshire County Council (as local highway authority) for the purposes of the Land and Rights Negotiation Tracker because no agreement is required between the Applicant and OCC to give the Applicant the rights to carry out the proposed works. The rights to carry out street works are facilitated through Part 3 (Streets) of the DCO, see Article 8 (Street works). The Applicant can rely on its right to carry out the works as a statutory undertaker pursuant to those DCO powers, which must be exercised in accordance with the 'Oxfordshire Permit Scheme for Road Works and Street Works' (2019). There are no other agreements required (in fact, section 100 of the New Roads and Streets Works Act 1991 states that "*An agreement which purports to make provision regulating the execution of street works is of no effect to the extent that it is inconsistent with the provisions of this Part*"), due to the statutory right to carry out the works. The rights to carry out highways works are also facilitated through Part 3 (Streets) of the DCO, see Article 9 (Power to alter layout, etc., of streets). The exercise of those DCO powers will be subject to the requirements in Schedule 2, including the Construction Traffic Management Plan. The final CTMP is to be approved pursuant to Requirement 11 and must be substantially in accordance with the outline CTMP. The outline CTMP [**REP7-023**] includes various commitments, including confirmation that highways side agreements will be entered (based on OCC's precedent 278 agreements) to govern specific works. Those agreements will be negotiated post-consent
Discussions have been held with OCC Highways department with ten in person meetings, 3 electronic teams meeting and numerous email correspondence regarding the negotiations and works within the OCC highways.

Oxfordshire County Council (Estates)
Plots Affected
N/A
Powers Sought
N/A
Comments
Following on from Change Request 2 and the update provided at Deadline 7 [REP7-011], all plots in relation to the Interested Party were scoped out and an Agreement is no longer needed. No further actions to be taken.

Eynsham Consolidated Charity
Plots Affected
11-27, 11-28, 11-29
Powers Sought
Category 1 – 11-28
Category 2 – 11-27 & 11-29
Comments
At the close of Examination, the Heads of Terms were agreed and the Applicants Agent had passed the agreements to the Applicants Legal Team to progress the Option for Easement. Progress has been made on this document and it is expected to be agreed soon.

Malcolm Stuart Hoskins Price and Margaret Price
Plots Affected
3-35
4-01, 4-02, 4-15
Powers Sought
Category 1 – 3-35, 4-01,4-02 & 4-15
Comments
Following the close of Examination, the Applicants Agent and the Interest Parties Agent have agreed the Heads of Terms, which have now been signed by the Interested Party. The Applicant Legal Team and the Interested Parties Legal team are now engaged in discussions on the Option for Easement and expect to agree the documents shortly.

Malcolm Stuart Hoskins Price (as Partner of DVH Price & Son), James Price (as Partner of DVH Price & Son) and James Robert Price
Plots Affected
3-23, 3-25, 3-26, 3-27, 3-32, 3-35
4-01, 4-02, 4-03, 4-05, 4-14, 4-16, 4-19, 4-24
Powers Sought
Category 1 – 3-23, 3-25, 3-26, 3-27, 3-32, 3-35 4-01, 4-02, 4-03, 4-05, 4-14, 4-16, 4-19, 4-24
Comments
The Interested Party holds a tenancy over the Land outlined in the Plots above, and will be party to the agreements, and able to claim any losses over the land that may be incurred as part of the construction of the Development.

The Chancellor Masters and Scholars of the University of Oxford

Plots Affected
11-39, 11-40, 11-42, 11-44, 11-46, 11-47, 11-48
12-01, 12-03, 12-04
Powers Sought
Category 1 – 11-39, 11-40, 11-42, 11-44, 11-46, 11-47, 11-48, 12-01, 12-03, 12-04
Comments
The Heads of Terms for a cable easement over the Interested Partys land have been agreed verbally between parties in April 2026 and the documents are currently with the Interested Parties legal team for review and signing. The Interested Party has confirmed that the Interested Parties Legal team has been instructed and will commence with discussions on the Option for Deed of Easement shortly once the documents have been signed.

Punch Partnerships Ltd

Plots Affected
2-20
Powers Sought
Category 1 – 2-20
Comments
Since the close of Examination, the Applicants Agent has been engaging with the Interested Party, who have subsequently confirmed that due to internal business processes, there is an operational freeze on all non-business critical matters whilst they undergo a systems upgrade. They have confirmed that until this is completed, they will not be able to progress signing of the terms. The Interested Party has confirmed that it will remain in touch with the Applicants Agent, and as an when they understand the next steps internally, will confirm how they wish to proceed. As of submission of this document, the Interested Party has confirmed that the Head of Terms need to remain on hold.

Siemens Healthcare Ltd

Plots Affected
11-23, 11-25, 11-26, 11-29
Powers Sought
Category 1 – 11-23, 11-25, 11-26, 11-29
Comments
Since the close of Examination, the Applicants Agent received a mark up of the Heads of Terms and responded to the Interested Party on the two final remaining points. Following that email returning the terms, it was not until April 2026 before the Interested Party responded on the document, which outlined acceptance of the terms, subject to granting of the DCO. The Interested Parties agent has confirmed that despite agreement, their client would prefer not to sign the agreed terms until a decision on the Application has been made and they will be held in draft until that point, at which, subject to the DCO being granted the Interested Party will sign and move to agreeing the Option. The Applicant has also agreed Protective Provisions with the Interested Party in relation to Wharf Road.

Smith and Sons (Bletchington) Ltd

Plots Affected
11-03, 11-04, 11-05, 11-06, 11-27, 11-29, 11-31, 11-32, 11-33, 11-34, 11-35, 11-36, 11-37
Powers Sought
Category 1 – 11-03, 11-04, 11-05, 11-06, 11-31, 11-32, 11-33, 11-34, 11-35, 11-36, 11-37
Category 2 - 11-27, 11-29
Comments

Since the close of Examination the Applicants Agent has been engaged with the Interested Parties Agent on outstanding matters, which relate to the minerals interest. Several emails and calls have been exchanged between parties since the close of Examination, and barring a few minor points, the majority of the terms are agreed and expect to be completed shortly. On completion of the Heads of Terms, the parties will move to agreeing the Option for Easement.

Oxford Diocesan Board of Finance
Plots Affected
4-05, 4-08, 4-15
Powers Sought
Category 1 – 4-05, 4-08, 4-15
Comments
At the close of Examination the parties were apart on the commercial valuation of the land for the Easement. Since the close of Examination, the Parties have now agreed commercial terms, and are working to complete the Heads of Terms. At the last turn, the Applicant was able to accept the final amendments and the finalised version of the HOTs are now with the Interested Parties Agent for sign off. The Heads of Terms are expected to be signed shortly at which point both Parties will work to agreeing the Option for Easement.

Farmoor Garage Services
Plots Affected
12-01, 12-08, 12-09
Powers Sought
Category 1 – 12-01, 12-08, 12-09
Comments
The Applicant has continued to engage with the Interested Party with regard to Plot 12-07 which is currently classed as Unregistered/Unknown in the Book of Reference REP7-013, but as of this submission, no evidence has been provided by the Interested Party to confirm the Interested Party has legal title. The Applicant has agreed a fee with the Interested Parties Legal advisor (and the Applicant's legal advisor has issued an undertaking to the Interested Party's legal advisor in respect of the same) for them to further investigate the title position with regard to this plot of land and await a response from the Interested Party and confirmation of Title Absolute.
With regard to the remain plot of land (12-08, 12-09) the Applicant has provided outline terms to the Interested Party, however have subsequently confirmed in 4 June 2026 that plot 12-08 and 12-09 are no longer required to facilitate the Development and have "greyed" out the plots on the relevant plans. To that end, if the Interested Party is unable to evidence Title Absolute for plot 12-07, there will be no agreement required and the Applicant requests Compulsory Acquisition Powers are granted over the plot.

The Warden And Scholars Of The House Or College Of Scholars Of Merton In The University Of Oxford
Plots Affected
7-05, 7-17
Powers Sought
Category 1 – 7-05, 7-17
Comments
Since the close of Examination the Applicant has engaged with the Interested Party and has now agreed Heads of Terms. The Applicants Legal team has issued draft copies of the Deed to the Interested Parties Legal Team and these are being negotiated.

Hanson Quarry Products Europe Limited
Plots Affected

11-04, 11-31, 11-34, 11-35
Powers Sought
Category 2 – 11-04, 11-31, 11-34, 11-35
Comments
The Applicant continues to engage with the Freeholder (Smith and Sons (Bletchington) Ltd, and as required will put an agreement in place with the Interested Party should it be required. Since Examination the Applicant has engaged with the Freeholder and requested any concerns with the agreement be raised with the Interested Party, however to date no concerns have been raised. The Applicant will ensure the Interested Party is party to any agreement with the freeholder should it be required.

Alec Wilkinson (Tenant of Tenant of Smith & Sons Bletchington Limited)
Plots Affected
11-04, 11-05, 11-06, 11-34, 11-35, 11-36
Powers Sought
Category 1 – 11-04, 11-05, 11-06, 11-34, 11-35, 11-36
Comments
Following discussions with the Freeholder (Smith and Sons (Bletchington) Ltd, they have confirmed no agreement will be needed directly with the Interested Party.

The Sunderland Foundation
Plots Affected
2-18, 2-21, 3-09, 3-10, 3-11, 3-13, 3-15, 3-33, 4-03, 4-04, 4-14, 4-15, 4-16
Powers Sought
Category 1 and 2 – 11-04, 11-05, 11-06, 11-34, 11-35, 11-36
Comments
Since the close of Examination the Applicants Legal Team have engaged with the Interested Party to progress the Option for Easement. Substantial progress has been made to the documentation, and the Applicant's Legal team expect the documents to be agreed shortly. The negotiation of the Option for Easement remains ongoing but the documents are close to being finalised.

Blenheim Trustee Company No. 1 Limited and Blenheim Trustee Company No. 2 Limited
Plots Affected
1-02, 1-04, 1-11
2-02, 2-04, 2-05, 2-07, 2-08, 2-09, 2-10, 2-11, 2-12, 2-13, 2-16, 2-17
3-01, 3-02, 3-03, 3-04, 3-06
4-23, 5-01
5-03, 5-08, 5-09
6-02, 6-06, 6-09, 6-10, 6-12, 6-14, 6-15, 6-17, 6-20, 6-22
8-01, 8-02, 8-03, 8-05, 8-06, 8-12, 8-19
Powers Sought
Category 1 – 2-04, 2-05, 2-07, 2-10, 2-11, 2-12, 2-13, 2-16, 2-17, 3-01, 3-02, 3-03, 3-04, 3-06, 4-23, 5-01, 5-03, 5-08, 5-09, 6-02, 6-06, 6-09, 6-10, 6-12, 6-15, 6-20, 6-22, 8-01, 8-02, 8-03, 8-05, 8-06, 8-12, 8-19
Category 2 - 1-02, 1-04, 1-11, 2-02, 2-08, 2-09, 6-14, 6-17,
Comments

The Applicant has a signed Option over the land, however are currently negotiating a variation to that Agreement. The variation to the Option Agreement remains ongoing, the Applicants Legal team and the Interested Parties Legal teams are currently undertaking title diligence on the tiny parcels of land which are to be included within the Option Agreement and this title work has largely been finalised. The Deed of Variation is being negotiated.

Vanbrugh Trustees Limited (as Trustee of the Vanbrugh Unit Trust) and Vanbrugh Trustees No 2 Limited (as Trustee of the Vanbrugh Unit Trust)

Plots Affected

1-02, 1-03, 1-04, 1-05, 1-06, 1-07, 1-08, 1-09, 1-10, 1-11, 1-12, 1-13
2-01, 2-02, 2-03, 2-04, 2-05, 2-06, 2-07, 2-08, 2-09, 2-10, 2-11, 2-12, 2-13, 2-16
3-01, 3-02, 3-03, 3-04, 3-06, 3-07, 3-08, 3-10, 3-12, 3-15, 3-21, 3-22, 3-23, 3-24, 3-25, 3-26, 3-27, 3-29, 3-31, 3-32, 3-33, 3-34
4-14, 4-15, 4-16, 4-23, 4-24, 4-25
5-01, 5-02, 5-03, 5-04, 5-05, 5-06, 5-07, 5-08, 5-09, 5-10, 5-11, 5-12, 5-12a, 5-12b, 5-12c, 5-16,
6-01, 6-02, 6-03, 6-04, 6-05, 6-07, 6-09, 6-10, 6-12, 6-14, 6-15, 6-16, 6-17, 6-20, 6-21, 6-22, 6-23, 6-24
7-01, 7-02, 7-03, 7-04, 7-05, 7-06, 7-07, 7-09, 7-10, 7-15, 7-31, 7-32
8-01, 8-02, 8-03, 8-04, 8-05, 8-06, 8-12, 8-20, 8-21, 8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-29, 8-30, 8-31, 8-32, 8-33, 8-36, 8-37, 8-38
9-01, 9-02, 9-03, 9-04, 9-05, 9-06, 9-18
10-01, 10-02, 10-04, 10-05, 10-07, 10-08, 10-09, 10-10, 10-11, 10-12, 10-14, 10-15, 10-16

Powers Sought

Category 1 – 1-03, 1-04, 1-05, 1-06, 1-07, 1-08, 1-09, 1-10, 1-11, 1-12, 1-13, 2-01, 2-02, 2-03, 2-04, 2-05, 2-06, 2-07, 2-08, 2-09, 2-10, 2-11, 2-12, 2-13, 2-16, 3-01, 3-02, 3-03, 3-04, 3-06, 3-07, 3-08, 3-10, 3-12, 3-15, 3-21, 3-22, 3-23, 3-24, 3-25, 3-26, 3-27, 3-29, 3-31, 3-32, 3-33, 3-34, 4-15, 4-23, 4-24, 4-25, 5-01, 5-02, 5-03, 5-04, 5-05, 5-06, 5-07, 5-09, 5-10, 5-11, 5-12, 5-12a, 5-12b, 5-12c, 5-16, 6-01, 6-02, 6-03, 6-04, 6-05, 6-07, 6-09, 6-10, 6-12, 6-14, 6-15, 6-16, 6-20, 6-21, 6-22, 6-23, 6-24, 7-01, 7-02, 7-03, 7-04, 7-06, 7-07, 7-09, 7-10, 7-31, 7-32, 8-01, 8-02, 8-03, 8-04, 8-05, 8-06, 8-12, 8-20, 8-21, 8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-29, 8-30, 8-31, 8-32, 8-33, 8-36, 8-38, 9-01, 9-02, 9-03, 9-04, 9-05, 9-06, 9-18, 10-01, 10-02, 10-04, 10-05, 10-07, 10-08, 10-09, 10-10, 10-11, 10-12, 10-14, 10-15, 10-16

Category 2 - 1-02, 4-14, 4-16, 5-08, 6-17, 7-05, 7-15, 8-37

Comments

The Applicant has a signed Option over the land, however are currently negotiating a variation to that Agreement. The variation to the Option Agreement remains ongoing, the Applicants Legal team and the Interested Parties Legal team are currently undertaking title diligence on the very small tiny parcels of land which are to be included within the Option Agreement and this title work has largely been finalised. The Deed of Variation is being negotiated.

