

Response by Michael Brown to the SoS's letter dated 11th June 2026 inviting comments from Interested Parties on the Applicant's and others' responses to the SoS's RFI dated 14th April as amended on 20th and 28th April 2026

Three Preliminary matters

1.The very late changes being proposed by the Applicant have caused me, as a directly affected Interested Party, considerable confusion. With its back against the wall the Applicant has partly adopted what was suggested during the Examination by the ExA of 250m buffers but proposed this as a maximum (with a minimum of 100m) after post-consent consultation with OHAs. The OHAs have given cogent reasons why post-consent proposals of this kind should not be introduced (C1-024). In the meantime the Applicant's new consultants have been re-working the RVAA and possibly the LVIA, whilst from an adjacent resident's knowledge there has been no sign of anyone wanting to make a visual assessment from our home which adjoins the currently proposed Order Limit red line. And all this is against the back ground of the Applicant's latest Illustrative Masterplans C1-051) showing 250m buffers from properties, whilst leaving the Order Limit red line boundary is its original position – in our case this is still shown immediately on the other side of our garden wall. All this leaves me confused and also worried that the Applicant's '*unilateral decision*' is a panicked reaction to a dire situation largely caused by its failure to engage with either OHA or other IPs since the outset of this process.

2.My confusion, and now concern, has increased by the very recent news that the Applicant is now intending to try to make some more substantial submissions by 16th July. This despite (1) the SoS's refusal to grant the Applicant an extension to the 9th June deadline and (2) the fact that the letter of 11th June 2026 on behalf of the SoS only invites Interested Parties not the Applicant to comment by 16th July 2026. I am concerned that the Applicant may be trying to use the 'backdoor' as a perceived opportunity for yet further late submissions not only without an invitation but also under an attempted camouflage of purporting to be responding to the IP responses to the RFI letter of 14th April on behalf of the SoS. Surely the Applicant should not be permitted to do this.

3.The SoS has made it clear in paragraph 75 of the RFI letter that it is without prejudice to their consideration of whether to grant or withhold development

consent. In a similar vein I am making this Response without prejudice to the legality of a further process of extensive re-examination adopted under the umbrella of clarification during the Decision stage and after completion of the formal Examination and submission by the ExA of their report to the SoS.

Comments on responses – using the paragraph numbering in the SoS 's RFI letter of 14th April as amended.

24a The appointment of new consultants at the least implies that the Applicant has at last recognised that the extensive criticisms of, and major underestimated effects in, the LVIA that have been made by statutory consultees and other IPs have merit. It appears that the LVIA is in effect either being re-written or abandoned. In the circumstances a fundamental assessment is unavailable either to read or for comment. Indeed it would appear that even if it is to be re-written it will be unavailable for some time. The OHA make clear in their response to paragraph 25 of the RFI that they had only had *'an inception meeting with the Applicant's new Landscape team'* which was on 14th May, and that *'further information is awaited from the Applicant'*.

All that the Applicant has offered at this very late stage is *'larger buffers for residential dwellings adjacent to the authorised development'* and *'further design iteration in line with discussion with the OHA'*. The time for this has long passed.

I note that despite the offer in the Applicants previous without prejudice offer made near the end of the Examination that 'panels from the higher slopes in the central and southern areas' would be removed, the fields along the higher slopes on the eastern bank of the River Evenlode are still shown with panels on the latest Illustrative Masterplan 2.2D and 2.2F. (C1-051)

24b Having withdrawn the without prejudice offer of 75m buffers to a limited number of properties, the Applicant now proposes 100m to 250m buffers to the most affected properties –as yet unidentified – post consent in effect in place of the LVIA. The Applicant's thinking seems to be that all that matters is the immediate view from certain properties. Important as that is, the effect on the landscape is much, much more than that.

