



Photovolt Development Partners GmbH (PVDP)
on behalf of SolarFive Ltd
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Submitted by email to: "botleywestsolar@planninginspectorate.gov.uk"

Secretary of State for Energy Security & Net Zero
Department of Energy Security and Net Zero,
3-8 Whitehall Place,
London
SW1A 2AW

Dear Secretary of State,

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

Application by PhotoVolt Development Partners (PVDP) on behalf of SolarFive Ltd ("the Applicant") for an Order granting Development Consent for the proposed Botley West Solar Farm ("the Botley West Solar Farm")

Applicant Response to Secretary of State Consultation 2

We refer to your letter dated 11 June 2026 to all interested parties ("**Secretary of State's Consultation 2**") inviting comments in relation to the responses to the Secretary of State's information request dated 14 April 2026 (re-issued 20 April and 28 April) ("**Secretary of State's Consultation 1**"), in respect of the above project.

This letter and accompanying submissions, submitted in response to the Secretary of State's Consultation 2, is to provide an update from the Applicant to the Secretary of State in relation to matters raised in the responses to Secretary of State's Consultation 1, including the Applicant's response to that consultation ([**C1-033**] to [**C1-093**]).

Context of Response

Following the Secretary of State's Consultation 1, the Secretary of State requested additional information and encouraged all parties to engage constructively to assist the final determination of the application. To allow sufficient time to achieve that the Applicant sought an extension of time on 22 May 2026, which the Secretary of State refused on 8 June 2026.

Following that decision, the Applicant submitted its full response to each paragraph raised in the Secretary of State's Consultation 1 [**C1-087**]. This explained how the Applicant had used the time available to move forward positively in the hope of narrowing differences of professional opinion with the Oxfordshire Host Authorities ("**OHA**s") and other Interested Parties. The Applicant had already actively engaged with the OHAs on landscape matters, as well as on ecology, minerals and waste matters; Historic England on heritage matters; the Environment Agency on drainage matters; Thames Water and Network Rail, with regard to Property Agreements and Protective Provisions; NGET to discuss matters relating to the main

substation; and various landowners to discuss land matters as well as gaining access for surveys.

Notably, in relation to landscape matters which was a focus area of the Secretary of State's Consultation 1, the Applicant's response explained that it had updated the draft Development Consent Order ("**DCO**") to secure significantly increased minimum buffers between residential properties and the Project. This proposal had been informed by a new firm of landscape architects (Iceni Projects), who are experienced in other solar NSIPs, as a means by which the differences of professional opinion which underpin many of the matters previously in dispute between the parties and the subject of the Secretary of State's questions, might be narrowed or resolved. Iceni Projects commenced an update to the Residential Visual Amenity Assessment ("**RVAA**") and Landscape and Visual Impact Assessment ("**LVIA**") but had been unable to complete that work before the deadline set by the Secretary of State.

Discussion between the parties has been ongoing since the Secretary of State's Consultation 1 and influenced the submissions by the parties provided to the Secretary of State on 9 June 2026 in response to the Secretary of State's Consultation 1. The parties have continued to discuss the Secretary of State's Consultation 1 since 9 June 2026 and have broadly reached agreement on several matters. This is summarised below.

Landscape Update

The Applicant has submitted the outline Residential and Visual Amenity Plan ("**oRVAP**") prepared by Iceni Projects, which refines the existing assessment in the context of the revised siting of permissible works secured through the Landscape Parameter Plan. The oRVAP explains how appropriate mitigation is delivered through the DCO. The oRVAP is not intended to be a Residential Visual Amenity Assessment but rather secures the embedded mitigation necessary to avoid and minimise impacts on residents' visual amenity. This mitigation through design was informed by detailed desk based analysis and field work to provide site specific design responses to individual residential receptors. The oRVAP was shared in draft form with the OHA in advance of this submission, with the title subsequently updated as confirmed in the shared Position Statement.

The oRVAP provides a comparison of the previous masterplan against the new design demonstrates the approach to the mitigation that has been taken. Requirement 15 explains that the final residential and visual amenity plan must be substantially in accordance with the outline plan. This allows for a degree of flexibility in detailed design to respond to findings that may occur during winter conditions, noting that the oRVAP was prepared whilst vegetation was in leaf. The analysis of magnitude provided in the oRVAP demonstrates that the new design is a betterment, in landscape and visual terms, compared to the previous design. This is agreed by the OHA in the jointly prepared Position Statement submitted by both parties.