Hill Grove Family Farm Limited

Plots Affected

7-18, 7-20, 7-21, 7-22, 7-23, 7-24, 7-28, 7-29, 7-30, 7-33, 7-34, 7-35
9-06, 9-08, 9-09, 9-10, 9-13, 9-15, 9-16, 9-17

Powers Sought

Category 1 – 7-18, 7-20, 7-21, 7-22, 7-23, 7-24, 7-28, 7-29, 7-30, 7-33, 7-34, 7-35

Category 2 - 9-06, 9-08, 9-09, 9-10, 9-13, 9-15, 9-16, 9-17

Comments

The Interested Partys land is under an Option Agreement.

John P. Gee & Sons Limited

Plots Affected
13-02, 13-03, 13-04, 13-05, 13-06, 13-07, 13-09, 13-10
Powers Sought
Category 1 – 13-02, 13-04, 13-05, 13-06, 13-07, 13-09, 13-10
Category 2 - 13-03
Comments
The Interested Partys land is under an Option Agreement and the variation is now completed.

Jeanne Pamela Humphrey and John Michael Gee
Plots Affected
13-02, 13-03, 13-06, 13-07, 13-09, 13-10
Powers Sought
Category 1 – 13-02, 13-06, 13-07, 13-09, 13-10
Category 2 - 13-03
Comments
The Interested Partys land is under an Option Agreement and the variation is now completed.

Ms Karen Squibb Williams on behalf of Mr Dustin Dryden
Plots Affected
8-27, 8-29, 8-31, 8-32, 10-02, 10-07, 10-12
Powers Sought
Category 1 – 8-29
Category 2 – 8-27, 8-31, 8-32, 10-02, 10-07, 10-12
Comments
Since the Compulsory Acquisition Hearing, the Applicant and its Agent has held a call with Ms Squibb-Williams with regard to Mr Dustin Dryden's interests. As set out in the Book of Reference [REP7-013], the only plot within the Order Limits that My Dryden has a Category 1 interest is Plot 8-29, which is in respect of part subsoil up to half width of public highway. Otherwise, the other plots where Mr Dryden has an interest are already secured through voluntary agreements with the landowner and therefore no agreement with Mr Dryden is required.

The Applicant understands that his concern relates to the rights he holds over an access track at Plots 10-07 and 10-12. This concern relates to a right of access only and Mr Dryden's Category 2 interest. To confirm, it is standard practice that a Commercial Agreement is not required for a Category 2 interest and for that reason Mr Dryden has not been included with the Tracker. Note, as shown in the Book of Reference, Mr Dryden does not have any interest in Plots 10-06 or 10-08.

Following the calls with Ms Squibb-Williams following the hearing the Applicant agreed to review the position of the 33kV cable and the potential impact on Mr Dryden's secondary access. Having reviewed the location of the cable, the Applicant is willing to agree that it can be relocated just south of the existing track into the field, thus not impacting on the full length of the road, or its use. There will still be a requirement to cross the track at either end, however at this point the cable will be installed under the road to minimise disruption and where required the road plated to ensure unencumbered access at all times. This adjustment avoids running the cable through the full extent of the access and ensures the long-term integrity and usability of the track, preventing any potential damage or interference with access to the property. The works will be managed to minimise disruption, and it's anticipated that each crossing of the track will take 1-2 days to complete and any reinstatement works will be completed to ensure the track is usable. Any subsequent works or access will not restrict the use of the track or access to the property.

The Applicant has followed up with Ms Squibb-Williams following the submission of this amendment to confirm that the mitigation is satisfactory to Mr Dryden, and await a response from Ms Squibb-Williams.

Conclusion

Since the close of Examination, a number of Heads of Terms have been reached and signed with the respective Interested Parties and are progressing through the legal process, as outlined above, the Applicant remains committed to completing voluntary agreements with all interested parties where possible, and has been actively engaging with parties post-Examination to conclude agreements.

Para 63 and 64	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.

In response to paragraphs 63 and 64 of the Request for Information respectively, the Applicant's Land Referencing team have set out the methodology used to identify all potential persons with an interest in land (PILs) for unregistered land plots through diligent inquiry to consult under Section 42(1)(d) of the Planning Act 2008, to produce the Book of Reference as part of Application submission, and to the completion the process of issuing various notices throughout the life cycle of the project (not limited to Pre-Application Land Referencing, Consultation, Acceptance of the Application for Examination, Examination Hearing Notifications and should the Project be granted development consent, to notify of granted development consent and if necessary, compulsory acquisition of land or rights over land).

This response should be read alongside and in conjunction with:

- Section 8.6 (Identifying Section 44 consultees) of the Consultation Report [**APP-024**];
- Statement of Reasons [**CR2-015];**
- Book of Reference [**REP7-014**];
- Land Plans [**REP7-005**];
- Works Plans [**REP7-004**].

The Statement of Reasons and Consultation Report set out steps the Project's Land Referencing team undertook in order to meet diligent inquiry. Diligent inquiry is the standard the Acquiring Authority must meet to identify all PILs. The Book of Reference provides full information on the PILs listed with each land plot and the extent, description and situation of the land, whilst the Land Plans and Works Plans provide plans showing the relevant location of each plot and proposed works in the Application respectively.

The methods used to determine owners and occupiers of and other parties with an interest in unregistered land involves a series of methods, including:

- Desktop Referencing – including HM Land Registry Title review, desktop search of online sources and review of mapping
- Contact Referencing – contact research with potential parties with an interest, issue of land interest questionnaires (LIQs), site visits and notices on unregistered land parcels

These methods are set out in full below in relation to the Application and explain the details fo the actions carried out to substantiate that the Applicant undertook diligent inquiry through a land referencing process to identify parties within Categories 1, 2 and 3, as defined in sections 42 and 44 of the Planning Act 2008. The methodology is supplemented by the current status of the task where ongoing or where further information is at all likely to be found.

Methodology

Desktop Referencing – Review of HM Land Registry titles against Ordinance Survey (OS) Mapping and Other Mapping Layers:

Upon commencement of the land referencing exercise for the Project, the Land Referencing team obtained all available ownership information for land within the initial scoping boundary (and subsequently the Order Limits) from His Majesty's Land Registry. This included Title Registers, Title Plans, and associated digital polygon (GIS) boundary data.

It is recognised that title polygons provided as GIS shapefiles (whether sourced directly from HM Land Registry or via the National Polygon Service (NPS)) do not always fully align with the extents shown on the corresponding Title Plans.

A Land Registry Title Plan provides an illustration of the extent of registered land (typically edged in red), based on Ordnance Survey mapping, and must be read in conjunction with the written description contained within the Title Register.

Accordingly, a detailed visual review of Title Plans was undertaken against the digital ownership polygons and the parcels created within the Project's land referencing database. This process identified discrepancies between mapped polygon data and registered extents, which were recorded and corrected where necessary. Where required, further GIS-based analysis was undertaken, including georeferencing Title Plans against current Ordnance Survey mapping to ensure alignment. This process included the identification and removal of mapping "slithers" where these were found to be erroneous, as well as the resolution of any overlapping or conflicting title extents.

This process ensured that the parcel structure applied within the land referencing database accurately reflected the best available interpretation of registered extents. A Search of the Index Map (SIM) was also undertaken with His Majesty's Land Registry.

The purpose of the SIM was to establish whether any land parcels were registered and to identify any titles not already captured through initial data acquisition. The results of the SIM provided confirmation of the registration status of land, including identification of any registered titles, pending applications, cautions against first registration, or areas where no registered title was recorded.

The outputs of the SIM were reviewed alongside the Title Register, Title Plan and digital polygon data obtained for the Project, and used to validate and refine the land parcel structure within the land referencing database.

Where land was confirmed by the SIM as unregistered, this informed the subsequent application of enhanced identification measures, including targeted desktop investigation, site noticing, and stakeholder engagement, in order to support the identification of Persons with an Interest in Land (PILs).

Desktop Referencing – Desktop Search of Online Resources:

As part of the validation process, a further check was undertaken to identify watercourses designated as Main Rivers by the Environment Agency, and to record its interest in the relevant land parcels where applicable.

In addition, consideration was given to the identification of adjacent Persons with an Interest in Land (PILs) as potential riparian owners. A riparian owner is typically a landowner whose land adjoins or includes a watercourse, and is presumed to own the bed of the watercourse to its centre line, in accordance with the ad medium filum aquae rule.

This approach supported the identification and confirmation of additional PILs, ensuring that adjoining landowners were appropriately recognised and recorded as riparian owners in respect of the relevant land parcels.

Further checks were undertaken to identify any canal management organisations or internal drainage boards which may have an interest in land within the Project. These investigations confirmed that no such organisations held a recorded legal or beneficial interest in land within the Order Limits.

Contact Referencing – Acquisition of Adopted Public Highway Extents / Public Right of Way information:
The Order Limits for the Project include a number of local highway routes which form part of the proposed cable corridor. It is recognised that most local authority highways are unregistered, as "highway" is a legal status (being a right of way) rather than a form of land ownership, with the underlying freehold often historic or never subject to compulsory registration.

To confirm the status of highways as adopted public highway, the Land Referencing team engaged with the local highway authority (Oxfordshire County Council) to obtain adoption extent plans. These extents were digitised and overlaid within the Project's GIS environment to allow interpretation alongside the land parcel structure. This process confirmed the status of significant areas of unregistered land within the Order Limits. As works associated with the Project include cable installation beneath sections of adopted highway, adjoining landowners were identified and recorded as potential subsoil owners and incorporated within the Land Referencing database.

A subsoil interest arises under a legal presumption (known as the ad medium filum rule), which means that the ground beneath an unregistered public highway is usually owned by the adjoining landowners up to the centre line of the road. The Highway Authority (Oxfordshire County Council) owns and manages the surface of the road, while adjoining landowners are considered to own the subsoil beneath it.

All Subsoil PILs were then subsequently issued with an LIQ to confirm their interest and ascertain any updates to ownership of the subsoil interest. These PILS were included in and notified of Statutory Consultation and again at acceptance of the Application for Examination.

It is recognised that minor discrepancies may arise when interpreting adopted highway extents against HM Land Registry Title Plans and associated polygon data. This may result in small residual "slither" parcels between adopted highway and adjoining land. In such instances, the validation steps described above, including comparison of Title Plans against Ordnance Survey mapping and other relevant datasets, were reapplied to ensure consistency. Where any r
esidual differences remained, these parcels were retained as individual plots within the Book of Reference submitted at Application.
In addition, the Land Referencing team collated information on Public Rights of Way (PRoW) intersecting the Order Limits. Where PRoWs crossed unregistered land, further enquiries were made with the relevant local authority to establish whether any ownership information was held. No additional ownership evidence was identified in these instances, reflecting the historic nature of such routes and their establishment through long-standing use or dedication, with no party asserting ownership of the underlying land.

Contact Referencing – Affixing Notices to Unregistered Land Parcels on Site:

Once desktop methods for identification of PILS over unregistered land parcels were exhausted, site notices were affixed on site on/adjacent to these parcels seeking to confirm ownership details and further engagement as necessary.
This approach resulted in a number of confirmations, together with supporting evidence provided by respondents. The Project's Land Referencing team responded to any follow-up queries as required.

Site notices were maintained throughout the statutory consultation period for the Project. This included weekly inspections, replacement of any missing or damaged notices, and engagement with any members of the public encountered on site.

A full audit trail was maintained by the Land Referencing team, including a status log for each notice and photographic evidence showing the notice in situ and within its wider context.

The Project's Land Referencing team repeated site noticing attempts throughout the pre-application period of the Project to assist in identification of PILs, support ongoing PIL engagement regarding voluntary agreement for acquisition of rights required for the Project and to support ongoing survey access requirements. This led to several confirmations and subsequent evidence as follow up, with the Project team addressing any further queries as necessary.
Site noticing was undertaken on an iterative basis throughout the pre-application period to support ongoing identification of PILs, facilitate continued engagement (including in respect of voluntary agreements), and assist with the delivery of survey access requirements.

Contact Referencing – Engagement with PILs

Alongside the steps outlined within this methodology, engagement with PILs was undertaken on a continuous basis throughout the pre-Application period. During this process, particular attention was given to areas of unregistered land adjoining known ownership, with such cases identified, reviewed, and discussed as necessary. This engagement resulted in a number of ownership confirmations, supported by evidence including field mapping and tenancy plans, historic deed information, and clarification of known discrepancies within existing mapping records.

All PILs identified through this engagement were subsequently issued with a Land Interest Questionnaire (LIQ), which included any unregistered plots associated with the relevant landholding. This sought to confirm any additional parties with a legal or beneficial interest in the affected land.

