

Simon Raywood

From: C.Nuttall-Smith [REDACTED]
Sent: 04 October 2026 22:32
To: Botley West Solar Farm
Subject: Stop Botley West Solar Project
Attachments: Comment on CPC letter to SoS of 15.7.26.docx

You don't often get email from [REDACTED]

Christopher Nuttall-Smith
[REDACTED]
[REDACTED]

4 October 2026

email to BotleyWestSolar@planninginspectorate.gov.uk

Dear Secretary of State

Botley West Solar Farm: EN010147

Further to my letter to you of 16 September 2026 as an Interested Party, I have recently studied a copy of a letter sent to you by Cumnor Parish Council dated 15 July 2026.

This letter is some 105 pages long and I was struck by the huge number of dubious and downright false and untrue statements made by PvDP the promoter of Botley West Solar Farm.

I thought it would be of interest to all parties to try to distil some of these dubious statements into a shorter document with the significant comments highlighted in **bold** as attached below.

It should be kept in mind that the United Kingdom is a mere 93,628 sq miles compared with the rest of the earth's land surface of 57.5 million sq miles, UK making up a mere 0.16% of the planet's land mass. It is utter madness to destroy UK's agricultural land and green belt for the foreseeable future, probably for ever, for the sake of political posturing about net Zero energy. There are many far less harmful ways of producing net zero energy, but ground based solar panels are not one of them.

Once again I respectfully request the Secretary of State to refuse outright the grant of a DCO for this Application.

Yours faithfully
Christopher Nuttall-Smith

Interested Party Registration No: [REDACTED]

Attached
Comments on Cumnor Parish Council submission to SoS of 15 July 2026

6 Alternatives and Site Selection

This Interested Party assesses that the Applicant's evident confusion in C1-087 as it attempts to reconcile its new narrative with previously submitted information (such as in APP-042) has led it **to try to convince the SoS of several different things, simultaneously**. It has failed to do so.

This Interested party is minded to return to where this assessment started. As the ExA commented in May 2025 **'you're saying, we've got landowners, we've got land, and that's where we decided to build'**

6 a-e Location of Substation

This Interested Party assesses that the Applicant has provided **contradictory, contrived and partial (in all senses of the word) information** that does not align with the requirements of NPS-EN1 paragraphs 4.1.22 and 4.3.15

7 Choice of Land

The Applicant's statement that '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' **is untrue**.

From this it is **difficult to agree** with the Applicant's assertion that 'No commercial enterprises would be comprised [sic] by the Proposed Development'

8 Infrastructure National Grid Energy Transmission Substation

The extensive, detailed and evidence led submissions by many Interested Parties stands in stark contrast to the **lack of response from the Applicant**; itself a direct cause of the need for repeated questions by the ExA and now the SoS

9 NGET substation planning application status:

.....this Interested Party requests the SoS to return to the ExA's very sensible proposal of requiring 'Grampian' conditions for this NSIP application including one prohibiting the start of construction for this project **until** NGET gain planning permission for their substation.

This Interested party notes the Applicant **has repeatedly attempted to ignore** this ExA proposal and continues to do so in its latest C1-087, instead seeking to water down the ExA's proposal **and push it beyond DCO approval**

10 & 11 NGET Connection Agreement

In seeking to bolster its case, the Applicant states 'In January 2026 Botley West Solar Farm was confirmed by NESO as a Gate 2 Phase 1 protected connection'

However, when this Interested Party checked this, using NESO's own 'transmission entry capacity (TEC) register' updated on July 14th 2026, it found **no** '2' status listed for Botley West (line 242, Column 'O' of the TEC register spreadsheet).

As NESO advises that

'This column will be populated once agreements have been countersigned. Until that point, the field will remain blank.' this Interested Party concludes that the Applicant does **not** have a countersigned agreement with NESO for Gate 2 status.

12 Connecting tower structures

The Applicant chooses **not** to answer the SoS's specific question here, instead inviting all Interested Parties to take comfort from its assertion that 'The specific location(s) and

other final design of the connecting towers, tower structures and other infrastructure will be subject to the detailed design requirements in the DCO and ongoing engagement with NGET'

This Interested Party takes no such comfort, as this is yet another example amongst many where the Applicant is asking the ExA, and now the SoS, to be able to work out significant details **after planning permission is granted**, rather than going through the chore of working them out as part of the evidence base for its application.