The Applicant still refers to the RVAA being based on a four step process. I pointed out in section 2 of my Deadline 7 comments (REP7-163) during the examination that the Applicant had failed at the second step required in the Landscape Institute's Guidance 02/2019, namely the requirement to make assessments from the property. The Applicant's assessments had all been towards properties including the home of my wife and myself. I am unsure whether the Applicant does now intend to ask its new consultants to carry out another RVAA. It would appear not. As of 16th July 2026 we have not had any approach from anyone on behalf of consultants or the Applicant. If they intend ,as it appears they do through the production of an RVAP, to try to do this at an even later stage it would fly in the face of the general principle of '*maintaining discipline within the statutory framework*' that is mentioned in the letter on behalf of the SoS dated 8th June 2026 refusing the extension requested by the Applicant's solicitors.

Regarding the Applicant's references to IP responses about loss of 'countryside rural character having been considered as part of the updated Masterplan provided with this submission (ES Figures 2.1a to 2.4c Illustrative Masterplan Rev.4)' – C1-051 , it attempts to claim credit for the '*increased offset from dwellings to protect the visual amenity experience and to maintain rolling countryside views*'. However the Illustrative Masterplan Rev 4 shows buffers of 250m not buffers between 100m and 250m. This is very misleading because 250m buffers is not what the Applicant appears to be offering.

The Applicant also refers to '*Topography- panels on rising land/hillsides*', but avoids any reference to the rising land/hillsides on the eastern side of the Evenlode valley. The latest Illustrative Masterplans 2.2D and 2.2F (C1-051) show fields full of panels along the rising land/hillsides and even breaking the skyline from our house. These fields include numbers: 2.79, 2.80, 2.82, 2.89, 2.94 and 2.105.

In the Applicant's reference to PRoW it acknowledges, but then ignores, the recommendation of 15m corridors. The Applicant also continues to ignore what IPs have been saying throughout namely that many miles of new hedging will not only obliterate existing views along the many PRoW but will also utterly change the historic landscape. Conversely the whole mitigation proposal depends not only on the survival but also the steady growth of very many miles of new hedging. Without an extremely long watering system I

doubt much of the new hedging will survive at all. This is the experience of another recent and large local development.

24c Viewpoints. The Applicant's response is limited to short summaries of each 'initial consultation' in October 2022 with OHAs referring merely to '*requesting comments regarding viewpoints*' and receiving some additional viewpoints. This led to the 55 viewpoints in the DCO application as amended. There is no indication about compass directions or how accurately the viewpoints were identified, or the extent of any fieldwork.

The Applicant's justification in its response to the RFI letter for the limited selection of viewpoints is by reference to one or two generalizations in GLVIA 3. From the time of Relevant Representations in February 2025 I and many other IPs made it clear that the selection was inadequate and certainly not representative for a solar farm with 110km security fencing, 35km of footpaths, 156 converter stations and a main and 6 secondary substations, stretching north to south some 11km over varied landscape and topography and affecting 15 villages as well as a World Heritage Site setting and including much Green Belt. This could and should have led to a re-think by the Applicant. However all that followed were one or two more viewpoints just north of the church at Begbroke village.

Visualisations . As I have explained at length in previous submissions the visualisations were neither representative nor in accordance with recognised good practice. Worse, the Local Planning Authorities were not involved in the selection of the 33 visualisations from the 55 viewpoints. This is confirmed in three emails from the LPAs between 22nd April 2024 and 1st August 2024. Nevertheless the Applicant has repeatedly asserted up to the end of the Examination that the LPAs agreed the limited selection of viewpoints for photomontaging.

Further not only were the OHA not involved but the limited visualisations selection was itself contrary both to what was said by the Applicant in the Non-technical summary accompanying the DCO Application and also to what the Applicant's director was saying in correspondence both in April and August 2024. The failure to involve the LPAs also ignored the clear requirement in the PINS Scoping Opinion where at table 7.2 it said:

‘The Applicant should seek agreement from relevant consultees regarding the appropriateness of selected photomontages and evidence of this agreement should be provided in the DCO application’

Neither of these were done.