Unregistered Land Plots

There are 91 unregistered land plots contained within the Book of Reference, the latest version of which submitted at Deadline 7 of the Examination [REP7-014]. In the case of each unregistered plot, "Unregistered/Unknown" is recorded within the ownership field for the relevant plot. Any further interests identified were then captured separately, whether established through the land referencing process or confirmed via ongoing stakeholder engagement.
The 91 unregistered land plots fall into the following categories:

- **Ownership Confirmed** – where ownership has been verified through direct engagement with landowners and supported by appropriate evidence;
- **Public Highway** – where unregistered land parcels are confirmed to form part of the adopted public highway network, based on engagement with the local highway authority and review of adoption records;
- **Public Right of Way (PRoW)** – where a PRoW is recorded as crossing the land, as confirmed through engagement with the local authority (Oxfordshire County Council), but the underlying freehold ownership remains unregistered or unknown, typically due to the historic nature of such routes;
- **River or other defined watercourse** – where the presence of a watercourse has been identified and its management by the Environment Agency (or other relevant authority) confirmed through desktop review, and riparian owners noted where necessary; and
- **Plots where ownership remains Unknown** – where ownership remains in whole unidentified following completion of desktop research, site investigations, stakeholder engagement, and follow-up activities undertaken during the Examination and continuing thereafter.

This structured approach ensured that all potential interests in unregistered land were identified, classified, and recorded on a consistent and precautionary basis within the Book of Reference.

The full extent, description and situation of each of the above listed plots and further listed interests can be viewed within the latest version of the Book of Reference [REP7-014].

Table 1 – Category of Plots with "Unregistered/Unknown" entry within Book of Reference.

Category	Number of Plots	Plot Ref. (Sheet/Plot)
Ownership Confirmed	22	2-02, 2-04, 2-11, 2-12, 3-23, 3-34, 5-01, 5-06, 6-08, 7-08, 7-19, 7-36, 8-22, 8-27, 9-14, 10-02, 10-08, 11-06, 11-32, 11-39, 11-40, 12-04
Public Highway	39	1-01, 2-15, 2-17, 2-21, 3-02, 3-10, 3-14, 3-15, 3-20, 3-24, 3-29, 3-33, 4-08, 4-15, 5-16, 6-10, 6-20, 7-02, 7-13, 7-14, 7-16, 8-05, 8-29, 9-05, 9-06, 10-04, 10-18, 10-20, 11-01, 11-03, 11-09, 11-11, 11-19, 11-20, 11-23, 11-41, 11-42, 12-01, 13-02
Public Right of Way (PRoW)	3	1-02, 2-19, 11-27
River or other defined watercourse	5	8-34, 8-35, 8-37, 10-13, 11-38
Plots where ownership remains Unknown	22	3-05, 3-28, 3-30, 4-06, 4-10, 7-11, 7-12, 7-15, 7-25, 7-26, 7-27, 9-07, 9-11, 10-03, 10-06, 11-24, 11-30, 11-43, 11-45, 12-02, 12-07, 13-08

Plots where ownership remains Unknown

It is recognised that, for certain categories of plots identified within Table 1, it is not reasonably possible to obtain full ownership details—particularly in respect of freehold interests—given the nature of the land in question. This includes land forming part of the adopted public highway network, historic locations of PRoWs, and watercourses where only riparian ownership can typically be inferred.

In such cases, the status of the land has been identified and recorded based on the best available information, including statutory designation and relevant legal presumptions, rather than confirmed freehold ownership.

A number of plots where ownership remains unknown arise from the presence of "slithers", being small residual parcels of land situated between registered titles, adopted highway extents, or other areas of confirmed ownership. These typically result from discrepancies between mapping datasets and the interpretation of land extents during the land referencing process. The majority of plots identified within this category arise from such "slithers" and, given their nature as residual mapping artefacts rather than discrete land holdings, it is considered likely that ownership will remain unidentified and no further Persons with an Interest in Land (PILs) will be identified in respect of these plots (3-28, 3-30, 4-06, 4-10, 7-11, 7-12, 7-25, 7-26, 7-27, 9-11, 10-03, 10-06, 11-24, 11-43, 12-07 and 13-08). These plots generally comprise areas of scrubland, grassed areas, hedgerows, shrubbery, or ditches which form natural boundaries between adjoining land parcels, further supporting the conclusion that they do not represent discrete landholdings.

Notwithstanding the above, where a plot presents characteristics suggesting the potential for third-party rights or interests, these have been identified and recorded on a precautionary basis.

Plot 3-05, whilst encompassing a "slither" between registered title and adopted highway as described above, also includes the commencement of an accessway serving a residential property. The owner-occupiers of that property have therefore been identified and included within the Book of Reference as having a relevant interest in respect of access rights. Plots 7-15 and 9-07 represent comparable scenarios and have been treated on the same basis.

Plot 11-45 comprises a private track providing access to a number of adjoining third-party land parcels. All parties reasonably considered to benefit from access rights over this track have been identified, included within the Book of Reference, and engaged with to confirm any potential ownership of the track. To date, this process has

not identified a definitive owner or any additional PILs. Plot 12-02 represents a continuation of this track onto the adjacent Land Plan sheet, with all relevant parties similarly identified and included where appropriate.

Examination – Ongoing Actions

Throughout the Examination period, the Project's Land Referencing team continued to undertake proactive and iterative actions to refine and validate land ownership information. This included ongoing engagement with identified Persons with an Interest in Land (PILs), follow-up correspondence in response to Land Interest Questionnaire (LIQ) returns, and further targeted enquiries where ownership or interest details remained uncertain.

Additional checks were undertaken as necessary, including review of updated Land Registry information, re-assessment of unregistered land parcels, and continued liaison with relevant authorities and stakeholders. Site-based activities, including re-noticing where required and to support advertisement of upcoming Hearings, were also undertaken to support ongoing diligent inquiry.

This process ensured that the Project continued to utilise all reasonable methods available to secure confirmation of any additional PILs.

Plot Specific Updates

The below details any updates relevant to specific unregistered plots during or since the conclusion of Examination of the Application, which are listed in clause 64 of the Request for Information:

Plot 11-27

Plot 11-27 relates to a PRoW to the north of Wharf Road. The plot falls within the Order Limits and is required for use as part of the cable route connecting the solar array to the grid connection to the south of Farmoor Reservoir.
As outlined above, several steps have been undertaken through diligent inquiry to identify ownership of the plot, including engagement with adjacent landowners, the local authority, and relevant parish councils. To date, these investigations have not identified a landowner.
The Applicant will continue to undertake further investigations to confirm ownership where possible.

Plot 11-30

Plot 11-30 comprises a narrow ditch located between two areas of registered agricultural land, plots 11-28 and 11-31. Checks undertaken with HM Land Registry confirm that the land does not fall within any registered title and remains unregistered.
The physical characteristics of the plot indicate that it functions as a field boundary and drainage feature, rather than as land subject to separate occupation or active management. The ditch is not physically enclosed, does not comprise a defined parcel capable of independent use, and appears to have historically existed to serve adjoining land. Site work, attending this plot, has shown the ditch with hedges and barbed wire along each side.

Despite the diligent enquiry undertaken to date, the ownership of Plot 11-30 has not been conclusively identified for the following reasons:

- Boundary features such as ditches, streams, banks and grips are frequently excluded from first registration and do not always form part of registered title extents, particularly where they have not been subject to disposition.
- The ditch does not appear to have been separately conveyed or occupied and therefore has not triggered compulsory or voluntary registration under the Land Registration Act 2002.
- Historic conveyancing practices commonly treated such features as incidental to adjoining land, often without express reference in conveyances or plans, resulting in ambiguity as to title ownership.
- Review of the adjoining registered titles has not identified any definitive express provisions confirming ownership of the ditch, whether by reference to boundary presumptions (including the "hedge and ditch" rule) or otherwise.

In boundary law, the "hedge and ditch" rule provides that, where a ditch exists alongside a hedge or boundary feature, there is a rebuttable presumption that ownership of both the hedge and the ditch lies with the owner of the land on the side opposite the ditch, with the legal boundary presumed to lie along the far edge of the ditch.
This presumption reflects historic agricultural practice but is not determinative and may be displaced by contrary evidence, including title deeds, plans, or long-established usage. In the absence of such evidence, the rule does not provide certainty of ownership.
Engagement with the owner of the adjoining field on the opposite side of the ditch has confirmed that they do not consider the ditch to fall within their ownership.

Accordingly, ownership of the plot cannot currently be attributed with certainty to any identifiable party and remains unknown. The Applicant will continue to undertake further diligent inquiry in order to confirm ownership where possible.

Plot 12-07
Plot 12-07 comprises a small parcel of land located to the east of the public highway. The local highway authority (Oxfordshire County Council) has confirmed that the land does not form part of the adopted highway and is not within its ownership. This is consistent with the adopted highway extent data reviewed as part of the land referencing process.

The owner of the adjoining garage site (Plot 12-08) has confirmed that the land falls within their ownership and has provision of supporting evidence in the form of legal correspondence with the highway authority is ongoing. The landowner has also indicated an intention to apply for first registration of the parcel with HM Land Registry. Notwithstanding this, the land remains unregistered at the present time. The Applicant is satisfied, on the basis of the information provided, that the adjoining landowner has a valid claim to ownership.

This position has been recorded within the Project's Land Referencing database and will be reflected in any future notices issued to the relevant Persons with an Interest in Land (PILs), should development consent be granted.

The Book of Reference and associated application documents will be updated as appropriate upon completion of first registration as necessary and if required.

Next Steps Following Conclusion of Examination, Recommendation and Decision Period

The Applicant's Land Referencing team have repeated a similar process to those throughout the DCO pre-application, acceptance and examination stages by affixing notices to these plots and advising of contact details to confirm any interests in land.

Based on the steps undertaken throughout the lifecycle of the Project, it is considered unlikely that ownership details will remain unconfirmed in respect of the 22 plots currently recorded as unknown. This is not considered to represent an insurmountable issue, nor a disproportionate number of plots relative to the overall extent of the Order Land, having regard to the nature of the plots in question and the extensive diligent inquiry undertaken to date.

The potential risk associated with unknown land interests is therefore considered to be minimal, having regard to the comprehensive methodology undertaken as set out in this response and the findings of the land referencing exercise carried out throughout the Project. Should ownership remain unidentified where the Application is granted development consent and use of CA powers are granted, the Applicant would rely on the powers of compulsory acquisition sought within the Order, where necessary, in order to secure the rights required for the Project.

The Applicant will carry out the necessary legislative steps as part of the s134 process, which in practice ensures that any known changes to land ownership between submission and grant of the DCO application are captured, and subsequently notified, which includes unknown interests.

Of the 22 plots, 1 plot (13-08) is subject to permanent acquisition. The remaining 21 plots are all subject to the acquisition of permanent rights. This will be undertaken through the exercise of compulsory acquisition powers sought within the Order, enabling the Applicant to secure the rights necessary for the construction, operation and maintenance of the Project.

For any acquisition processes undertaken, the Project's Land Referencing team will repeat the relevant steps outlined within this methodology to ensure that land ownership information is up to date. This will include refreshing all land data and, where required, affixing site notices in accordance with the applicable statutory procedures.

14. Other Consents

Para 65	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].

The Applicant has reviewed the need to update this document and concludes that no update is required.

15. Without Prejudice Offer

Para 68	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.

See the Cover Letter and the Applicant's responses to paragraphs 24-29 (landscape) which sets out the Applicant's updated proposal being submitted as part of this response, including a new Requirement (landscape and visual amenity) that secures a minimum buffer of 100m and a maximum buffer of 250m, unless otherwise agreed with residential dwelling owners. Particularly, see 'Updates to the Illustrative Masterplan and Application of the Mitigation Hierarchy'.

In that context, the following should be read together with the Applicant's response to Para 69, which evidences in detail the economic viability constraints of this additional capacity reduction.

1. The position as submitted with this Applicant's response to the Secretary of State's RfI represents the maximum viable reduction

The Applicant reduced the Proposed Development substantially during the Examination: from the capacity of 1,422 MWp (approximately 843 ha of solar installation) originally submitted with the DCO submission to the latest planning position of 935 MWp (a minimum of approximately 554 ha of solar installation). This corresponds to a reduction in installed capacity of approximately 34% and in the pure installation area of approximately 289 ha. The current position of 935 MW preflects the application of the maximum 250 m buffer to residential properties within a buffer range of 100–250 m (save for properties where lesser buffers have been agreed, as set out in the draft Requirement) 5 It therefore represents the maximum extent and worst-case scenario (in generation terms) of panel removal that the buffer range may result. This is the appropriate calculation because the Applicant must ensure that the Project remains viable in the worst-case scenario that the maximum buffer is imposed at the expense of the maximum loss of function.
This adjustment is the result of additional professional opinion being applied following further analysis in response to the OHA's concerns and as a result of the continued balancing exercise in which solar panel removal is taken as far as is compatible with maintaining an economically viable development.
The final submitted position as part of this response of 935 MWp therefore represents not the economically optimal scope or the position that would maximise renewable energy generation but already the scope aligned with the viability threshold. The levelised cost of energy (lifetime cost per unit of electricity (£/MWh) from a plant, found by dividing total discounted lifetime costs by total discounted lifetime output), at approximately £69.3/MWh, sits below the achievable CfD strike (~£71.8/MWh) by only an appropriate reserve of approximately £2.5/MWh. This residual margin does not represent a free buffer that could absorb any further reduction; it is already fully accounted for by the minimum risk allowance required for price, inflation and yield uncertainty, leaving no headroom below the submitted position. The Applicant has thus already carried the reduction as far as the condition of Para 68, "whilst maintaining a viable development", permits.

2. Further reductions would remove viability

As evidenced in detail in the response to Para 69, the margin between the final submitted position and the viability threshold is extremely narrow and entirely absorbed by the required risk reserve. Already at a reduction to approximately 935MWp, the levelised cost of energy, , almost reaches the CfD strike , without any reserve); a configuration below this value would no longer be economically viable. Any removal of solar panels beyond the submitted position would therefore no longer satisfy the condition of Para 68, the maintenance of a viable development.

The cause lies in the cost structure of the Proposed Development: a substantial part of the investment relates to capacity-independent infrastructure (approximately £376.7m; grid connection, substations, cabling). With each further reduction, the share of these fixed costs in total CAPEX rises (from approximately 62.7% at the submitted position to approximately 64.2% already at 935 MWp), so that the specific cost per MWp, and hence the levelised cost of energy, rises disproportionately. A further reduction in area therefore improves the impact balance only marginally while disproportionately worsening viability.