13 Two towers of a height between 60-80 metres

Given the Applicant's current Order Limits its definitive answer of 'yes' to the question of whether works to tower structures would fall within the Order Limits and that 'No extension to the Order Limits would be required' **is impossible to reconcile with the redline boundary for NGET's own proposed substation**

The NGET screening application redline not only extends beyond the Botley West DCO redline but also extends within the redline for the proposed immediately adjacent Red House Farm power station previously refused by VWHDC and now subject to an appeal at a public inquiry on 20 October 2026

However, this Applicant is asking the SoS to believe **the opposite is true**, that if they were to build the substation within the DCO boundary they would not need to work outside the Order Limits, unlike NGET.

If the Applicant's assertion to the SoS is however untrue, this raises yet other issues as it would require the Applicant to carry out works not just outside its Order Limits but also within the redline of an immediately adjacent and entirely separate solar power installation.

14. The Applicant is also requested to provide an updated Grid Connection Statement

The Applicant has **not** provided an updated Grid Connection statement, instead seeking to rely on its November 2024 APP-019. The reason? As in so much else (see 12 above) **'it has not yet been finalised'**

That this is the Applicant's stated position in June 2026, 2 months after the SoS requested the information, 7 months since the end of the Examination phase and 19 months after APP-019 was submitted, speaks volumes about the **Applicant's disregard for the application and Examination processes and its attitude to scrutiny by both the ExA and the SoS**

19 Cultural Heritage Setting

This Interested Party notes that in its reply to SoS Q 15 in C1-087 the **Applicant makes no response to ICOMOS submissions** RR-0413 and REP1-103 about the proposed southern site

23 Landscape and Visual Impact Assessment ("LVIA")

The Applicant's 2 page response to SoS Q23 in C1-87 provides **no new** information, merely reiterating its previous position.

Since that position was the one that, as the SoS notes caused; 'concerns from Historic England, OHA, Cassington Parish Council, Cumnor Parish Council, ICOMOS, ICOMOS-UK and other Interested Parties' those concerns remain and are amplified, since even after the Examination and despite another opportunity to do so, the **Applicant still chooses to do nothing** other than to repeat its previous assertions.

24 Landscape and Visual Impact Assessment ("LVIA")

This IP assumes that the Applicant's statement that **'The Project does not include any permanent lighting during operation'** is limited to lights emitting in the human visible wavelength spectrum only. Unless the site's proposed CCTV cameras are to be rendered 'blind' during the hours of darkness they will rely on illumination by Infra-Red light to 'see' in the dark, as any other industrial/domestic CCTV system, where Infra-red light is known to cause severe adverse impacts, particularly for nocturnal mammals, rodents, birds and especially bats and their insect prey.

So the Applicant's unqualified assertion that lighting 'does not contribute to impacts' cannot be allowed to stand.

The Applicant has failed to inform the SoS that it **incorrectly lists** everything about the Red House Farm power station as '**unknown**' including its 'overlap' with the Applicant's own project.

Even more concerning for the SoS is the Applicant's 'tiering' of this project's associated NGET provided substation. The Applicant's REP5-034 **omits this cumulative proposed development entirely**.

24b. Applicant's response to IP comments at Deadline 7: assessment of Applicant's response

This Applicant's response is essentially a repeat of its previous deficient Examination phase assertions. Examples include:

- its treatment of Cumnor's Neighbourhood Plan Important Views which, by definition, must be on publicly accessible land such as PRoW;
- its claim that the project is 'fully reversible', **except that it isn't** with permanent aspects including, but not limited to, cabling and substations.
- Its claim of an 'increased buffer to 100 m' **which is actually a decrease** from the previous 'without prejudice offer' of 250m and is now all subject to processes the Applicant would rather occur **after its been granted planning permission**
- Its claim of a 'four step' process, as set out in the LI industry standard guidance (LI TGN 02/2019)' for its RVAA not submitted by June 9th 2026, with its prior attempt in October 2025 only coming after adverse comments by the ExA at the October Issue Specific hearings

As the ExA states in its PD-017 '**The ExA find it extraordinary that you have just repeated your approach and methodology, when this has been questioned on numerous occasions both in writing and in the previous hearings. Many of the IP's as well as the host authorities and Historic England have made valid professional judgements that should be considered as such.**'

24c Visualisations and viewpoint selection & verification: assessment of Applicant's response

In repeating its 2025 evidence to the ExA in C1-087 listing six viewpoints it has chosen in Cumnor Parish and claiming they correspond to Important Views in Cumnor's made Neighbourhood Plan, the **Applicant again ignores** the representation this Interested Party and the OHA made in the Examination Phase for additional and more accurate viewpoints, photomontages and visualisations.