At this very late stage the Applicant has now merely said: *“the Applicant provided 55 Representative Viewpoints, of which 33 were selected as location for Type 3 photomontage.”* Yes, selected solely by the Applicant and disregarding both its previous assertions, the Scoping Opinion and the Landscape Institutes Technical Guidance Note 06/19

Regarding the issue of whether the visualisations were in accordance with good practice, the Applicant refers to photomontages being within the requirements described in Para. 4.4 of the LI Technical Guidance Note 06/1 – (presumably 06/19 was intended). Paragraph 4.4 relates to Type 3 visualisations. There is no explanation as to why Type 3 rather than Type 4 was chosen by the Applicant, nor to any consultation with OHAs about this despite the Landscape Institute Guide’s advice that agreement with competent authorities is expected – see references below to paragraphs 3.2 and 3.5.7 of the LI Note below.

At paragraph 1.1 the Guidance Note refers to its *‘aim to help landscape professionals, planning officers and other stakeholders in the selection, production and presentation of types of visualisation appropriate to the to the circumstances in which they will be used’*. This is followed in paragraph 1.2.2 with the statement: *‘it is critical that these visualisations are accurate, objective and unbiased’*, and at 1.2.12: *‘any visualisation should reasonably represent the proposal in such a way that people can understand the likely landscape and visual change’*. At 2.3 it refers to the need for *‘a reasonable choice of agreed viewpoint locations, view directions, view angles and times of the day’* and then at 3.5.7 to *‘agreement reached with the competent authority wherever possible’*.

Also in paragraph 3.2 under the sub-heading *‘Working with the Competent Authority’* the Guidance Note says: *‘If landscape and visual issues will be a key issue, submissions of the proposed visualisation approach, suggested viewpoints and a Zone of Theoretical Visibility, will assist in reaching agreement with the competent authority’*.

However the Applicant failed to communicate with, let alone agree with the local authorities either about selecting the viewpoints to be visualised or, it appears, was there any communication over the choice between Type 3 or Type 4 photomontages.

Regarding the issue of which Type of photomontages should have been provided, in paragraph 3.5.10 of the Guidance the Landscape Institute advises that in choosing the Type it is important to consider:

- Contextual Sensitivity and Magnitude and visual effects of the development overall rather than a single location,
- Cost, but this should not override the reasonable requirement for appropriate visualisations,
- Type, size and scale of the development,
- Degree of realism required,
- Nature of development and how best illustrated.

I have discussed this with a very experienced and respected landscape architect who is clear in the view that based on these considerations Type 4 visualisations should have accompanied the DCO application. As he said in his Relevant Representation: *'The visualisations submitted with the LVIA do not give an accurate representation of the severity of the impacts upon either the character of the landscape or visual amenity and are non-compliant with the Landscape Institute Technical Note TGN 06/19.'*

24d The Applicant's response is very little more than repetition of what it has been saying before and during the Examination. The central issue of siting has in truth been driven by land availability belonging to one major landowner, the Blenheim Estate.

It is a pretence to continue to assert, as the Applicant does, that its *'avoiding'* or *'reducing'* measures would have significant effect. The Applicant's landscape consultants have now been replaced. Perhaps reality is beginning to dawn. The overall design would not achieve the stated aims however many times the Applicant repeats its mantra of little or no adverse effect on the landscape.

Under '4.2 Avoid' the Applicant recognises that solar arrays that adversely affect the settings of, inter alia, listed buildings should be removed. The setting of the Grade1 listed church of St Peter and St Paul in Church Hanborough

includes the important views enjoyed by those travelling from south to north along Lower Road particularly when the trees and bushes are not in leaf. In earlier responses I have shown photographically this view from Lower Road. However fields of panels remain (particularly in Field number 2.115) in the Illustrative Masterplan rev.4 (C1-051) that would adversely affect the setting of this Grade 1 church.

Also under '4.2 Avoid' the Applicant asserts that its avoidance measures include the '*exclusion of ridgeline zones identified during the LVIA process*'. On this basis at least Field number 2.79, which we see from our house, should have been removed. It has not, and is still shown covered with panels on Illustrative Masterplan Rev.4 – 2.2D.