3. Consultation with the OHA

The Applicant has followed the Secretary of State's suggestion and has consulted with the OHA. On 14 May 2026 a constructive meeting with representatives of the OHA took place, with the participation of South Oxfordshire and Vale of White Horse, Oxfordshire County Council, and Cherwell District Council. The OHA set out its view of the Proposed Development and the landscape information provided and welcomed the approach proposed by the Applicant.

Two levels are to be distinguished here. At the level of installed capacity, the reduction is exhausted at the submitted position of 935 MWp; any further reduction in capacity would remove economic viability (Sections 1 and 2 and the response to Para 69). At the level of design development (layout and design), by contrast, the Applicant is pursuing an ongoing, constructive process with the OHA aimed at further mitigating impacts within the submitted scope, for example through the arrangement of the modules, the response to public rights of way (PRoW), and the resilient overall layout of the site, as well as landscape planting and visual screening. These design measures improve the impact balance without affecting the installed capacity and hence the economic viability.

The Applicant remains engaged with the OHA and will incorporate the outcomes of this design process into the ongoing work. The process is secured through the detailed design provisions secured in the DCO and also the approving role of the OHAs which is secured under the new Requirement 15. The capacity-related viability threshold set out in Sections 1 and 2 remains unaffected.

4. Conclusion

The current position of 935 MWp represents the maximum extent of panel removal that is compatible with maintaining an economically viable development. Any further reduction in capacity to the array layout would no longer maintain the viability expressly presupposed in Para 68. At the design level, the Applicant is continuing the constructive process begun with the OHA in order to further mitigate impacts within the submitted scope and the new Requirement 15 retains flexibility to facilitate buffers of less than 250m to ensure that an appropriate balance is achieved of maximising renewable energy generation whilst suitably mitigating landscape impacts. The Applicant has thereby fully taken account of the Secretary of State's request; the submitted position is the result of this balancing exercise.

Para 69	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.

1. Starting position and subsequent reductions

The starting point is the Proposed Development as submitted with the DCO submission, with an installed capacity of 1,422 MWp on a pure installation area of approximately 843 ha.
The Proposed Development has since been reduced several steps, including:

- Change Request 2 of 12 September 2025 reduced the installed capacity to 1,270 MWp (approximately 753 ha).
- Change at Deadline 7 of 10.11.2025 for further archaeological protection reduced the installed capacity to 1260 MWp (approximately 747 ha)
- The Bat corridor implemented through a commitment in the oLEMP (Rev 8 [EN010147/APP/7.6.3]) further reduces the installed capacity potential to 1200 MWp (approximately 712 ha)
- Most recently and as part of the Applicant's response to the Secretary of State's RFI, the Applicant has proposed a new requirement for a residential and visual amenity plan which secures a buffer from all residential dwellinghouses of up to 250 m. Taking that buffer as a worst-case scenario (save for properties where lesser buffers have been agreed, as set out in the draft Requirement), the installed capacity is 935MWp (approximately 554 ha). 2. Primary economic criterion: LCOE against the achievable CfD strike.

During Examination, the OHA additionally proposed removals across three categories: heritage (approximately 16.2 ha), landscape (approximately 82.3 ha), and further landscape removals identified during the site inspection (approximately 199.4 ha). If these proposals were implemented in full, the Proposed Development would be reduced to approximately 685 MWp.

The Proposed Development carries substantial fixed infrastructure costs that are largely independent of installed capacity. These include engineering, civil works, the grid connection (400 kV), the substations, the high-voltage and 33 kV cable circuits, the river crossings, the site establishment works, construction supervision, and insurance.

As installed capacity falls, the fixed-cost block is spread across lower energy output. As a result, the percentage share of fixed costs in total CAPEX rises considerably: from approximately 52.5% at the DCO stage (1,422 MWp) to approximately 62.7% at the current planning position (935 MWp) and to approximately 69.6% at the configuration proposed by the OHA (685 MWp). At 685 MWp, therefore, almost 70% of the investment does not contribute to higher energy output. Accordingly, the capital cost per MWp, and hence the LCOE, rises.

The achievable CfD strike at commissioning (COD 2030) is approximately £71.8/MWh (base value £65/MWh, 2026 price base, plus contractual indexation). The current planning position of 935 MWp has an LCOE of approximately £69.3/MWh and therefore sits below the strike; it is economically viable. This margin is not a discretionary buffer but is already fully absorbed by the minimum risk allowance required for price, inflation and yield uncertainty; the submitted position therefore leaves no headroom for any further reduction in capacity. As capacity falls further, the LCOE reaches the strike just below the current planning position. At the OHA's proposed capacity of approximately 685 MWp, the LCOE is approximately £86.1/MWh and clearly exceeds the achievable strike; on this basis the Proposed Development would not be economically deliverable.

It must be emphasised that the CfD strike is to be understood solely as an orientation and upper bound, not as a regularly achievable maximum price. Revenues from corporate power purchase agreements (PPA's) may fall below the strike, giving rise to additional downside revenue risk; a significant exceedance of the strike is not to be expected under current and foreseeable market conditions. The strike of approximately £71/MWh is therefore to be regarded, in either direction, as an effectively fixed reference value (a realistic price ceiling).

2. Second criterion: Bankability (Debt-Service Cover Ratio)

The decisive metric for debt financing is the Debt-Service Cover Ratio (DSCR), with lender-required minimum (floor) of 1.20x under best case conditions. More common is a DSCR of 1.30x. A calculation of the DSCR for configurations below the current planning position (935 MWp) has not been carried out because once the levelised cost of energy exceeds the achievable CfD strike (Section 2), the economic basis of the Proposed Development falls away; debt financing would not be available under these conditions, so that any DSCR shown is to be regarded merely as a theoretical value without practical significance. The table below therefore shows a DSCR only for the economically viable configurations; for all other stages the value is marked "n/a".

3. Independent criterion: contractual connection capacity

Independently of the viability assessment, a remaining installed capacity of approximately 685 MWp would not enable the Applicant to meet its contractually agreed connection capacity with National Grid of 840 MW. This criterion rests on a contractual fact and is independent of the model-based assumptions.

4. Break-even capacity analysis

The table below shows the development of the relevant metrics across the capacity stages (CfD-supported revenue basis, P50 yield scenario for the Min DSCR). Highlighted are the DCO stage (1,422 MWp, blue), the current planning position (935 MWp, green), and the OHA proposal (685 MWp, orange).

DC capacity (MWp)	Installation area (ha)	CAPEX (£M)	CAPEX/MWp (£)	Fixed-cost share	LCOE (£/MWh)	Min DSCR (50)	Status
1,422	843	717.9	504,865	52.5%	57.37	1.9x	Generally viable
1,300	771	688.6	529,728	54.7%	59.90	1.9x	Generally viable
1,200	711	664.7	553,878	56.7%	62.35	1.9x	Generally viable
1,100	652	640.7	582,418	58.8%	65.24	1.8x	Generally viable
935	554	01	42,824	2.7%	9.3	n/a	Marginally Viable
870	516	585.4	672,920	64.3%	72.2	n/a	not viable

840	498	578.3	688,425	65.1%	73.7	n/a	not viable
800	474	568.7	710,850	66.2%	75.9	n/a	not viable
685	406	541.1	789,908	69.6%	83.6	n/a	not viable

5. Conclusion

The current planning position of 935 MWp, as submitted with this response to the Secretary of State, results from applying a maximum 250 m buffer to all residential dwellinghouses (save where a lesser buffer has been agreed, as set out in the draft Requirement) is just about economically viable, assuming availability of debt financing at favorable conditions. Further reduction to approximately 685 MWp in line with the OHA's proposals would not be deliverable for two independent reasons: first, the levelised cost of energy (approximately £86/MWh) would clearly exceed the achievable CfD strike, with the fixed-cost share rising to almost 70%, so that the Proposed Development would no longer be economically viable; second, the Proposed Development would fail to meet the contractual connection capacity of 840 MWp. For these reasons it was not possible for the Applicant to accept the OHA's proposed removals in their entirety. The proposals now made in this response though, including the new draft residential and visual amenity plan requirement and associated buffers, maximises the removal of acceptable solar removal in response to the OHA's concerns whilst retaining viability. It is clear that for the purpose of obtaining financing at market conditions the Proposed Development must be attractive for potential investors. As future electricity prices and inflation rates are unknown, the only available economic buffer is the generation capacity of the Proposed Development, and it is the Applicant must retain some flexibility to ensure certainty of deliverability.

Para 70	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.

There has been no further communications regarding the without prejudice offer as this has in effect been replaced by the Applicants offer to increase buffer distances around residential properties within and, where relevant, adjoining the site Order Limits. The OHA's were notified of this approach by email on 8th June 2026, once the Applicant knew they would not benefit from an extension to the deadline in order to continue their collaborative working arrangements with the OHA's.

Having re-engaged with the OHA (see exchanges at para 25 above), and the commencement of working collaboratively in resolving the differences between the parties, and to comprehensively address the SoFS questions, it was decided to update the Applicant RVAA and LVIA based on recommendation by Iceni Projects, the Applicants new landscape architects. Within the deadline set for responses, however, it was not possible to fully conclude matters so instead the Applicant, informed by its own viability assessment and initial assessment by Iceni, proposes an increase on buffer distance between residential properties and its development. The Applicant sent a draft Requirement to the OHA's explaining how the new buffers would be assessed, and submitted for approval by the OHA, but the OHA's did not have time to respond before making their own submissions to the SofS. The Applicant hopes to continue meeting with the OHA's in the expectation that they can reach some further agreement on this approach.

The Applicant has also met the OHA's to discuss ecology and waste matters. The status of any agreement in these topics is explained in answers relating to ecology and waste within this document.

Para 71(a–b)	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.

The Applicant confirms that, to reflect the reductions to the array layout offered in response to paragraph 68 above, it has provide updated Works Plans. These have been submitted as part of the Applicant's response

Para 71(c)	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: c. Appropriate modifications to the dDCO.

The Applicant confirms that, to reflect the reductions to the array layout offered in response to paragraph 68 above, it will provide appropriate modifications to the draft Development Consent Order. These will be submitted as part of the Applicant's response

Para 71(d)	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: 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.

The Applicant provides a full list of updated and new documents in its covering letter to this submission as well as an updated version of the Guide to the Application.

Para 71(e)	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: e. An updated outline Landscape and Ecological Management Plan.

The Applicant provides a full list of updated and new documents in its covering letter to this submission as well as an updated version of the Guide to the Application.

Para 71(f)	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: 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.

As set out in paragraph 33 above, the Applicant has developed an Outline Skylark Compensation Strategy (oSCS) in consultation with the OHA. This sets out the process by which the final requirements for any offsite provision of compensatory skylark habitat would be determined including the steps to be undertaken when determining the carrying capacity of the final masterplan. The increase in buffer distance from the sensitive landscape receptors presents the opportunity for further onsite mitigation for ground nesting birds. As such, the revised oLEMP Rev 8 [**EN010147/APP/7.6.3**] submitted with this response has been updated to explicitly reference the management of these areas as being similar to those retained for the protection of buried archaeology. The Applicant has updated the draft DCO to include a commitment to deliver a Skylark Compensation Strategy (substantially in accordance with the outline Skylark Compensation Strategy) in a new Requirement 16.

Para 71(g)	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: g. An updated Book of Reference, Status of Negotiations, Statement of Reasons, Schedule of Changes and Lands Rights and Negotiation Tracker.

The Applicant confirms that, to reflect the reductions to the array layout offered in response to paragraph 68 above and the amending of plot 6-05, 6-08, 12-08 and 12-09 to white as per the Land Plans as they are no longer required as part of the Application, and it has provided updated copies of the Book of Reference, Schedule of Changes, Status of Negotiation, Statement of Reasons and Land and Rights Negotiation Tracker.

Para 71(h)	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: h. An updated Outline Decommissioning Management Plan.

The Applicant has submitted an updated Outline Decommissioning Management Plan to provide further clarification on the proposed decommissioning of the solar panels (see response in Para 52). No updates are required as a result of the newly proposed layout.

Para 71(i)	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: i. Confirmation of total proposed reduction in land and generating capacity.

The Applicant confirms the total proposed reduction in land and generating capacity below, measured against the application as first submitted in November 2024.
As first submitted in November 2024, the Proposed Development comprised a total area within the Order Limits of approximately 1,418 ha, a solar installation area of approximately 843 ha, and an installed capacity of approximately 1,422 MWp.

Following the reductions made through the Examination and the further reductions now offered as part of this Applicant response to the Secretary of States' RfI, the Proposed Development comprises a solar installation area of approximately 554 haand an installed capacity of approximately 935 MWp.This figure reflects the application of the maximum 250 m buffer to residential properties (save for properties where lesser buffers have been agreed, as set out in the draft Requirement)

The cumulative changes to the scheme that give rise to this reduction are set out in full in the Applicant's change process document [Appendices A and B Change process Plan and Change process table – Project amendments since submission highlighting Application of Mitigation Hierarchy], which records each change made to the Proposed Development through the Examination and the further refinements now offered.
This represents a total reduction of approximately 320 MWpof installed capacity, or approximately 34% of the installed capacity of the Proposed Development as first submitted.

The reductions have been made in stages, as summarised below:

- Application as submitted (November 2024): approximately 1,422 MWp;
- Change Request 2 (September 2025): approximately 1,270 MWp;
- Deadline 7 (November 2025): approximately 1,260 MWp; and
- Further reductions now offered in response to paragraph 68: approximately935 MWp.

The Project amendments are set out in full in the Applicant's change process document accompanying this submission.

The total reduction in solar installation area and installed capacity is also reflected in the updated Masterplan and the Environmental Statement Addendum.

Paras 71(j)–72	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: 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.

The Applicant provides a full list of updated and new documents in its covering letter to this submission as well as an updated version of the Guide to the Application.

The Applicant confirms that the baseline data remains valid and has assessed all relevant changes in the ES Addendum accompanying this response.