Within the 'Approach' section of the oRVAP, the Applicant has clearly stated where measurements have been taken from to inform which properties were considered within the oRVAP and the minimum distance between the dwelling and proposed above ground infrastructure. This confirms that all dwellings within 250m of the Order Limits were considered, in line with best practice guidance. The oRVAP provides plans of each dwelling and the surrounding Order Limits to illustrate the points that measurements have been taken from. The design response secured is then tailored to the specific characteristics of each property's visual amenity and the intervening landscape, taking into account factors such as, but not limited to, slope angle, topography, aspect and orientation.

Being an outline plan, further detail would be provided in the detailed Residential Visual Amenity Plan, as secured by Requirement 15.

The Applicant has also submitted an accompanying ES Addendum Three, which provides a high-level summary of the implications for all other disciplines as a result of the latest design refinements. The Addendum concludes that there would be no new significant effects in the long term. Some of the proposed refinements would result in betterments, particularly with respect to landscape, historic environment, ecology and agricultural land use impacts. Any changes in the significance of effects reported in the ES would be an improvement compared to the effects assessed in the ES, such that there would be no effects greater than those reported in the ES.

The Applicant considers that the drafting of Requirement 15 provides an appropriate and proportionate level of certainty at the current stage of the Project. In particular, it establishes a minimum buffer of 100 metres (increasing to 250m, where justified) between the relevant works and residential dwellings, subject only to limited exceptions, thereby providing a clear framework for the protection of residential and visual amenity. This approach ensures that any effects are appropriately controlled through a secured mitigation mechanism whilst recognising that the detailed design of the authorised development is not yet fixed. The Requirement therefore strikes an appropriate balance between certainty and flexibility as it secures a minimum level of mitigation through the DCO while allowing the precise extent of the buffer to be refined at the discharge stage, when detailed design information is known.

Importantly, Requirement 15 provides for the approval of the RVAP by the relevant planning authority (or authorities), ensuring independent scrutiny and oversight of the final proposals. Furthermore, the drafting has been amended to require that any plan submitted pursuant to Requirement 15 is substantially in accordance with an outline plan, which has been submitted as part of this Applicant's response to the Secretary of State's Consultation 2, and is proposed to be a certified document. This ensures that the final approved plan remains within the confines of the assessed framework presented to the Secretary of State, whilst enabling an appropriate level of further refinement at the detailed design stage.

Requirement 15 meets the relevant tests. It is precise and provides an enforceable mechanism for securing landscape and residential amenity mitigation, whilst affording sufficient certainty for the purposes of the current assessment and enabling a more detailed, property-specific refinement of mitigation in due course.

The Applicant has also submitted a Position Statement to the OHAs, who have confirmed their agreement with it. This Position Statement sets out the collaborative work that has been done since the close of Examination, a summary of the meetings held between the parties and a record of the changes made to the masterplan. Updated versions of the illustrative masterplan have been submitted with this response to the Secretary of State's Consultation 2, to show how the final scheme may all fit together in light of the latest commitments (see further details below).

As a result of the discussions with the OHAs, the Applicant provides the below update in respect of key matters in relation to landscape:

- **Requirement 15 wording** – this has been refined through discussion between the Applicant and the OHA. See the updated wording including in the latest DCO submitted alongside this cover letter along with an explanation for the changes in the Schedule of Changes to the DCO. Interim drafting of the wording of Requirement 15 was shared with the OHA, with changes confirmed in writing. Final refinement to expand the suite of Work Numbers limited by the Requirement was requested by the OHA and actioned in the Draft DCO, as submitted.
- **Discharge and resourcing of requirements** –