Under '4.2 Reduce' the Applicant refers to '*screening to the Site from within the local area and from elevated areas to the west*'. However rather than reducing impacts as claimed this seems to mean blocking the views from PROW 238/5/20 at viewpoint 24 (not visualised), and along this footpath referred to in the ExA's note of Unaccompanied Site Inspection 3 (US13) on 26th February 2025 in these terms:

*The ExA then walked south on the unnamed road leading to New Farm Farmhouse and subsequently the footpath heading south. The ExA observed the Church Hanborough Conservation Area and its Listed Buildings, **as well as the wider landscape visible to the east from this footpath.***' (my emphasis)

Either the '*wider landscape visible to the east from this footpath*' ie across the Evenlode Valley, like many others, will be blocked by the Applicant's claimed mitigation of additional thick hedging or the view will be of the valley dominated by solar panels on metal frames, converter stations, security fencing and a project sub-station. It is a fallacy to describe this as reducing the impact or as mitigation.

Further under 4.2 Reduce, the Applicants talk about measures that will help '*to integrate the Project into the surrounding landscape*'. The reality is that either the landscape will no longer be visible or if it is, it will be a semi industrialised landscape. This is not integration.

The Applicant still refers to 25m buffers as an example of reducing impact. But it has now decided to offer 100m to 250m buffers. This challenges any confidence in their assertion that '*individual properties were looked at on a case by case basis*'. The reference to Purwell Farm as an example of '*being*

considered appropriate to have a greater buffer zone' is disingenuous because until the summer of 2023 a Blenheim tenant farmer and his wife I know lived there and had to move out. So far as I know it is still Blenheim owned property.

Still under Reduce, the last paragraph on page 75 is seriously misleading. It refers to the offer of buffer distances being increased to a range of 100m to 250m, but then immediately says that *'these updates are illustrated on the updated Masterplan (ES Figures 2.1A -2.4C Illustrative Masterplan Rev 4)*. This is not true. This latest Illustrative Masterplan Rev 4 shows 250m buffers not a range of 100m to 250m, and makes no mention of post consent negotiations with OHA. This same misleading assertion is repeated on page 77 albeit with, I assume, a typo reference to Rev 3.

Under the sub-heading 'Updates to the illustrative masterplan and application of mitigation hierarchy' reference is again made to the same Illustrative Masterplan Rev 4 with the claim that *'the updates demonstrate the continued application of landscape and visual considerations'*. The reality however is that the Applicant has been forced to offer wider buffers. On page 78 it explains this by *'additional desk-based review and fieldwork including another site visit'*, and then the statement that *'this review found that the first 100m from a dwelling typically comprises the immediate setting of the property and the foreground views '*. This extraordinary statement reinforces the view that up to now the Applicant has just pretended to take this issue seriously. It has been given many previous opportunities to address this but has either buried its head in the sand or hoped that it could ride roughshod over residents and ignore what the ExA were asking. The Applicant has left it much too late to try to resurrect any semblance of responsibility. Indeed its consultants have yet to visit properties generally in order to make valid assessments or comply with Step 2 of the LI industry standard guidance (LI TGN 02/2019) of assessing from affected properties.

The Applicant then goes on to refer again to the updated Illustrative Masterplan and says that *'this masterplan has been to accommodate additional offsets beyond the baseline of 100m offset*. However these are to be *'subject to discussion and agreement with OHA'*. This Masterplan however only shows 250m buffers/offsets. Hence confusion, uncertainty and muddle that cannot be left to post consent negotiation with OHA. In their response to the SoS's RFI 29 (C2-024) the OHA have already made clear in the context of the ExA's suggestion of a 250m buffer that it would be unworkable. And even it

could be made workable how would the Order Limit red line be changed so that it no longer includes the buffer zones which the project would no longer need.

Further with regard to the Order Limit red line shown on the latest Illustrative Masterplan, this appears, with only very minor changes, to remain as it was. As I understand it, subject to very minor changes, the Applicant is seeking a compulsory purchase order for the whole of the original three sites. As a matter of principle there should be strong justification for any compulsory purchase order. Using the Applicant's own area figures in its response to RFI 69 the original area of the three sites was 843ha, whereas with other small reductions since 12th September 2025 and the proposed 250m buffers shown on the Illustrative Masterplan the project area will reduce to 554ha. Any compulsory purchase order should reflect this and the Order Limit red line adjusted accordingly. There can be no justification for a compulsory purchase order to include nearly 300ha inside the Order Limits red line which would not be required for the project itself.