Unsurprisingly **it contains the same errors and omissions** as it did when first presented in 2025.

This list ignores the representation Cumnor Parish Council made at REP2-048 in its commentary on ExA Q 1.14.6, and representations by the OHA, for additional and more accurate viewpoints, photomontages and visualisations.

So **it contains the same errors and omissions** as it did when first presented in 2025, such as Representative Viewpoint 55 which is several hundred metres from the ZTV and which presumably remains in the Applicant's submission to bolster its case of '**nothing to see here**'.

24d. Early stage scheme development and mitigation hierarchy: assessment of Applicant's response

The Applicant's response combines a more discursive cut and paste of its answer to Q23 with an attempt at the specificity required by the SoS where the accuracy is found wanting.

For the southern site, the Applicant:

- Has **not avoided** development in flood risk affected areas
- Has **not mitigated** impacts on bat habitats and has chosen to ignore cumulative impacts of the immediately adjacent Red House Farm power station
- Has **not reduced** residential visual amenity impact by increasing separation from residential receptors with no panel push back from Denmans Farm and a 15m high x 75m long NGET substation building in field 3.1/3.3 at a distance of c 50m from Jumpers Farm

26 Residential Visual Amenity Assessment ("RVAA")

The June 2026 **attempt by the Applicant to place blame** for its inability to provide an updated RVAA on the '**absence of additional time**' is **extraordinary**, not least because the ExA made repeated requests for an RVAA over more than two years.

Despite claiming in July 2025 that there 'is no potential for any private views to be adversely affected to an extent that would result in a level of effect, which would trigger the requirement for RVAA' the Applicant attempted a **rushed, incomplete and inaccurate** RVAA on 20th October 2025, an attempt so woeful that just 3 days later the ExA pointed out **10 errors and omissions** and questioned the Applicant's methodology.

The Applicant then failed to submit any further update of the RVAA to the SoS on 9 June 2026, with the SoS refusing its request for an extension until September 2026.

The Applicant is now preparing another submission for July 16th, presumably as another '**out of time**' attempt to answer the questions posed since 2023,

This Interested Party considers the Applicant has failed to meet both the ExA's requirements and those of the SoS, and so the DCO should not be granted on these grounds alone, with the Applicant required to re-submit, given the unmitigated and unassessed harms.

27 Buffer Zones

While the SoS question is about a new DCO requirement for 'a 250m buffer', the Applicant **chooses to answer a different question**, saying 'it could accept an increased buffer of between 100 m-250m from residential properties' **before qualifying even that** by saying 'The precise buffer distance to be determined by the submission of an updated residential and visual amenity plan',

But such a RVAP would only be produced after the DCO has been approved and would be **further 'watered down'** with yet another exception where the Applicant may have already agreed a different buffer distance with owners of relevant residential properties.'

Where no details of how or when such 'agreements' have been reached or by whom, even though such buffers are known to be in the 0m-60m range

It is **unacceptable** to this Interested Party to seek to defer a matter **unresolved** at the end of 2025 Examination phase and **still unresolved** after SoS's questions and the SoS's refusal of an extension.

The inaccurate information provided to first the ExA and now the SoS is a function of the fact that.

- the Applicant **had not visited any property** for an RVAA assessment before June 9th 2026,
- **still has not visited any property for an RVAA/RVAP assessment**
- **No photographs were taken from within curtilages**, looking out from the property as required.
- Several properties less than 50m-100m from the site were **ignored altogether**, not even listed

In stark contrast to this ineptitude, and undertaking a task that seems beyond the Applicant, Stop Botley West and this Interested Party have actually visited and talked with residents.

If this wasn't enough to sink the Applicant's last ditch RVAP proposal then **its inability to even accurately map its own proposals further erodes any remaining confidence.**

It is this Interested Party's contention that the ExA/SoS phrase of 'the edge of any part of the proposed operational solar array' has been erroneously interpreted by the Applicant as referring to PV panels alone and **not the other infrastructure** – such as substations and Power Converter Stations (PCS) - that form part of the overall 'solar array'.