Appendix A: Change Process Plan

250m buffer

Removal of solar installation area for bat corridor

CR 2: Change 5 - Removal of solar installation area to increase buffer to water course

Removal of solar installation area for further archeological protection and management

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Scale: 1:1000

CR 2: Change 7 - reduction in order limit

Legend

- Site location and order limits
- Order limits alteration
- Fence
- Watercourse
- Public Rights of Way
- Indicative maintenance road
- Solar panels and conservation grazing areas
- Areas of archeological interest
- Project secondary substation
- Potential for substation to be removed
- Field numbering X.XX
- Cumulative changes to the scheme:
- Change Request 2 (CR 2)
- Deadline 7
- Bat corridor
- Indicative 250m buffer *
- Change description XXX

* The current position reflects the application of the maximum 250 m buffer to residential properties within a buffer range of 100–250 m (save for properties where lesser buffers have been agreed, as set out in the draft Requirement). It therefore represents the maximum extent of panel removal that the buffer range produces.
The precise alignment, shape and size of the buffer will be the subject of approval by the OHA.

Project				Status		
Botley West Solar Farm				Illustrative		
Id.	Changes	Date	Name		Date	Name
				Edit	09.06.2026	K. Lueken
				Check	09.06.2026	R. Khabthani
				Appendix A		
A	Created	09.06.2026	K. Lueken			

0 225 450 Meter

Scale: 1:7500 at A0

Title: Change Process Plan - Project Amendments since Submission highlighting Application of Mitigation Hierarchy Northern Part

Photovolt Development Partners GmbH
Kurfürstendamm 52
10707 Berlin, Germany

Scale: 1:3000

CR 2: Change 1 - reduction in order limits boundary and removal of solar installation area for further visual protection

250m buffer

New location of construction compound after SoS request

CR 2: Change 2 - new location of secondary

Removal of solar installation area for bat corridor

250m buffer

CR 2: Change 2 - reduction in oder limits boundary and removal of solar installation area near to Oxford airport

S51 Response: Removal of solar installation area for further archeological protection and management

250m buffer

250m buffer

S51 Response: Reduction in order limits boundary

CR 2 : Change 4 - reduction in order limits boundary, removal of solar installation and new hedgerow and trees planting

250m buffer

250m buffer

CR 2: Change 5 - Removal of solar installation area to increase buffer to water course

250m buffer

250m buffer

Legend

- Site location and order limits
- Order limits alteration
- Fence
- Watercourse
- Public Rights of Way
- Indicative maintenance road
- Solar panels and conservation grazing areas
- Areas of archeological interest
- Project secondary substation
- Potential for substation to be removed
- Project secondary substation - new location
- New location of construction compound
- Field numbering X.XX
- Cumulative changes to the scheme:
- S51 Response
- Change Request 2 (CR 2)
- Bat corridor
- Indicative 250m buffer *
- Change description XXX

* The current position reflects the application of the maximum 250 m buffer to residential properties within a buffer range of 100–250 m (save for properties where lesser buffers have been agreed, as set out in the draft Requirement). It therefore represents the maximum extent of panel removal that the buffer range produces.
The precise alignment, shape and size of the buffer will be the subject of approval by the OHA.

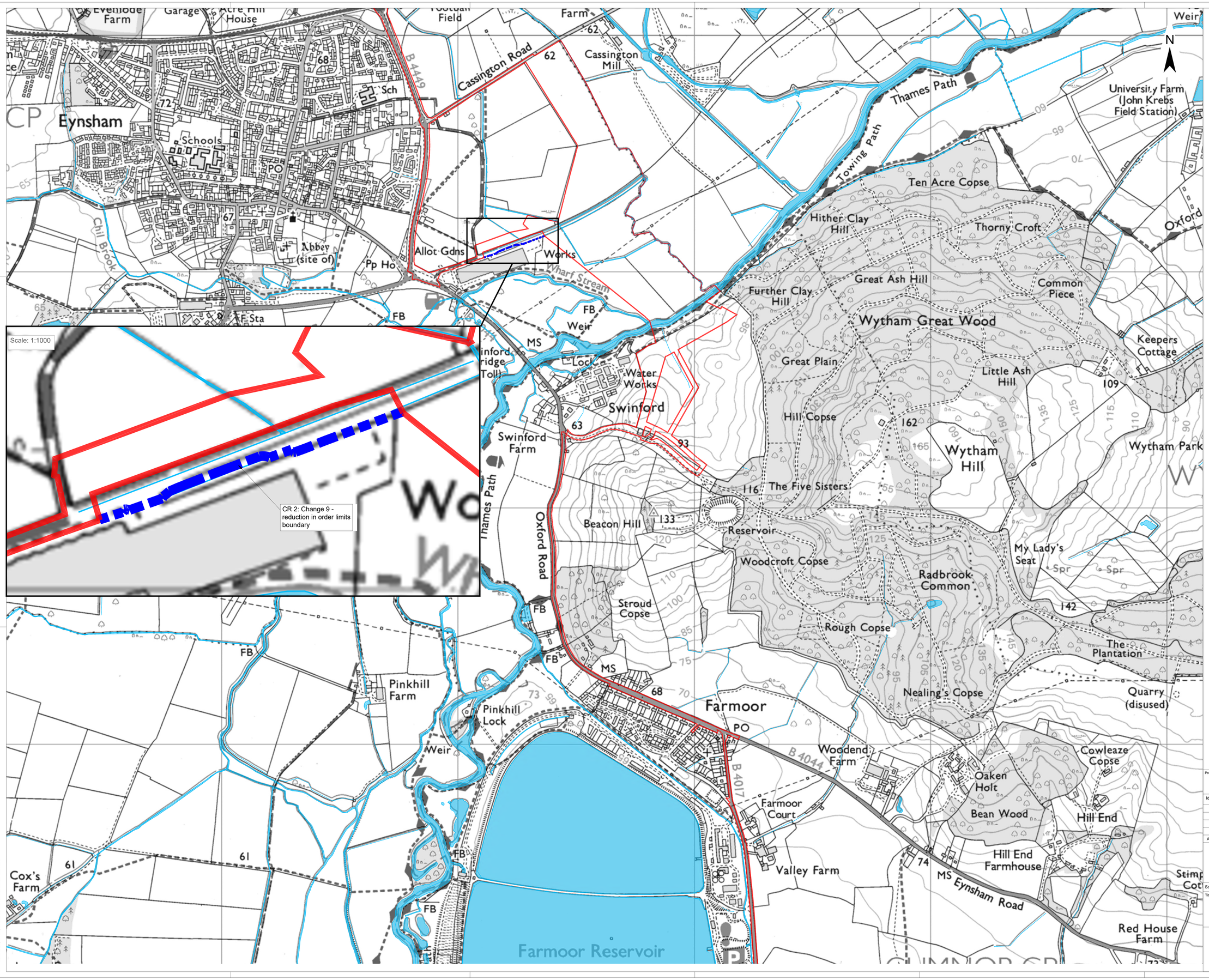
Project				Status		
Botley West Solar Farm				Illustrative		
Id.	Changes	Date	Name		Date	Name
				Edit	09.06.2026	K. Lueken
				Check	09.06.2026	R. Khabthani
				Appendix A		
A	Created	09.06.2026	K. Lueken			

0 225 450 Meter

Scale: 1:7500 at A0

Title: Change Process Plan - Project Amendments since Submission highlighting Application of Mitigation Hierarchy Middle_1 Part

Photovolt Development Partners GmbH
Kurfürstendamm 52
10707 Berlin, Germany



Project				Status		
Botley West Solar Farm				Illustrative		
Id.	Changes	Date	Name		Date	Name
				Edit	09.06.2026	K. Lueken
				Check	09.06.2026	R. Khabthani
				Appendix A		
A	Created	09.06.2026	K. Lueken			

0 150 300 Meter

Scale: 1:5000 at A0

Title: Change Process Plan - Project Amendments since Submission highlighting Application of Mitigation Hierarchy Middle_2 Part

Photovolt Development Partners GmbH
Kurfürstendamm 52
10707 Berlin, Germany

Reservoir

CUMNOR CP

Red House Farm

Filchampstead

Oxford Greenbelt Way

Jumpers

Bushy Leaze Copse

Whitley Brake

Upper Whitley Farm

Tumbledowns

New Farm

Saddle Copse

School

62

73

92

105

3.1

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3.15

3.17

CR 2: Change 6 - additional solar installation area

CR 2: Change 5 - removal of solar installation overlapping with floodzones

250m buffer

Removal of solar installation area for bat corridor

250m buffer

CR 2: Change 5 - Removal of solar installation area to increase buffer to watercourse

250m buffer

200m buffer

N

Legend

- Site location and order limits
- Order limits alteration
- Fence
- Watercourse
- Indicative maintenance road
- Solar panels and conservation grazing areas
- Areas of archeological interest
- Potential for substation to be removed
- Project main substation
- NGET main substation
- Field numbering: X.XX
- Cumulative changes to the scheme:
- Change Request 2 (CR 2)
- Bat corridor
- Indicative 250m buffer *
- Change description: XXX

* The current position reflects the application of the maximum 250 m buffer to residential properties within a buffer range of 100–250 m (save for properties where lesser buffers have been agreed, as set out in the draft Requirement). It therefore represents the maximum extent of panel removal that the buffer range produces.
The precise alignment, shape and size of the buffer will be the subject of approval by the OHA.

Project				Status		
Botley West Solar Farm				Illustrative		
Id.	Changes	Date	Name		Date	Name
				Edit	09.06.2026	K. Lueken
				Check	09.06.2026	R. Khabthani
				Appendix A		
A	Created	09.06.2026	K. Lueken			

0 75 150 Meter

Scale: 1:2500 at A0

Title

Change Process Plan -
Project Amendments since Submission highlighting Application of Mitigation Hierarchy Southern Part

Photovolt Development Partners GmbH
Kurfürstendamm 52
10707 Berlin, Germany

Appendix B: Change Process Table - Project Amendments since Submission highlighting Application of Mitigation Hierarchy

PHOTOVOLT DEVELOPMENT PARTNERS

Change Process Table - Project Amendments since Submission highlighting Application of Mitigation Hierarchy

	Action: remove land / Installation area	Total Redline Area	Total installation area	Removed Redline area	Removed installation area	Installed capacity removed / added	Installed capacity remaining	Modules	DC/AC Ratio	AC Before Loss	Electrical Losses	AC Output at POI
DCO Submission (11.2024)	**Done**	**1418 ha**	**842.97 ha**	**-**	**-**	**-**	**1422 MWp**	**2,122,410**	**1.60**	**890 MW**	**50 MW**	**840 MW**
Removal of plot 6-17	Yes	-	-	-0.015 ha	-	-	-	-	-	-	-	-
Archeology losses	Yes	-	-	-	-0.47 ha	-	-	-	-	-	-	-
S51 response (03.02.2025)	**Done**	**1418 ha**	**842.50 ha**	**-0.015 ha**	**-0.47 ha**	**-0.8 MWp**	**1421 MWp**	**2,121,227**	**1.60**	**890 MW**	**50 MW**	**840 MW**
Historic england	Yes	-	-	-31 ha	-42.3 ha	-	-	-	-	-	-	-
Oxford Airport	Yes	-	-	-46.55 ha	-40.8 ha	-	-	-	-	-	-	-
Cooke land	Yes	-	-	-11.78 ha	-6.26 ha	-	-	-	-	-	-	-
Floodzone overlap removal	Yes	-	-	-	-0.71 ha	-	-	-	-	-	-	-
Additional instal. Area in Denmans	Yes	-	-	-	2.41 ha	-	-	-	-	-	-	-
OCC removal	Yes	-	-	0.0041 ha	-	-	-	-	-	-	-	-
Wharf road	Yes	-	-	-	-0.6 ha	-	-	-	-	-	-	-
Buffer 10m to water course	Yes	-	-	-	-2 ha	-	-	-	-	-	-	-
Change Request 2 (12.09.2025)	**Done**	**1328 ha**	**752.72 ha**	**-90 ha**	**-89.78 ha**	**-151.5 MWp**	**1270 MWp**	**1,895,181**	**1.43**	**890 MW**	**50 MW**	**840 MW**
Archeology losses	Yes	-	-	-	-6 ha	-	-	-	-	-	-	-
Deadline 7 (10.11.2025)	**Done**	**1328 ha**	**746.72 Ha**	**-**	**-6 ha**	**-10.1 MWp**	**1260 MWp**	**1,880,074**	**1.42**	**890 MW**	**50 MW**	**840 MW**
250m Buffer to all properties	Yes	-	593.8 ha	-	-152.92 ha	-258.0 MWp	1002 MWp	1,495,056	1.13	890 MW	50 MW	840 MW
New Bat corridor	Yes	-	-	-	-34.91 ha	-58.9 MWp	-	-	-	-	-	-
SoS - Oxford Airport Panels removal	Yes	-		-	-1.64 ha	-2.8 MWp	-	-	-	-	-	-
Post Examination (New Without prejudice offer + Bat Corridor)		**1328 ha**	**557.25 ha**	**-**	**-189.47 ha**	**-319.6 MWp**	**940.03 MWp**	**1,403,031**	**1.06**	**890 MW**	**50 MW**	**840 MW**
NG Area	**Inside our Boundary**		**554.45 ha**		**-2.80 ha**	**-4.7 MWp**	**935.31 MWp**	**1,395,981**	**1.05**	**890 MW**	**50 MW**	**840 MW**

Result	**Remaining Redline Area**	**Remaining installation area**	**Removed Redline area**	**Removed installation area**	**Installed capacity removed**	**Installed capacity remaining**	**Modules**	**DC/AC Ratio**	**AC Before Loss**	**Electrical Losses**	**AC Output at POI**
	1328 ha	**554.45 ha**	**-89.88 ha**	**-288.52 ha**	**-486.68 MWp**	**935.31 MWp**	**1,395,981**	**1.05**	**890 MW**	**50 MW**	**840 MW**

Appendix C: Letter of No Impediment Natural England's Wildlife – Dormouse

Date: 18 November 2025
Our ref: 2025-72442-EPS-NSIP
(NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT)

Sent by e-mail only

Wildlife licensing
Natural England
Horizon House
Deanery Road
Bristol
BS1 5AH
Email: wildlife@naturalengland.org.uk
Tel: 020 8026 1089

Dear Nick Betson,

DRAFT MITIGATION LICENCE APPLICATION STATUS: INITIAL DRAFT APPLICATION

LEGISLATION: THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (as amended) & THE WILDLIFE AND COUNTRYSIDE ACT 1981 (as amended)

NSIP: Botley West Solar Farm

SPECIES: Hazel Dormouse (*Muscardinus avellanarius*).