- (a) **Timings:** the Applicant has updated the time period for the discharge of *all* Requirements to twelve weeks, previously eight weeks. This is in recognition of resource concerns of the OHAs in respect of new Requirement 15. The extension of time was welcomed by the OHA's; and
 - (b) **Fees:** the OHAs have expressed a concern about the cost of resourcing the discharge of requirements. The Infrastructure Planning (Fees) (Amendment) Regulations 2026 are unclear in respect of costs recovery post-consent however this is clarified by the 'Infrastructure Planning (Fees) Regulations 2010 - cost recovery by the Planning Inspectorate and public authorities (July 2026)'. Nonetheless, the Applicant has responded to address the OHA's concern insofar as it is able to by amending the fee schedule in Schedule 16 of the DCO to include reference to Requirement 15 as well as by offering a Planning Performance Agreement ("**PPA**") to the OHAs. The PPA makes provision for a financial contribution to cover the anticipated cost to the OHAs of procuring Full-Time Equivalent resource to discharge the requirements. Taken together, the Applicant anticipates that this position suitably manages the OHA's concerns.
- **Outline Residential Visual Amenity Plan (oRVAP)** – this provides the starting point for the discharge of Requirement 15, which has been amended to require the final plan to be substantially in accordance with this outline plan.
 - **Addendum to the Outline Landscape and Ecology Management Plan (oLEMP)** – this has been prepared in consultation with the OHA's and has been submitted to provide an enforceable framework for the delivery of landscape and ecological mitigation, monitoring and management for the project. It has also been updated to bolster the wording of commitments in respect of tree surveys and BNG. This document was provided in draft format with the OHAs in line with the timeline set out in the Position Statement, however the design changes secured within the document were discussed during meetings with the Applicant and OHA in advance. The updated masterplan was also shared in advance for review and comment, as confirmed in the Position Statement.
 - **Landscape Parameters Plan** – this plan is focused on securing the limitations on the works set out under Requirement 15 and it is secured through its inclusion in the oRVAP and the updated oLEMP. The OHA's agree that the extent of works secured by the Landscape Parameters Plan is a betterment on the scheme proposed at the end of Examination.

As set out in the shared Position Statement, the landscape and visual documents prepared were shared in draft form with the OHA in advance of this submission. These were shared in good faith in the spirit of collaborative engagement to inform the final discussion and the OHA's response. Refinement of these documents was subsequently undertaken prior to final submission, as set out in the shared Position Statement.

In light of the refined analysis, the mitigation secured through Requirement 15 and related DCO mechanisms, and the engagement and areas of agreement with the OHAs as set out in the Position Statement, the Applicant considers that landscape, visual and residential amenity effects are appropriately addressed and do not give rise to any outstanding concerns that would weigh against the grant of development consent.

Other updates in respect of Network Rail, Thames Water, Minerals, Waste, Ecology, Oxford Airport, and heritage are summarised in the table attached to the letter.

Annex 1 to this cover letter provides a summary of the current position reached in stakeholder consultation.

Applicant Response Documents

In light of the above, the Applicant submits the following documents:

New Deliverables

- **21.1** Cover Letter
- **21.2** ES Addendum Three
- **21.3** Application of the Mitigation Hierarchy
- **21.4** Outline Residential Visual Amenity Plan
- **21.5** Position Statement between the Applicant and OHA
- **21.6** Landscape Parameter Plan
- **21.7** Masterplan Development & Rationale

Updated documents (clean and tracked where necessary)

- 1.3 Guide to the Application (Clean and tracked) Rev 13
- 3.1 Draft Development Consent Order¹ – (Clean and tracked) Rev 11
- 3.3 Explanatory Memorandum – (Clean and tracked) Rev 11
- 8.3 Schedule of Changes to the Draft DCO – Rev 10
- 6.4 ES - Figure 1.2 Illustrative Masterplan Overview - Rev 5
- 6.4 ES - Figures 2.1a - 2.4c - Illustrative Masterplan - Rev 5
- 6.5 ES Appendix 7.5: Settings Assessment Rev 5
- 6.5 ES Appendix 9.13 Biodiversity Net Gain Assessment Rev 3
- 7.6.3 Outline Landscape and Ecology Management Plan (Clean and tracked) – Rev 9
- 20.4 Outline Skylark Compensation Strategy (Clean and tracked) – Rev 1

Summary and Conclusion

The Applicant is pleased that, in collaboration with the OHA's, it has achieved a significantly improved landscape assessment outcome. It is understood the OHAs regard this as a betterment to the Applicant's previous position. This is welcomed.