This Interested Party therefore asks the SoS to rule that 'push back' on the grounds of RVAA – as the Applicant is currently proposing for PV panels alone - should indeed apply to 'the edge of any part of the proposed operational solar array' as originally intended, so also addressing other visually intrusive elements within the DCO boundary such as substations and PCS.

The reality shows that if the Applicant were serious about addressing the ExA's and SoS's questions then there would be very little, if any requirement for its southern site, with panels and other infrastructure removed in all of fields 3.1 – 3.17.

This is further evidence supporting the OHA's and this Interested Party's position on the **removal of the southern site from the DCO.**

33 + 34 Ecology and Biodiversity Skylark

Against a background of steep population drops in all farmland birds, as described by DEFRA in September 2025, skylark numbers have declined significantly.

Yet:

- The Applicant has chosen to baseline its strategy by choosing a **low number** for its estimate of skylark population, well below the maximum observed.
- The Applicant has not addressed the OHA's 2025 point that '**skylarks will not be able to nest within the project site as they do not use solar farms**' with the OHAs still awaiting further information from the Applicant a year later.

As with so much else in this application, **work that the Applicant should have been done before the end of the Examination phase**, at the latest, it now proposes to do only after DCO consent.

The limits placed by this approach on public scrutiny are clear and with it a challenge to the SoS's position that recognises 'the importance of ensuring that robust information is available to inform the decision-making process

Contrary to the OHA's position during the Examination phase that a comprehensive farmland bird strategy should be developed, not just including skylarks but also the other declining species, the **Applicant has chosen not to submit** compensation measures for other farmland birds which are in decline.

This, despite Natural England in their response to EXQ1 stated that in respect of wintering bird assemblage and the proposed 40 year life of the power station 'Natural England agree that for the purposes of impact assessment **this should not be considered a temporary impact**

35 Bats and required remedial measures

In its answer to SoS Q.35 the Applicant **does not provide any details** of what the 'remedial measures' might be, nor any constraints on them the Applicant may decide to impose.

The Applicant still stands by its **unevidenced** that 'the area to be developed comprises species-poor fields, which are of much lower value for bats.' while simultaneously confirming this Interested Party's and Cassington Parish Council's prior submissions that:

- Solar power stations cause a **negative** and severe impact on the occurrence of bats.
- The Project site is important to a high diversity of UK bat species (14 out of 18),

including some of the **rarest threatened species such as barbastelle**

- A number of bat species move and forage over fields.
- Bats in the area are using a mosaic of habitats as part of their daily foraging activities and annual patterns of migration and roosting associated with reproduction and the autumn dispersal.

The Applicant chooses **not to explain the evident contradiction**.

In the case of the southern site the Applicant has based its assessment on just two static bat location sites comprising just one paired static location, a lack of research doubly concerning when set against the more extensive surveys conducted for the immediately adjacent Red House Farm solar power station that found 9 species of bats present, including barbastelle, an Annex II species (see annotated Map 8 above).

The Red House Farm survey also noted that 14 species of bat had been identified in the last decade within a range of 4km, so encompassing this Applicant's DCO boundary for the southern site.

Given the detail provided by the Red House Farm bat survey, **in contrast to the lack of detail in the survey conducted by this Applicant**, this Interested Party concludes that:

- The Applicant's bat study **cannot be relied** upon for the southern site.
- Given the redlines for the Red House Farm power station and Botley West's southern site are co-located for much of their East – West alignment, the SoS should assume that bats present in the Red House Farm survey will also be present within the Botley West southern site redline.
- That being so, this Applicant's oLEMP describing the southern site is deficient, needs to be **withdrawn and resubmitted** after it has conducted a more comprehensive – and so representative - bat survey.
- This Applicant should be required to present to the SoS a cumulative impact assessment for bats for its southern site, **taking into account both** the Red House Farm proposals and its own associated NGET substation proposal (including SoS scenario 1 where NGET builds the substation), **both of which it has chosen to ignore in its sparse statements on cumulative impacts**.

To this Interested Party it's as if the Red House Farm Applicant wishes to claim all will be fine because bats can and do use fields to the south of their red line – **but which lies within the Botley West redline** – and in any case they will provide a few bat boxes as mitigation.