Thank you for your subsequent draft hazel dormouse mitigation licence application in association with the above NSIP site, received in this office on the 8th October 2025. As stated in our published guidance, once Natural England is content that the draft licence application is of the required standard, we will issue a 'letter of no impediment'. This is designed to provide the Planning Inspectorate and the Secretary of State with confidence that the competent licensing authority sees no impediment to issuing a licence in future, based on information assessed to date in respect of these proposals.

Assessment

Following our assessment of the resubmitted draft application documents, I can now confirm that, on the basis of the information and proposals provided, Natural England sees no impediment to a licence being issued, should the DCO be granted.

However, please note the following issues have been identified within the current draft of the method statement that will need to be addressed in full before the licence application is formally submitted. Please ensure that the method statement is revised to include these changes prior to formal submission. For clarity these include:

- Clarifications regarding surveys. Currently, it is unclear why areas that underwent surveys but did not confirm dormouse presence are scoped into the impacts, mitigation and compensation sections. Please see the accompanying PSS Response Form for further information.
- Some additional clarification required in relation to impacts, mitigation, compensation, monitoring, management and maintenance. Please see the accompanying PSS Response Form for further information.

- Licensable documents including Figures and the Work Schedule need to be updated for any formal licence submission.

Reasoned Statement – Imperative Reasons of Overriding Public Interest Test & No Satisfactory Alternative Test

A draft Reasoned Statement was not provided so Natural England have not assessed these two tests.

Next Steps

Should the DCO be granted then the mitigation licence application must be formally submitted to Natural England. At this stage any modifications to the timings of the proposed works, e.g. due to ecological requirements of the species concerned, must be made and agreed with Natural England before a licence is granted.

If other minor changes to the application are subsequently necessary, e.g. amendments to the work schedule/s then these should be outlined in a covering letter and must be reflected in the formal submission of the licence application. These changes must be agreed by Natural England before a licence can be granted. If changes are made to proposals or timings which do not enable us to meet reach a 'satisfied' decision, we will issue correspondence outlining why the proposals are not acceptable and what further information is required. These issues will need to be addressed before any licence can be granted.

I should also be grateful if an open dialogue can be maintained with yourselves regarding the progression of the DCO application so that, should the Order be granted, we will be in a position to assess the final submission of the application in a timely fashion and avoid any unnecessary delay in issuing the licence.

I hope the above has been helpful. However, should you have any queries then please do not hesitate to contact me.

Yours sincerely,
Chloe Lake

Higher Wildlife Licensing Officer
Chargeable Advice and Strategic Casework Team
Natural England's Wildlife Licensing Service

E-mail: Chloe.Lake@naturalengland.org.uk

Annex A - Guidance for providing further information or formally submitting the licence application.

Important note: when submitting your formal application please mark all correspondence 'FOR THE ATTENTION OF CHLOE LAKE'.

Submitting Documents.

Documents must be sent to the Natural England Wildlife Licensing Service (postal and email address at the top of this letter).

Changes to Documents – Reasoned Statement/Method Statement.

Changes must be identified using one or more of the following methods:

- underline new text/strikeout deleted text;
- use different font colour;
- block-coloured text, or all the above.

Method Statement

When submitting a revised Method Statement please send us one copy on CD, or by e-mail if less than 5MB in size, or alternatively three paper copies. The method statement should be submitted in its entirety including all figures, appendices, supporting documents. Sections of this document form part of the licence; please do not send the amended sections in isolation.

Appendix D: Letter of No Impediment Natural England's Wildlife - Great crested newt

Date: 20 January 2026
Our ref: 2025-72490-EPS-NSIP
Your ref: Botley West Solar Farm (GCN)

Sent by e-mail only

Wildlife licensing
Natural England
Horizon House
Deanery Road
Bristol
BS1 5AH
Email:
wildlife@naturalengland.org.uk
Tel: 020 8026 1089

Dear Nick Betson,

DRAFT MITIGATION LICENCE APPLICATION STATUS: Initial Draft Licence Application

LEGISLATION: The Conservation of Habitats and Species Regulations 2017 (as amended).

NSIP: Botley West Solar Farm.

SPECIES: Great Crested Newt (*Triturus cristatus*).

Thank you for your initial draft Great Crested Newt (GCN) mitigation licence application in association with the above NSIP site, received in this office on the 17 October 2025. As stated in our published guidance, once Natural England is content that the draft licence application is of the required standard, we will issue a 'letter of no impediment'. This is designed to provide the Planning Inspectorate and the Secretary of State with confidence that the competent licensing authority sees no impediment to issuing a licence in future, based on information assessed to date in respect of these proposals.

Assessment

Following our assessment of the submitted draft application documents, I can now confirm that, on the basis of the information and proposals provided, Natural England sees no impediment to a licence being issued, should the DCO be granted.

However, please note the following issues have been identified within the current draft of the method statement that will need to be addressed before the licence application is formally submitted. Our Wildlife Adviser, Annette Coster, discussed this matter with Nick Betson via an MS Teams meeting on 09 December 2025, where it was confirmed that the necessary amendments would be made. Please ensure that the method statement is revised to include these changes prior to formal submission. For clarity these include:

- Named Ecologist – An ecologist who has been named on a GCN mitigation licence, and completed high-risk activities (such as newt capture, hand searches, destructive searches and/or pond drain down) as part of that licence, within the last three years should be proposed for the licence. Alternatively, a new ecologist or an ecologist with less recent experience can be proposed, but at least two sufficiently detailed reference statements should be submitted with the application.

- Survey:
  - Natural England supports the proposal to update all surveys before a licence application is formally submitted. The relevant documents should be amended following the surveys to reflect the results.
  - Please ensure that all of the survey tables within the GCN Method Statement document are fully completed and that the results are consistent throughout the licence application.
  - As HSI surveys can be subjective, Natural England advises surveying all waterbodies within the survey area via eDNA surveys, unless they are visibly very unsuitable for GCN.
  - If the updated surveys are to be completed more than three months prior to the formal licence application being submitted, a walkover survey will be required. The date of the walkover survey must be detailed in the green text box, with confirmation of any changes that have occurred to the terrestrial or aquatic habitats since the surveys were undertaken.
  - Natural England advises modifying the qualitative site assessment to 'moderate – breeding on site; habitats common in area' as GCN eggs were found in pond P47. If the updated surveys do not identify GCN eggs in any waterbody, then the 'minor' assessment currently detailed would be considered acceptable.
  - Any constraints encountered during the updated surveys must be acknowledged in the second orange text box in Section C5 of the GCN Method Statement document. As well as this, justification must be provided in the third text box to explain why the constrained data is considered to accurately represent the size of the GCN population(s) present.
  - We recommend amending Figure C3.2a to highlight any ponds that have confirmed GCN presence via population size class assessment surveys, as well as ponds that tested positive for GCN eDNA. We also advise using different colours to represent the waterbodies as the two shades of grey and the black can be difficult to distinguish between.
  - Natural England highly recommends providing recent photographs of the GCN ponds, habitats to be impacted, and receptor areas as part of the formal licence application to aid with the assessor's understanding of the site. Each photograph should be labelled with the date it was taken.
- Impacts:
  - Due to the size of the scheme, consideration should be given as to whether the GCN licence should include the entirety of the Order Limits to prevent an offence being committed under the relevant legislation, or whether a licence will only be required within certain areas of the Order Limits. The total area of development detailed in Section D1 of the GCN Method Statement should reflect the area to be included in the licence boundary.
  - Impacts should be considered in the absence of mitigation and compensation.
  - The likelihood of impacting GCN during the maintenance of the solar farm should be considered as a post-development impact.

- We recommend amending Figure D so that the habitats that will be permanently destroyed as part of the development are clearly shown, the buffer zones around the GCN ponds are detailed in the legend, and the colours and patterns detailed in the legend match what is shown in the figure.

- Mitigation:

  - As three receptor areas are proposed, details for all of them must be provided in Tables E2.3, E2.4 and E2.5.

  - If a traditional trapping and translocation programme is not to be proposed for this scheme, Natural England will need to be presented with sufficient justification as to why this is not considered necessary to prevent negative impacts occurring to the Favourable Conservation Status of the local GCN population, and, with appropriate detail about which mitigation measures will be employed in lieu of the typically expected approaches.

  - No mitigation measures have been proposed within 500m of pond P64. If mitigation measures are not to be used in this area, Natural England will expect justification to be provided in Section E4 of the Method Statement document to explain why they are not considered necessary.

  - The use of amphibian fencing must be included in Table E4 and the location of the fencing shown on Figure E4a.

  - The number of days when hand searches and destructive searches will occur must be detailed in Table E4.

- Compensation:

  - Natural England are broadly satisfied with the habitat creation proposals detailed in 'Botley West Solar Farm Outline Landscape and Ecology Management Plan November 2025' document reference: EN010147/APP/7.6.3. However, as the types and amounts of habitats that will be provided for GCN have not been finalised at this time, Natural England would like to highlight that we will only be able to grant a licence for this scheme if the GCN compensatory habitats are considered to be of a suitable quality and quantity, and will not result in any negative impacts occurring to the Favourable Conservation Status of the local GCN population(s).

  - Natural England expects developments to provide suitable quantities of compensatory habitats so that there will be no net loss. If some net loss is unavoidable, Section E3 of the Method Statement document will need to include sound ecological justification to explain why the habitat measures proposed are considered sufficient to compensate fully for the impacts of the scheme.

- Post-development monitoring – Natural England are unable to comment on the suitability of the proposed population monitoring plan in the absence of the updated survey information. We recommend using the table included in the 'Post development monitoring advice and guidance section' located within the 'Instructions' tab of the GCN Method Statement document to determine a proportionate level of population monitoring based on the impacts of the scheme and the size of the GCN populations present.

- Site Safeguard – Natural England recommends providing evidence of the mechanism that is in place to ensure that GCN and their habitats will be protected from future development.

- Work Schedule - The timings will need to be adjusted so that they are accurate and realistic at the time of submission. Timings and comments must be provided for the installation and

removal of the newt fencing, and comments included for 'receptor site terrestrial hab works – features' to detail the type of feature(s) that is to be created. The years of monitoring detailed in Section E6b must be consistent with Section E5.2 of the Method Statement document.

- Figures:

  - Licensable figures should be dated in the dd/mm/yy format.

  - If specific parts of the Order Limits are to be covered by the GCN licence, the licence boundary should be shown on all figures in a different colour.

Next Steps

Should the DCO be granted then the mitigation licence application must be formally submitted to Natural England. At this stage any modifications to the timings of the proposed works, e.g. due to ecological requirements of the species concerned, must be made and agreed with Natural England before a licence is granted.

If other minor changes to the application are subsequently necessary, e.g. amendments to the work schedule/s then these should be outlined in a covering letter and must be reflected in the formal submission of the licence application. These changes must be agreed by Natural England before a licence can be granted. If changes are made to proposals or timings which do not enable us to meet reach a 'satisfied' decision, we will issue correspondence outlining why the proposals are not acceptable and what further information is required. These issues will need to be addressed before any licence can be granted.

I should also be grateful if an open dialogue can be maintained with yourselves regarding the progression of the DCO application so that, should the Order be granted, we will be in a position to assess the final submission of the application in a timely fashion and avoid any unnecessary delay in issuing the licence.

I hope the above has been helpful. However, should you have any queries then please do not hesitate to contact me.

Yours sincerely,
Annette Coster

Higher Wildlife Licensing Officer
Chargeable Advice and Strategic Casework Team
Natural England's Wildlife Licensing Service
Tel: 07760998439
E-mail: Annette.Coster@naturalengland.org.uk

Annex - Guidance for providing further information or formally submitting the licence application.

Important note: when submitting your formal application please mark all correspondence 'FOR THE ATTENTION OF ANNETTE COSTER – CASC TEAM.

Submitting Documents.

Documents must be sent to the Natural England Wildlife Licensing Service (postal and email address at the top of this letter).

Changes to Documents –Reasoned Statement/Method Statement.

Changes must be identified using one or more of the following methods:

- underline new text/strikeout deleted text;
- use different font colour;
- block-coloured text, or all the above.

Method Statement

When submitting a revised Method Statement please send us one copy on CD, or by e-mail if less than 5MB in size, or alternatively three paper copies. The method statement should be submitted in its entirety including all figures, appendices, supporting documents. Sections of this document form part of the licence; please do not send the amended sections in isolation.

Appendix E: Botley West Soakaway Testing Report_V1

PhotoVolt Development Partners

Soil Infiltration Testing

Botley West Solar Farm

794-PLN-NPI-00019

Version 1

22 May 2026

Tetra Tech Cardiff, 1st Floor, Hodge House, 114-116 St Mary's Street, CF10 1DY

Document status

Document status					
Version	**Purpose of document**	**Authored by**	**Reviewed by**	**Approved by**	**Date**
1	Draft	O. Davies	M. Barker	M. Barker	22/05/2026

Approval for issue		
Mike Barker	Technical Director	22 May 2026

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1.0 Introduction

1.1 Tetra Tech Consulting Ltd (Tt) was commissioned by PhotoVolt Development Partners, the Client, to undertake infiltration testing in an area of the Botley West Solar Farm Site, herein referred to as the Assessment Site.

1.2 A substation is proposed to be built at the Assessment Site as part of the wider Botley West Solar Farm development. The Assessment Site is located east of Cumnor Road and is approximately centred at E445270, N205347.

1.3 The purpose of the ground investigation and soakaway testing was to determine the infiltration characteristics of the shallow natural soils at the Assessment Site.

1.4 It is understood that the infiltration testing to establish if an infiltration based drainage solution is viable at the Assessment Site.