However, it should be noted that these landscape improvements come at the cost of reduction in the estimated number of homes to be powered by renewable energy generated by the

¹ Due to the formalities required with the SI Validation process, the SI Template of the Rev 11 draft Development Consent Order (DCO) is not available in time to provide with this submission. This will be submitted in due course. For the avoidance of any doubt, the content of the SI Template DCO will be the same as the version of the DCO submitted with this Secretary of State's Consultation 2 (it is just in the statutory template).

Project. This is a decrease from approximately 330,000 to 275,000, brought about by a reduction in installed DC capacity by 219 MWp and a reduction in installation area of approximately 130ha. This, effectively, represents the trade-off between the generation of renewable energy and greater mitigation in respect of anticipated local landscape, visual and residential amenity impacts. The reduction in scale required to accommodate the mitigation results in reduced generation capacity. Even so, the resulting capacity would still make a significant contribution to the national need, critical national priority and energy security set out in the NPS.

Other environmental improvements have been made too as far as heritage is concerned (see updated HIA), and in terms of ecology too (agreed Skylark Strategy).

All of these matters weigh in favour of the Applicants' proposals in the planning balance.

Matters relating to waste and minerals have narrowed between the parties, but no clear agreement has yet been reached. An updated HIA prepared by the Applicant is still being considered by HE.

In terms of the Oxford Airport the only outstanding matter not agreed between the parties is that OASL are seeking unlimited liability which the Applicant cannot accept. All other provisions are agreed which would allow for the planning, establishment, and implementation of an additional Wildlife Hazard Management Unit during the operational lifetime of the proposed development.

Importantly, the project is still capable of making a vital contribution to meeting the Government's renewable energy targets and its obligations in respect of Net Zero. UK wholesale electricity prices are at four year highs, giving the UK the highest power prices in the G7, with costs for households and businesses 50% higher than the G7 median. This is a very strong brake on growth in the UK economy and hands economic advantage to the country's competitors. Political events of the last five years have put the country at the mercy of a very volatile natural gas price. In the Applicant's view, the way to break the power price link to fossil fuel prices is the rapid deployment of solar generation and battery storage. Botley West Solar Farm will be a significant contributor to that deployment, delivering 840MW of electricity in Phase 1 of CP30. The energy will be generated and consumed in an area of low renewables and high growth in demand for power and new connections.

PVDP is also in advanced negotiations with Exeter College, Oxford, to supply renewable energy to their 100MW Frieze Farm Data Centre development. The site is 2 km from the project boundary and will comprise a data centre, laboratories, offices and a district heating scheme for neighbouring Kidlington. Exeter College has submitted a planning application to Cherwell DC. The plan is for the project to use its solar generation and connection at Farmoor substation to supply all of Frieze Farm's electricity.

In light of the above and accompanying documents and further to the Applicant's Closing Submissions **[REP8-001]** and its response to Secretary of State's Consultation 1, the Applicant reiterates its position that it considers that the Secretary of State has all of the information before him to make a decision. On that basis, we respectfully conclude that the DCO should be made in the terms sought.

Yours sincerely,



(On behalf of the Applicant)

Photovolt Development Partners GmbH (PVDP) on behalf of SolarFive Ltd.

Annex 1: PVDP Response to SofS Consultation 2 - Other Updates table:

Topic/Organisation	IP Position	Applicant Position	Outcome
OCC – Waste	OCC remains of the view that insufficient information has been provided to demonstrate compliance with paragraph 5.15.9 of NPS EN-1. Whilst the commitment to decommissioning and recycling is welcomed, further evidence is required to demonstrate how waste arisings will be managed in practice and whether suitable treatment and recycling capacity will be available when required.	Discussions have taken place with dedicated PV treatment facilities and WEEE waste specialist who have confirmed that they have the current capacity for the disposal of Solar Panel waste, with up to 98% recycle rate. We will engage further with these recycling parties, and the OHA to establish an agreed strategy to demonstrate how waste arisings will be managed and the availability of recycling capacity throughout the duration of the project.	Unresolved
OCC - Minerals	<u>Minerals Safeguarding</u> OCC hold that Mineral Safeguarding was not taken into account during the site selection process and no alternative site locations that are not in the MSA have been provided, and we do not agree that the mineral extraction would not be prevented or hindered by the proposal (and therefore not in compliance with Policy M8 of the OMWLP 2017) <u>Minerals</u> There has been no subsequent amendment made to the minerals assessment and the applicant remains reliant on the value of the renewable energy, but they have assessed the value of the mineral as moderate to negligible and therefore have not addressed the need to overcome a major effect on the mineral resource. Consequently, the case for building the part of the solar farm that would prevent or otherwise hinder future working and possibly sterilise the mineral resource has not been justified.	The Applicant considers it is substantially in accordance with policy M8. In terms of the differences between OCC and the Applicant on minerals policy, we believe the central point revolves around the degree of compliance or otherwise with policy M8. In that regard, the Applicant considers it right to characterise the issue as follows: Providing that: - one can be assured that the Applicant's construction techniques, and subsequent removal of the infrastructure, will not prevent or hinder their <i>future</i> extraction materially or the mineral resource itself, or that - if the need for the project outweighs the economic and sustainability considerations of the mineral resource, Then conflict with the policy is removed The Applicant has made a commitment to remove the infrastructure at decommissioning. The pile depth of the	Unresolved