Simultaneously, the Botley West Applicant claims the converse: that there really aren't any bats to worry about not least because they can and will continue to be able to forage and roost within the Red House Farm redline thanks to Botley West's 'bat corridors'.

To this Interested Party **this is cumulatively arrant nonsense.**

If it comes to pass, the severe adverse impacts on bat populations will then be self-evident, **but too late to do anything about**

39 Ancient Woodland and Veteran trees

The Applicant has **failed to inform** first the ExA and now the SoS of 4 areas of ancient woodland immediately adjacent to their Order Limits plus a further immediately adjacent to the proposed NGET substation and ancient woodland immediately adjacent to its proposed crossing of the River Thames: the internationally renowned Wytham Woods SSSI incorporating Hither Hill, Further Clay Hill and Hither Clay Hill.

This may account for the Applicant's new June 2026 **claim** that it only need consider 11 veteran trees for its entire southern site and the cable route to it from the central site, **with apparently no veteran trees** in any of the designated ancient woodland.

40 Horizontal Directional Drilling impacts on ancient woodland:

Since the Applicant **has failed after 4+ years** to identify the world renowned Wytham Woods SSSI as ancient woodland, and given it is immediately adjacent to the Applicant's proposed crossing of the River Thames north of Swinford, **no credence can be given to any statements made by the Applicant in its response to Q40.**

41 Strategic Arboricultural Impact Assessment & Method Statement

The Applicant's first attempt at a survey **was a mere 12 days** during the winter of 2023-2024 (29th January – 9th February) when there would have been **no visible leaf canopy**. Its second attempt, completed during May 2026, bears all the hallmarks of its attempted RVAA in October 2025 **hasty, inaccurate and incomplete.**

The Applicant has not followed the stated methodology and as a result the survey will likely be **incomplete and inaccurate or misleading.**

This assessment endorses the position taken by the OHA in their response to the SoS that **'there are flaws in the Applicant's methodology** for identifying ancient and veteran trees and as a result, there is potential for ancient and veteran trees to have been **missed** from the assessment'.

Overall, this Interested Party assesses that it is not credible for the Applicant to claim that such a huge site covering in excess of 1,400 hectares of rural Oxfordshire contains so few important trees

54 Hydrology and Flood Risk

In its discussion of NPS EN-1 in its June 2026 response to the SoS the EA statement that 'The development is in Flood Zone 1 for the operation phase.' **is incorrect** as shown above in Maps 12 and 13 with parts of the central and southern site in EA zones 2 and 3

If the EA considers for the proposed southern site 'sensitive infrastructure' to include high voltage (HV) underground cabling or power converter stations (PCS) housing the inverters and medium-voltage 1kV/33kV transformers then its June 2026 statement that 'The Applicant has taken a sequential approach to the proposed development layout by ensuring solar PV modules and more sensitive infrastructure such as transformers are located within Flood Zone 1.' **is incorrect as its own Flood Risk** maps show Zones 2 and 3 within the DCO redline crossing fields containing panels, PCS and other panel array infrastructure.

Given repeated flood events in this locale the SoS is asked to note that the **Applicant has also not addressed this issue** when raised by the OHA, such as in the OHA response to Change Request 2

This analysis is of even greater concern to this Interested party as the EA **is unable to provide the reassurance** the SoS requests **'whether the sequential and exception tests within NPS EN-1 regarding fluvial flooding have been met by the Applicant'** with the EA

responding that **'The Environment Agency is not the decision maker with respect to whether the Sequential Test or Exception Test has been passed.'**

57. Hydrology and Flood Risk concern raised by both Cassington and Cumnor Parish Councils
The EA's June 2026 response to the SoS repeats a comment so often made about the Applicant:

'Whilst we have engaged with the Applicant, we have not received this information to date and would not be able to review prior to the closing date of this consultation.'

Given the above, this Interested Party believes the SoS would be better informed about flood risk in the southern site if the Applicant had chosen to engage with this Interested Party since it first raised the issue in the Consultation phase and then throughout the Examination phase.

Instead, after 2+ years the Applicant has only been prepared to say it 'notes the response submitted by Cumnor Parish Council regarding flood risk'

Repeatedly 'noting' this **IP's response is not acceptable**. This is a crucial issue to this Parish and its 7000 residents as this proposed power station's southern site sits on higher ground to the south of the Red House Farm and NGET applications redlines within the same catchment, both of which this Applicant has **continued to ignore** when asked to address cumulative impacts.