2.0 Site Setting

2.1 The Assessment Site comprises agricultural fields used for arable farming, with drainage ditches running along the perimeter of the fields. The Assessment Site is immediately north of the village of Cumnor, with surrounding land use predominantly comprising agricultural land with Farmoor Reservoir located approximately 200m to the northwest.

2.2 The Assessment Site is generally flat.

2.3 According to the British Geological web viewer the Assessment Site appears to be underlain by bedrock comprising the Oxford Clay Formation and West Walton Formation with no mapped superficial deposits recorded to be present.

2.4 The Oxford Clay Formation generally comprises of silicate mudstone with sporadic beds of argillaceous limestone nodules. The West Walton Formation comprises calcareous mudstone, silty mudstone and siltstone, with subordinate fine-grained sandstones and argillaceous limestone (cementstone) or siltstone nodules.

3.0 Ground Investigation

3.1 The site works were undertaken between the 19th and 20th of May 2026 and comprised the excavation of four trial pits and soakaway testing within the excavated trial pits. A Tt Geoenvironmental Consultant was present on site for the duration of the works in order to observe and record the soakaway testing results.

3.2 Methodology

3.2.1 A total of four trial pits (SA01 to SA04) were excavated to depths ranging between 1.70 and 2.20 metres below ground level (mbgl). All pits were excavated to the

approximate dimensions of between 0.70 and 0.90 m wide, and between 1.50 and 2.50 m in length. Ground conditions were logged by the Tt consultant in accordance with BS 5930:2015+A1:2020. The encountered ground conditions are presented in detail in 3.3.

3.2.2 The approximate Eastings and Northings of the four soakaway tests are presented in Table 3-1.

Table 3-1: Approximate National Grid References of Soakaway Tests

Soakaway Location	Approximate Coordinates (Easting, Northings)
SA01	E445155 , N205346
SA02	E445239 , N205365
SA03	E445255 , N205311
SA04	E445322 , N205382

3.2.3 The locations of the four soakaway tests are shown on the Exploratory Hole Plan presented in Appendix A.

3.2.4 The soakaway tests were undertaken in accordance with the methodology outlined within BRE Digest 365 ‘Soakaway Design’.

3.2.5 Once excavated, test pits SA01 to SA04 were filled with water from the bowser via a 20 mm diameter semi-rigid hose extended into the base of the pit. Water was added to depths of between 0.73 m and 1.18 metres below ground level (mbgl). The water levels within each test pit were then measured at set time intervals.

3.2.6 An infiltration test can be terminated once the water level falls to 25% of the filled depth or less. This was not achieved during any of the tests undertaken therefore the test was left to run for 24 hours at locations SA01 and SA02, and six hours for locations SA03 and SA04.

3.2.7 A selection of soakaway testing photographs are presented in Appendix C.

3.3 Encountered Ground Conditions

3.3.1 The ground conditions encountered at the Assessment Site are presented in Table 3-2.

Table 3-2: Summary of Encountered Ground Conditions

Soakaway Location	Strata Depth (mbgl)	Strata Description
SA01	0.00 – 0.50	Firm to stiff brown slightly sandy slightly gravelly silty CLAY. Gravel is fine to medium, subangular to rounded limestone and mudstone (TOPSOIL).
	0.50 – 0.80	Firm, locally soft to firm light brown sandy very gravelly CLAY. Gravel is fine to medium, subangular to rounded limestone and some flint.
	0.80 – 1.40	Firm, locally firm to stiff blue grey slightly gravelly silty CLAY. Gravel is fine to medium, subrounded to subangular mudstone.
	1.40 – 2.00	Stiff blue grey silty CLAY with frequent mudstone lithorelicts.
SA02	0.00 – 0.30	Firm to stiff brown slightly sandy slightly gravelly silty CLAY. Gravel is fine to medium, subangular to rounded limestone and mudstone (TOPSOIL).
	0.30 – 2.00	Stiff, locally firm brownish grey silty CLAY. Rare small lenses of soft brown sandy clay. Rare fine to medium subangular mudstone gravel.
	2.00 – 2.20	Stiff grey silty CLAY with frequent mudstone lithorelicts.
SA03	0 – 0.35	Firm to stiff brown slightly sandy slightly gravelly silty CLAY. Gravel is fine to medium, subangular to rounded limestone and mudstone (TOPSOIL).
	0.35 – 1.70	Stiff, locally firm brownish grey silty CLAY. Rare small lenses of soft brown sandy clay. Rare fine to medium subangular mudstone gravel.
SA04	0.00 – 0.30	Firm to stiff brown slightly sandy slightly gravelly silty CLAY. Gravel is fine to medium, subangular to rounded limestone and mudstone (TOPSOIL).
	0.30 – 1.80	Stiff, locally firm brownish grey silty CLAY. Rare small lenses of soft brown sandy clay. Rare fine to medium subangular mudstone gravel.

3.3.2 The ground conditions were generally consistent across all pit locations. All test pits encountered topsoil underlain by stiff, locally firm silty clay with variable gravel content inferred to be weathered Oxford Clay Formation and West Walton Formation.

3.3.3 At SA01 a brown sandy very gravelly clay was encountered immediately underlaying the topsoil.

3.3.4 No groundwater was encountered during the excavation of any of the trial pits.

3.4 Soakaway Testing Results

3.4.1 At locations SA01 and SA02 a fall of 0.04m and 0.01 m was recorded respectively across a 24 hour test period. At locations SA03 and SA04 a fall of 0.01m was recorded at both locations across a 6 hour period.

3.4.2 Infiltration rates are calculated by measuring the time taken for the water level to fall from 75% to 25% effective storage depth in the test pit.

3.4.3 A fall from 75% to 25% effective storage depth was not achieved in any of the test pits within the test durations. However, a sufficient fall was recorded within SA01 to enable an indicative infiltration rate to be estimated based on extrapolated data. An infiltration rate of 1.84^{-7} m/s has been calculated at test location SA01.

3.4.4 An infiltration rate could not be calculated for the remaining test pits due to the insufficient fall in the water level recorded. The infiltration rates at these locations are therefore considered negligible. Due to the low infiltration rates within each test pit only one test cycle at each location could be completed within the duration of the siteworks.

3.4.5 The calculated infiltration rates and test data for each test pit is presented in Appendix B.

4.0 Conclusions

4.1.1 Tetra Tech Consulting Ltd (Tt) was commissioned to undertake infiltration testing at four locations (SA01 to SA04) across the Assessment Site.

4.1.2 Low infiltration rates have been recorded at all test locations. Due to such small falls in water levels across the test period, infiltration rates have not been able to be calculated for locations SA02, SA03 and SA04. The infiltration rates at these locations are therefore considered negligible.

4.1.3 An infiltration rate of 1.84^{-7} m/s has been calculated at test location SA01.

Appendix A: Site Plans

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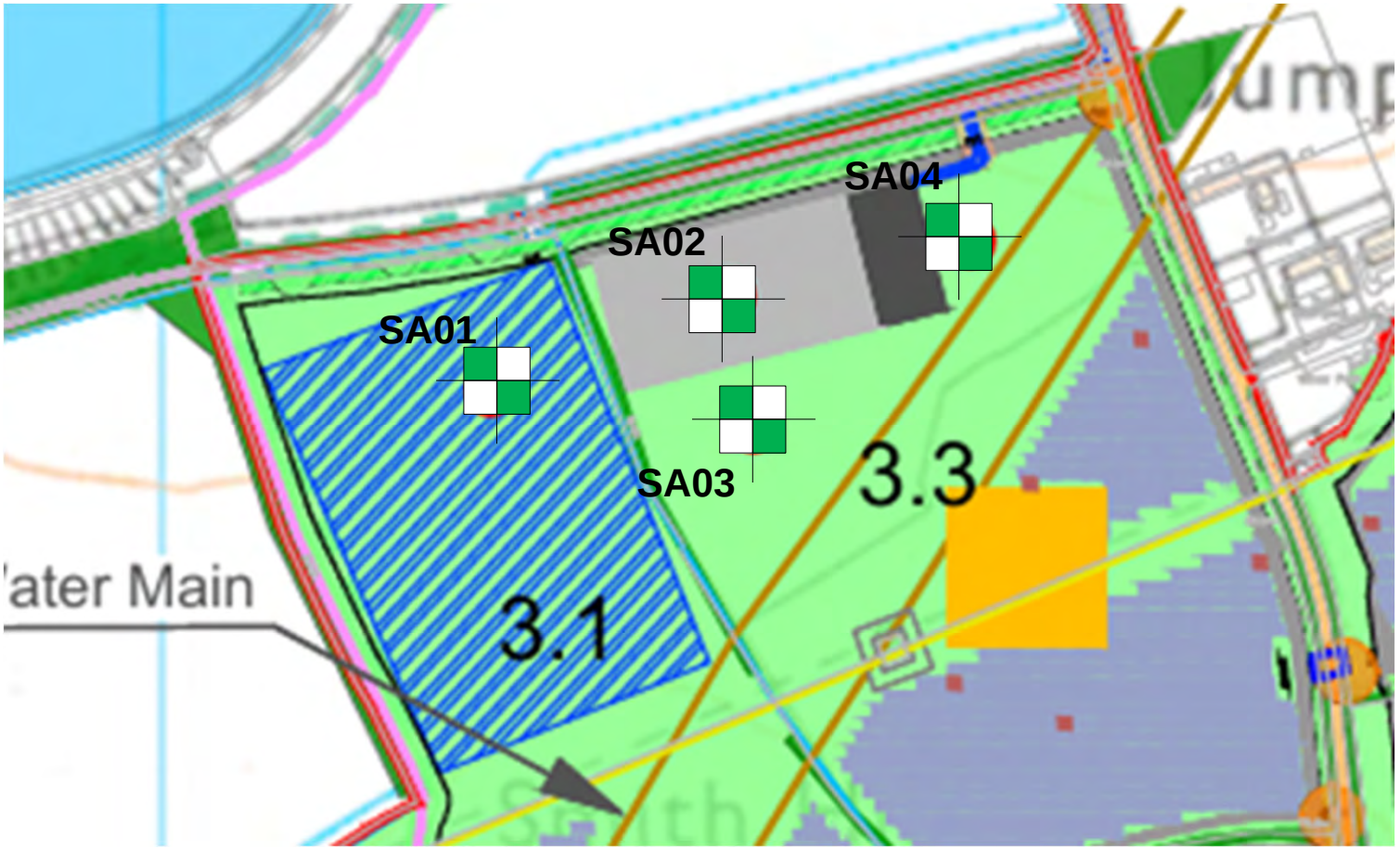

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Soakaway Test Location

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Client PhotoVolt Development Partners

Project Botley West Solar Farm – Soil Infiltration Testing

Title Soakaway Test Location Plan

Status	Drawn By	PM/Checked by
FINAL	OD	MB
Job Ref	Scale @ A3	Date Created
794-PLN-NP1-00019	NTS	May 2026
RPS Drawing / Figure Number		Rev
00019_SATLP_001		R0

Appendix B: Soakaway Infiltration Data

Calculation Sheet

TETRA TECH

DETERMINATION OF SOIL INFILTRATION RATE

Technical Guidance & Reference: BRE DG 365 Revised 2016 Soakaway Design

Office: CARDIFF

Project Title	``							
Project No	794-PLN-NPI-00019	By	OD	Checked		Date	May 202	

Test Details

Trial Pit :	SA04
Test No :	1
Date of Test :	08/04/2026

Permeable Strata

Depth to Top :		m
Depth to Base :		m
Depth to GW :		m

Trial Pit Details

Length of Pit :	1.70	m
Width of Pit :	0.70	m
Base of Pit :	1.80	m

Test Conditions

Depth of water at start	=	0.93	m bgl
Effective storage depth	=	0.86	m
Gravel Backfill	=	No	
Depth to water 75% full	=	1.15	m bgl
Depth to water 25% full	=	1.58	m bgl
Volume 75% to 25% depth, V_{p75-25}	=	0.52	m^3
Mean internal surface area, a_{s50}	=	1.03	m^2

Soil Infiltration Rate - by extrapolation

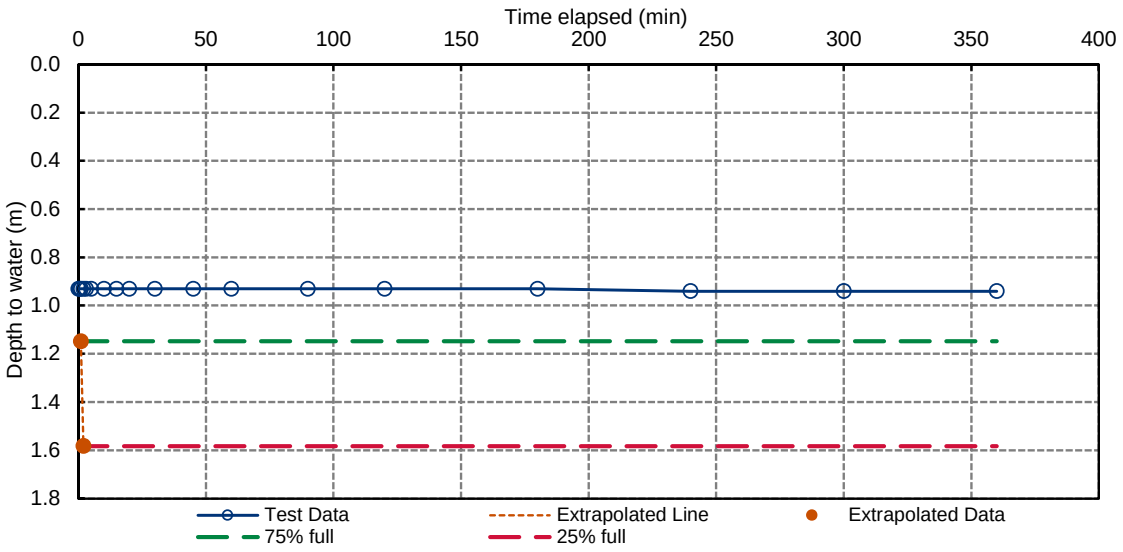
Time 75% full, t_{p75}	=	356.7	min
Time 25% full, t_{p25}	=	N/A	min
Time for outflow, t_{p75-25}	=	N/A	min