Topic/Organisation	IP Position	Applicant Position	Outcome
		frames only affects the overburden - it will not materially affect the resource beneath it (the applicant has supplied frame details to the authority combined with overburden depth assumptions to demonstrate this). Also in the design evolution process, when the Applicant was trying to secure land in the vicinity of the grid connection point, they were able to avoid large parts of the MSA (and in any event according to the Applicant calculations the Project only affects just over 1% of the total Oxfordshire MSA area (itself occupying approximately 12,565 ha)) whilst at the same time seeking to deliver maximum benefits of the project to the UK in the form of much needed renewable energy. So, in terms of the mitigation hierarchy, the Project has in part avoided the MSA and to the extent part of the project still affects the MSA, it has mitigated against by committing to remove the infrastructure above it. Lastly, in the opinion of the Applicant, to the extent there is any residual concern relating to minerals, then the weight to be afforded to CNP infrastructure outweighs that concern.	
OHA - Skylark	No outstanding matters	The Applicant has continued to engage with the OHA on the issue of skylark compensation. Following comments received from the OHA on the submitted Outline Skylark Compensation Strategy (oSCS) [C1-088], the Applicant has updated the oSCS (Rev1, submitted at this deadline) and agreed this and the associated Requirement within the dDCO with the OHA.	Resolved. Agreed oSCS.
NE – updated HIA	Still considering updated HIA	Applicant issued an updated Settings Assessments to HE on 23 June. They replied to acknowledge but confirmed he had not yet reviewed	Unresolved but NE still considering updated HIA
Network Rail - Agreement	No outstanding matters	The Applicant can confirm that it has completed the execution formalities in relation to the agreement reached between the Applicant and Network Rail. There are no outstanding matters between the parties and the Applicant understands that Network Rail's objection is withdrawn	Resolved

Topic/Organisation	IP Position	Applicant Position	Outcome
Oxford Aviation Services Limited ('OASL')	Most matters agreed	The Wildlife Hazard Management Unit Agreement being negotiated OASL has progressed since the Secretary of State's Consultation 1. The only outstanding matter not agreed between the parties is that OASL are seeking unlimited liability which the Applicant cannot accept. All other provisions are agreed which would allow for the planning, establishment, and implementation of an additional Wildlife Hazard Management Unit during the operational lifetime of the proposed development.	Resolved except for OASL request to have unlimited liability.
The Sunderland Foundation	Options – agreement reached	Agreement has been made with reference to three Options for Easements relating to three separate cable routes. The three Options are in the process of being signed by the parties.	Resolved
Blenheim Trustee Company No. 1 Limited and Blenheim Trustee Company No. 2 Limited	Deed of Variation - agreement reached	Agreement has been made with reference to a deed of variation affecting the Option Agreement dated 24 February 2025. The Deed of Variation is in the process of being signed by the parties.	Resolved
Vanbrugh Trustees Limited (as Trustee of the Vanbrugh Unit Trust) and Vanbrugh Trustees No 2 Limited (as Trustee of the Vanbrugh Unit Trust)	Deed of Variation - agreement reached	Agreement has been made with reference to a deed of variation affecting the Option Agreement dated 24 February 2025. The Deed of Variation is in the process of being signed by the parties.	Resolved