Before this Interested Party commissioned its 2019 Flood Risk Assessment the parish had no information beyond the EA's then current flood risk map to explain its continuing and regular challenges to property, transport and livelihoods caused by flooding events.

Since 2019 the parish's experience of flooding has worsened, both in frequency, those adverse events exacerbated by planning applications relying on EA data alone.

So, as part of its current refresh of its made Neighbourhood Plan, this Interested Party commissioned an updated 2026 Flood Risk Assessment with the objective of providing an even more detailed evidence base, reflecting both real world experience across the parish and the December 2024 updated EA national flood risk assessment.

It shows – as real world experience has illustrated – that **flood risk** within and surrounding the Applicant's red line boundary **has increased even beyond that recorded in the 2019** assessment with a high fluvial flood risk and a medium to high pluvial flood risk across the Filchampstead Area of Interest - AOI 3 - (see map 14 above) which spans all of the Botley West, Red House Farm and National Grid redlines.

This degree of risk, and the mitigations required, but not considered by this Applicant, is further illustrated by the area's hydrological run off routing which shows pronounced and extensive south to north, north to south and east to west routings (see Map 15 above) spanning all of the Botley West, Red House Farm and National Grid redlines.

In addition the EA's Reservoirs Flood Risk map which shows flooding extending across land within all of the Botley West, Red House Farm and National Grid redlines (see Map 16 above) even for the its 'dry day' scenario.

In the light of such evidence the **Applicant's reluctant and piecemeal engagement with the ExA's questions**, and now repeated with the SoS, **does not inspire confidence**.

In response the Applicant reports just one infiltration test, only undertaken on 19th and 20th May 2026, in fields 3.1 and 3.3 in the southern site, slated for the Applicant's NGET substation (SoS scenario 2), an additional substation, and PCS and PV panels.

In only one case could an infiltration rate even be estimated – an infinitesimal 2 ten thousandths of a millimetre per second - **prompting the Applicants' consultants to acknowledge that infiltration 'cannot be considered sufficient for the effective use of soakaways for the disposal of surface water'**

Notwithstanding the above the Applicant continues to assert that its proposals will not alter run off or exacerbate flooding (fluvial and pluvial) in the Farmoor valley and that - as in all other issues it has failed to address – 'detailed drainage design' plus 'discharge location and method of surface water flows across the Site' **will only be confirmed after DCO approval**

But even a competent and complete flood risk assessment of this application in isolation is **not acceptable to this Interested Party given that cumulatively three solar power station proposals are currently planned for immediately adjacent land in the same catchment. No analysis of cumulative impacts has yet been presented by any of the three Applicants**

66-69 Without Prejudice Offer

Mindful that the ExA's Question 2.5.4 (PD-012) asks:

'(1) Government's 'Guidance related to procedures for the compulsory acquisition of land' advises that the SoS needs 'to be satisfied that the land to be acquired is no more than is

reasonably required for the purposes of the development' (paragraph 11).'
and

'4) Would the land not be better served being kept in its current agricultural use?'
the Applicant's own figures show that 488 hectares of farmland could be returned to
productive use without impacting power generation.

This Interested Party agrees with the ExA question above and urges the SoS should s/he still
be minded to approve the DCO to remove significant areas of productive farmland such as
those identified above and by the OHA in their request for field removal - including the
whole of the southern site – from the DCO boundary.

Summary

The Applicant's new June 2026 without prejudice offer **meets neither the minimum requirement** of a uniform project wide 250m buffer, as proposed by the ExA at Deadline 7 in PD-018, **being hedged with caveats and exceptions**, nor the reductions proposed by the OHA in REP6-118 and REP7-190.

The Applicant's stated reason for the limit on its new without prejudice offer is its claim of **lack of financial viability** for the project below a stated output of '935MWp'

Curiously the Applicant's figures for both MWp and MWe – and the their ILR - **have changed** both before and during the NSIP Examination process **and again now** in the SoS decision phase.

In the 30 months between December 2023 – June 2026 the Applicant asks the SoS to accept it:

But this contradicts many submissions the Applicant made to the ExA from November 2024 to November 2025 in which successive revisions of its 'The Guide to the Application' all state that the installed capacity (sometimes inaccurately called the delivered power) is approximately 1307MW.