25 This paragraph in the RFI letter encourages the Applicant to consult with the OHA. The image of progress that the Applicant presents in paragraph 25 is in contrast to what the OHA say in their corresponding response namely that there has only been one inception meeting on 14/5/26 with the Applicant's new Landscape team and that further information was awaited. (C1-024). I notice also in the Applicant's response to paragraph 68 that the Local Planning Authority most affected, WODC is not included in the list of attendees on 14/5/26.

26 This paragraph in the RFI letter asks whether the Applicant intends to update the RVAA and if so to consult with the OHA. It is clear from its short response that there is no intention to produce a new RVAA pre-Decision, but rather the Applicant wants to rely on the production of a post consent Residential and Visual Amenity Plan in consultation with the OHA. From residents point of view this proposal is totally unacceptable, not least because there is no provision for residents' involvement in that process. A proper RVAA should have been produced a long time ago and examined in the usual way within the statutory framework established by the Planning Act as referred to

in the SoS's letter on 8th June 2026 refusing the extension requested by the Applicant. It is now far too late for this fundamentally important document.

27 This paragraph refers to the ExA suggestion of a 250m buffer for every residential dwelling house and asks if property-by-property assessment would be feasible. However rather than answer the question the Applicant repeats its proposal for a range of buffers between 100m and 250m which it says could still leave the project viable. This, despite its viability calculations referred to later reaching the conclusion that at 250m for all affected dwellings the project would still be viable, albeit by a relatively small margin. The impression to me is that the Applicant is making this up as it goes along. This approach is totally unacceptable for an NSIP let alone one which is, or nearly the largest solar farm in Europe. This, together with the Applicant's well documented and repeated failures to engage properly with both OHA and other IPs, risks leading to increased uncertainty and confusion, and without residents having an opportunity for engagement with such a post-consent process.

The Applicant further confuses the reader at the end of its short answer to this paragraph by saying: *'The physical effect of imposing up to a 250m buffer is shown on the updated Masterplan'*. The Masterplan does not do this. Rather it shows a buffer of 250m, not a buffer up to 250m. Yet again this is seriously misleading.

68 The Applicant's response to this RFI refers back to its Cover Letter. The Cover Letter leaves the production of new RVAA and LVIAs in the air. The 100m to 250m buffer Offer made following a *'unilateral decision'* not discussed with anyone depends entirely on its proposed new Requirement 15 and a Residential and Visual Amenity Plan, production of which would not start until and unless development consent is granted. Although not mentioned by the Applicant here there will also be its proposed work with OHA described as *further design iteration in line with discussions with the OHA'*. Much of the OHA reluctance set out in their response to RFI 29 in connection with RVAA is very relevant to the proposed RVAP. The OHA make the fundamental point in these terms *'This is an extremely important piece of work that should inform the design and should not be done retrospectively'*. (C1-024) What the Applicant proposes is a back-to-front process that is wholly unacceptable and

entirely in conflict with the SoS's statement about *maintaining discipline within the statutory framework established by the Planning Act.... and 'is of fundamental importance to the efficient and fair operation of the development consent regime'*.

As to the practicability of working within the proposed Requirement 15, the Applicant has omitted any reference to Sec 2(2) of schedule 16 of the draft DCO and the 8 week period for discharging a requirement failing which the deemed consent provision would apply. Not surprisingly the OHA point out that an informed decision on the effectiveness of any buffer proposed might not be possible within this timescale in the context of a new RVAA. How much more risky for property owners if deemed consent was to apply to the proposed RVAP.

There is also no stated recognition by the Applicant that individual householders would have any formal right to be consulted. As the OHA point out Schedule 16 of the draft DCO does not include *'a formal duty for members of the public, householders, or local communities to be consulted, nor to publicise notices'*. Further, it appears from the main paragraph of the Applicants response to RIF 70 that it does not intend to engage with householders possibly at all about *'how the new buffers would be assessed'*. The evidence suggests that the Applicant intends to try to shut out householders from this process. Again this is totally unacceptable.