Soil Infiltration Rate = N/A m/s

Test Data

Elapsed Time (mins)	Depth to Water (m)
0	0.93
0.5	0.93
1	0.93
2	0.93
3	0.93
5	0.93
10	0.93
15	0.93
20	0.93
30	0.93
45	0.93
60	0.93
90	0.93
120	0.93
180	0.93
240	0.94
300	0.94
360	0.94

Comments



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Calculation Sheet

TETRA TECH

DETERMINATION OF SOIL INFILTRATION RATE

Technical Guidance & Reference: BRE DG 365 Revised 2016 Soakaway Design

Office CARDIFF

Project Title	``							
Project No	794-PLN-NPI-00019	**By**	OD	**Checked**		**Date**	May 202	

Test Details

Trial Pit :	SA01
Test No :	1
Date of Test :	19/05/2026

Permeable Strata

Depth to Top :		m
Depth to Base :		m
Depth to GW :		m

Trial Pit Details

Length of Pit :	2.50	m
Width of Pit :	0.90	m
Base of Pit :	2.00	m

Test Conditions

Depth of water at start	=	1.09	m bgl
Effective storage depth	=	0.87	m
Gravel Backfill	=	No	
Depth to water 75% full	=	1.32	m bgl
Depth to water 25% full	=	1.77	m bgl
Volume 75% to 25% depth, V_{p75-25}	=	1.02	m^3
Mean internal surface area, a_{s50}	=	2.67	m^2

Soil Infiltration Rate - by extrapolation

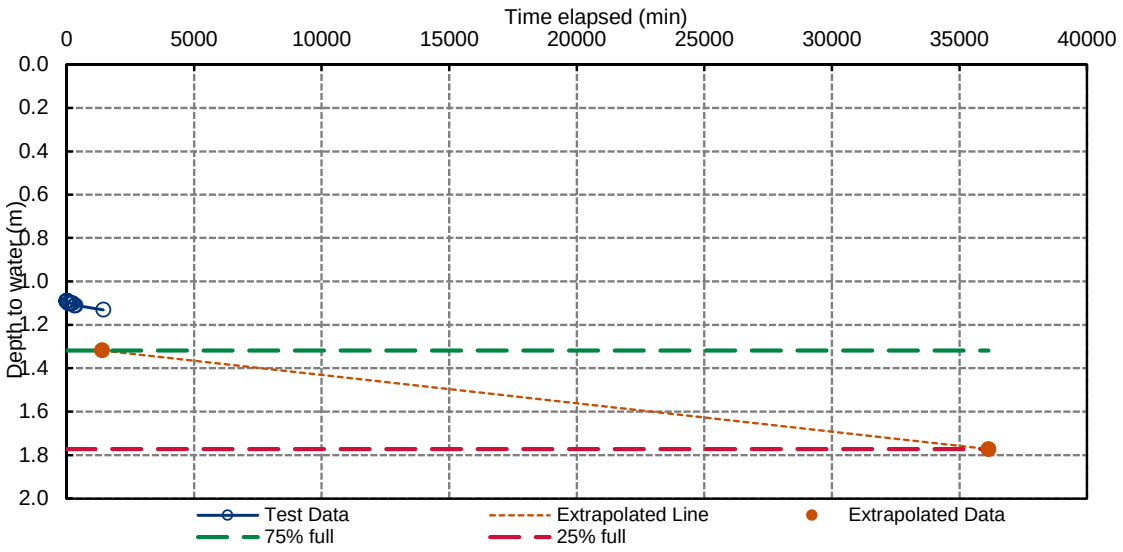
Time 75% full, t_{p75}	=	1394.2	min
Time 25% full, t_{p25}	=	36135.0	min
Time for outflow, t_{p75-25}	=	34740.8	min

Soil Infiltration Rate = 1.84E-07 m/s

Comments

Test Data

Elapsed Time (mins)	Depth to Water (m)
0	1.09
0.5	1.09
1	1.09
2	1.09
3	1.09
5	1.09
10	1.09
15	1.09
20	1.09
30	1.09
45	1.09
60	1.10
90	1.10
120	1.10
180	1.10
240	1.10
300	1.11
360	1.11
1440	1.13



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Calculation Sheet

TETRA TECH

DETERMINATION OF SOIL INFILTRATION RATE

Technical Guidance & Reference: BRE DG 365 Revised 2016 Soakaway Design

Project Title	``					**Office**	CARDIFF	
Project No	794-PLN-NPI-00019	**By**	OD	**Checked**		**Date**	May 202	

Test Details

Trial Pit :	SA03
Test No :	1
Date of Test :	20/05/2026

Permeable Strata

Depth to Top :		m
Depth to Base :		m
Depth to GW :		m

Trial Pit Details

Length of Pit :	1.50	m
Width of Pit :	0.70	m
Base of Pit :	1.70	m

Test Conditions

Depth of water at start	=	0.73	m bgl
Effective storage depth	=	0.96	m
Gravel Backfill	=	No	
Depth to water 75% full	=	0.97	m bgl
Depth to water 25% full	=	1.46	m bgl
Volume 75% to 25% depth, V_{p75-25}	=	0.51	m^3
Mean internal surface area, a_{s50}	=	0.55	m^2

Soil Infiltration Rate - by extrapolation

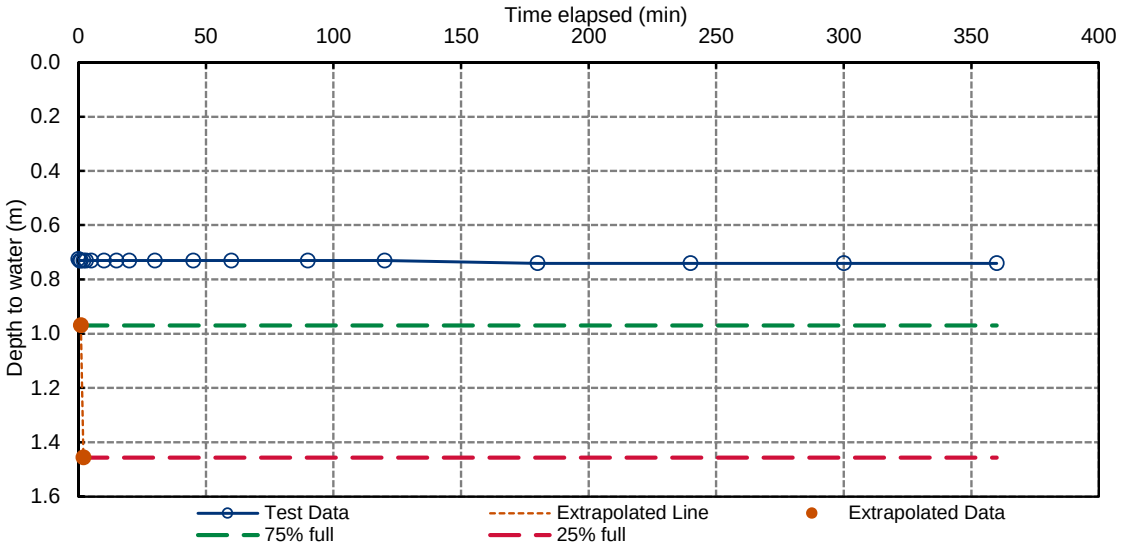
Time 75% full, t_{p75}	=	355.4	min
Time 25% full, t_{p25}	=	N/A	min
Time for outflow, t_{p75-25}	=	N/A	min

Soil Infiltration Rate = N/A m/s

Comments

Test Data

Elapsed Time (mins)	Depth to Water (m)
0	0.73
0.5	0.73
1	0.73
2	0.73
3	0.73
5	0.73
10	0.73
15	0.73
20	0.73
30	0.73
45	0.73
60	0.73
90	0.73
120	0.73
180	0.74
240	0.74
300	0.74
360	0.74



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Calculation Sheet

TETRA TECH

DETERMINATION OF SOIL INFILTRATION RATE

Technical Guidance & Reference: BRE DG 365 Revised 2016 Soakaway Design

Project Title	``					**Office**	CARDIFF	
Project No	794-PLN-NPI-00019	**By**	OD	**Checked**		**Date**	May 202	

Test Details

Trial Pit :	SA02
Test No :	1
Date of Test :	19/05/2026

Permeable Strata

Depth to Top :		m
Depth to Base :		m
Depth to GW :		m

Trial Pit Details

Length of Pit :	2.30	m
Width of Pit :	0.80	m
Base of Pit :	2.20	m

Test Conditions

Depth of water at start	=	1.18	m bgl
Effective storage depth	=	1.01	m
Gravel Backfill	=	No	
Depth to water 75% full	=	1.44	m bgl
Depth to water 25% full	=	1.95	m bgl
Volume 75% to 25% depth, V_{p75-25}	=	0.94	m^3
Mean internal surface area, a_{s50}	=	2.56	m^2

Soil Infiltration Rate - by extrapolation

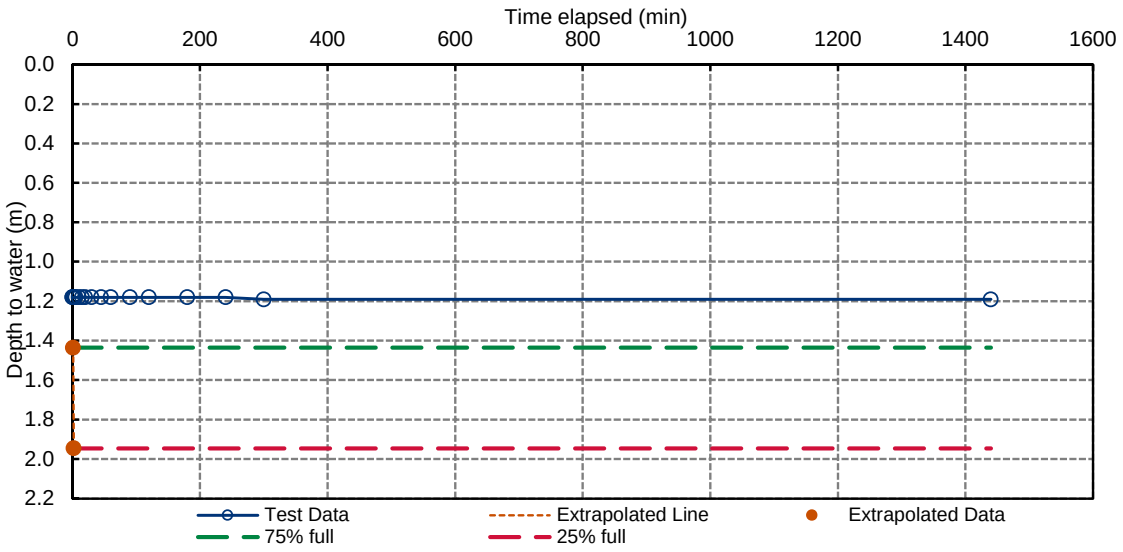
Time 75% full, t_{p75}	=	1381.3	min
Time 25% full, t_{p25}	=	N/A	min
Time for outflow, t_{p75-25}	=	N/A	min

Soil Infiltration Rate = N/A m/s

Comments

Test Data

Elapsed Time (mins)	Depth to Water (m)
0	1.18
0.5	1.18
1	1.18
2	1.18
3	1.18
5	1.18
10	1.18
15	1.18
20	1.18
30	1.18
45	1.18
60	1.18
90	1.18
120	1.18
180	1.18
240	1.18
300	1.19
1440	1.19



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Appendix C: Soakaway Test Photographs

Photo 1: View of SA01 Test Pit.

Photo 2: View of SA01 Test.

Photo 3: View of SA01 arisings.

Photo 4: View of SA01 arisings.

Photo 5: View of SA02 Test.

Photo 6: View of SA02 Test.

Photo 7: View of SA03 Test Pit

Photo 8: View of SA03 arisings.

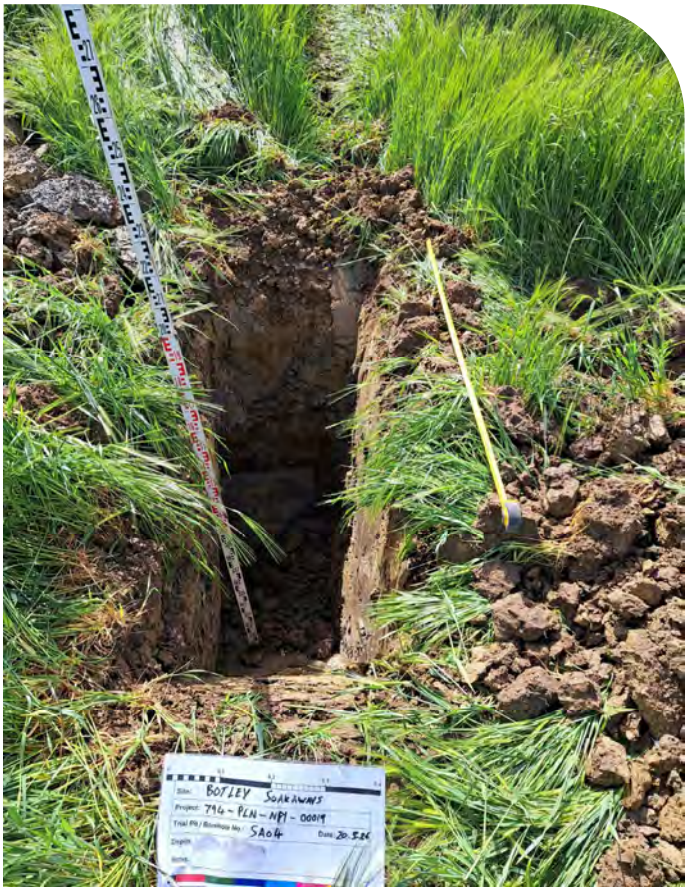

Photo 9: View of SA04 Test Pit.

Photo 10: View of SA04 Test.

Photo 11: View of SA03 Test.

Photo 12: View of SA04 arisings.