So which version is the SoS, the OHA and all the Interested Parties being asked to accept? Is it the 1307MWp installed capacity relied on throughout the Examination, or the new figures of 1422, 1421, 1270 and 1260MWp?

It follows that this raises the question of whether the new figure of 935MWp is either accurate or the actual minimally viable installed capacity, given the Applicant still claims it will deliver an AC output to the grid of 840MW just as it did in November 2023?

To answer this question this Interested Party refers the SoS to the Applicant's table on **page 144 of its C1-087. However, the crucial row in the table (in green) is clearly arithmetical rubbish.**

That the Applicant can't even present meaningful numbers to underpin its marginal viability claim says it all.

This Interested Party further assesses that the Applicant's claim of minimum viability based on proposed reductions in the project's MWp obscures the fact that even at 935MWp its income could be still be similar, and maybe exactly the same, given it has assured the SoS that it has maintained its PEIR and DCO and Examination phase figure for AC output of 840MWe.

In other words, in response to the ExA and SoS, the **Applicant apparently has given no ground at all** (literally as the DCO redline is essentially unchanged too) by simply changing its chosen ILR – its choice for the ratio of DC output from PV panels to AC output to the grid.

On page 145 of C1-087 the Applicant states that if it agreed to the OHAs panel reduction proposal - which it claims would produce 685MWp – **then 'the Proposed Development would no longer be economically viable; second, the Proposed Development would fail to meet the contractual connection capacity of 840 MWp.'**

This is odd for two reasons:

- National Grid (and the National Energy System Operator – NESO) assesses NSIP solar farms using MWe to specify the export capacity (AC) to the grid, not MWp; and
- NESO's answer to a FOI enquiry on Botley West dated 23rd December 2024, states that what the Applicant calls a 'contractual connection capacity' that it would 'fail to meet' is in fact 'a right rather than an obligation' and that 'A developer can apply to change the amount and there are provisions within the CUSC for cancellation etc.'

This assessment is supported by the fact that the APP-019 (dated November 2024) Grid Connection Statement the Applicant still chooses to rely on, agreed by the Applicant and NGET, contains no mention in either section 4 (Contractual Agreements) or in Section 5.1 (Responsibilities of National Grid) of a 'contractual connection capacity' and no reference to 840MW or 840MWe or 840MWp anywhere.

So:

• Unless the Applicant can show otherwise, this Interested Party assesses that it hasn't demonstrated that it has met either the ExA proposal in PD-018 or the OHA proposals REP6-118 and REP7-190.

• In claiming that, for viability reasons, it can't meet the panel and other infrastructure reductions proposed by the ExA and OHA, the Applicant has relied on an explanation of power station output and contractual obligations that cannot be reconciled with the open source information currently available to this Interested Party.

This Interested Party urges the SoS to make his/her own assessment and draw conclusions accordingly.

The SoS is encouraged to consider why this Applicant believes its minimum viable project size is 935MWp when other NSIP projects DESNZ has approved can be viable at fractions of that size?

The SoS is also invited to consider the impacts of the Applicant's claims on agricultural land use and on the many tens of thousands of impacted residents and visitors to this area of rural Oxfordshire.

Why, given that in its DCO application the Applicant required a redline area 1418ha to accommodate 843ha of installation (panels, PCS and substations), a ratio of 1.68:1, does it now need a redline area of 1328ha to accommodate 554ha of installation, a ratio of 2.40:1?

If it's for its own planning gain, panel creep, convenience in not requiring another 6 week consultation for a DCO boundary change as in August 2025, or for a subsequent BESS battery planning application within the redline, then the Applicant should say so, giving the SoS more information on which to judge the planning balance.

Conversely, if the Applicant had maintained its initial DCO 1.68:1 ratio for redline area to installation area, then it would only now require 930ha in total, returning 488ha (the DCO redline application area of 1418-930) to its current, vital, agricultural and rural recreational uses – an area twice as large as the SSSI in Blenheim Palace's Park.

That reduction in redline area would then drive reductions in its fixed costs which, by its own data, are very high and a driver of the project size allegedly required to be minimally viable.

This Interested Party urges the SoS, should s/he still be minded to approve the DCO, to remove significant areas of productive farmland such as those identified above and by the OHA in their request for field removal - including the whole of the southern site – from the DCO boundary.