The OHA summary in relation to RFI 29 under the RVAA heading and the ExA's suggested 250m buffers (C1-024) also applies equally to the proposed PVAP namely: *the OHA do not consider it appropriate for such reductions to be considered post consent. Instead, a sufficiently detailed assessment of the potential impacts of the scheme of residential amenity should be submitted to the SoS to inform their decision'*. In the same context, and earlier in the OHA's response to RFI 29 they make the fundamental point about weighing and balancing in these terms: *The level of harm of these residual impacts would then need to be considered against the benefits of the scheme. Given this the OHA do not believe that the issue of impacts on Residential Visual Amenity can be left until after the scheme has been consented and instead need to form a part of the SoS's weighing and balancing when determining the application'*.

All this reinforces my comment that it is too late to embark on what is proposed by the Applicant. To agree to it would put the process back-to-front, and not be within the discipline of the statutory framework or be fair to the public, householders or the local community.

69 The calculations set out by the Applicant are difficult to follow for a layperson. In view of all that has gone before, and the last minute '*unilateral decision*' outlined in the Applicant's Letter of Response' (C1-033), I am sceptical that these calculations tell the whole story. It seems surprising for example that a reduced area of solar installation incorporating the '*worst case scenario*' of 250m buffers throughout can still produce the same 935MWp. One asks why was this not offered a long time ago. Perhaps panel development/efficiency over the last 4 years plays a part. But the calculations do not mention this.

It is pretty clear that the Applicant is trying to achieve a position in which the average buffer is eventually set at nearer 100m than 250m. This difference alone would, even on its own figures, increase its viability margin, but again this is not mentioned. Even on this basis, it is not correct to assert as the Applicant does that *the submitted position (ie 935MWp) therefore leaves no headroom for any further reduction in capacity*'.

The Applicant is still claiming a contractually agreed connection capacity with National Grid of 840 MW. IPs have been pointing out that this is a maximum not a minimum.

RVAA Rev. 1

The RFI letter points out in paragraph 26 that IPs did not have an opportunity to comment on the Applicant's assessment in REP7-042. I now wish to take this opportunity.

It is not entirely clear to me whether the Applicant intends to re-write, or as it puts it '*refresh*', its RVAA (REP7-042). However it is now focussing on an RVAP post consent instead. If this is under consideration I wish refer not only to my earlier comments on the RVAA at REP6-064 but also now to the RVAA Rev.1 at REP7-042. In both of these my wife's and my house in Church Hanborough for nearly 30 years is referred to.

In section 2 of my comments on RVAA (REP6-064) at Deadline 7 (REP7-163) I pointed out that not only were the Applicant's comments about the view misleading, the corresponding photograph (fig 1.19) towards the house having been taken about 50m or so away, but also there was no assessment from the house as required by Step 2 of the Landscape Institutes Guidance 02/2019.

In the Applicant's RVAA Rev 1 at REP7-042, where it reproduced the same photograph (fig. 1.19), it slightly embellished its misleading comments, and still omitted any assessment or photograph from the house or garden. The description of the sites of The Stables and New Barn Farmhouse – only the latter being our property – is confused and wrong. It also ignores the fact that from within our house we see some or most of each of the fields across the Evenlode valley up the sides of the ridge on the eastern side. These fields, all of which still show coverage in panels in the latest Illustrative Masterplan, include numbers: 2.37, 2.38, 2.39, 2.40, 2.42, 2.43, 2.44, 2.45, 2.74, 2.75, 2.76, 2.77, 2.78, 2.79, 2.82, 2.86, 2.89 and 2.94 as well as Burleigh Wood and also Wytham Wood further to the south east. Field 2.79 is on the crest of the ridge and its panels would also break the skyline. All this has been ignored by the Applicant. We are also concerned about the potential for glint and glare from panels in some of these fields.

Final comments

The latest revisions to the DCO application and accompanying documentation are still seriously defective and incomplete so consent should be refused.

But if not:

(a) since the proposed 100m to 250m buffer with post-consent RVAP would be unworkable and unfair, for simplicity a standard buffer would be required of at least 250m, and

(b) any compulsory purchase order should be limited to the areas required by the Applicant's panels and security fencing, and should not for example include the buffer areas.

MB 16/7/26