

BOTLEY WEST SOLAR FARM
PLANNING ACT 2008
INFRASTRUCTURE PLANNING (APPLICATIONS: PRESCRIBED FORMS AND
PROCEDURE) REGULATIONS 2009

WRITTEN SUMMARY OF ORAL CASE STOP BOTLEY WEST

ISSUE SPECIFIC HEARING 2 AND OPEN FLOOR HEARING 3

Introduction

1. Stop Botley West (“SBW”) made oral representations on agenda items at **Issue Specific Hearing 2** on 9 October 2025 and made further oral representations at **Open Floor Hearing 3** on 10 October 2025. This written summary deals first with agenda items raised on 9 October 2025 before covering residual issues raised during SBW’s submissions on 10 October 2025. Issues addressed at both hearings are included under the relevant agenda item.
2. Separately, pursuant to Rule 17 of the 2010 Procedure Rules, the ExA, has shared a note following the hearings dated **14/10/25**. We share the deep sense of frustration in relation to this project, the lack of confidence in what is being advanced, and the general dismissiveness on the part of the Applicant in response to the legitimate concerns raised. SBW has seen first hand the haphazard way in which this project has been promoted, the lack of detail and seriousness, and the inability of the Applicant to respond positively to feedback.
3. It is clear that budget limits have been reached and the Applicant has decided that there is little, if anything, further that can be achieved.

4. At **Deadline 6**, it is striking that there is still a great deal of outstanding information and evidence to support this Order. Crucially, any proliferation of further evidence will necessarily require some level of consultation, time for impacted parties to digest and respond, and possibly further intervention from the ExA. Whilst in theory this might be possible in the lead up to **Deadline 7**, in practice it speaks to the likelihood of further significant changes within the Order limits at the last possible moment.

Summary of oral submissions made on agenda items during Issues Specific Hearing 2

National Grid Substation (Issue 3a)

5. SBW remain concerned about the cumulative impact of the proposed National Grid substation and proposed solar farm, on which the Applicant has failed to report back properly. SBW are not reassured by the response of the Applicant to questions from the ExA on this matter. The fact that a Grampian Condition has become unilaterally necessary and imposed by the ExA is again regrettable but also highlights the need to use the relevant tools to ensure any level of certainty. The fact that such a condition has become necessary highlights the lack of confidence in these proposals.
6. The answers given to the three identified areas on this issue have not been satisfactory: in particular **(a)** the timing issue for the connection, there has never been a clear date identified; **(b)** a location issue that goes to the heart of the deficiency of the Environmental Statement; and **(c)** the battery issue's proximity to the Order Limits cannot be seriously maintained as a coincidence. The idea that the battery scheme is wholly independent and unrelated, as it straddles the Order Limits, is frankly laughable. All these points are quite fundamental and it is obvious to everyone except the Applicant that addressing them in the time period left will be insufficient.

Change request 2 (Issue 3a)

7. It is of course acknowledged that change requests are an inevitable part of these processes. Indeed they can often be made in the right moments and lead to an enhancement of a proposal. Here, the opposite is the case. This is because the significant changes to the scope of the project, at such a late stage in the application process, demonstrate the Applicant's failure to follow the mitigation hierarchy in line with national policy. **Change Request 2**, which proposes the removal of over 100 hectares

of land from the proposal, is indicative of the Applicant's failure to understand the approach expected in the mitigation hierarchy at the earliest stages of the process. It is indicative of a scatter gun approach of drafting the Order with a maximalist outlook rather than a scheme rooted in understanding national and local policies, and not just driven by the Policy Statement on renewables as carte blanche that trumps all else.

8. The significant change request also demonstrates the failure to communicate with the local community and engage in genuine consultation throughout the application. Instead, the Applicant sought to include the most amount of land in its proposal and now inappropriately using the examination process to reduce the scope of the project.
9. Consequently, the ExA's real role has been subverted to one having to think through matters for an Applicant who has failed to put forward a carefully assessed project. The ExA cannot be confident that the Applicant has paid due regard to the key component parts of the mitigation hierarchy and then mitigate the detrimental impacts of the development. This is a colossal waste of time and resources.
10. By way of an example of failure to properly apply the mitigation hierarchy is demonstrated by the latest changes, which the Applicant states will result in alterations to the Order Limits in the form of a reduction of approximately 46.55ha and a reduction in the installation area of approximately 40.8 ha.¹ This particular reduction has been requested due to safety concerns raised by Oxford Airport in relation to the take-off and landing of light aircraft. This was plainly avoidable very early on in the process if anyone had bothered to undertake a basic due diligence process. Such a significant change at this stage demonstrates the failure of the Applicant to properly consult at an early stage of the proposals and consequently highlights the significant risks of consenting its proposal, risks that the ExA are unable to properly assess.
11. Further, research by SBW found that 156 residential properties would have been within 25-100 metres of the Botley West Solar Farm according to the Applicant's initial plans. Following Change Request 2, 72 properties have been removed from this list. Once again, the extent of change demonstrates the Applicant's failure to consult the local

¹ Botley West Solar Farm Change Request 2: Change Report, para 2.5.2 (September 2025)
<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010147/EN010147-001823-Change%20Request%20Report%20Sept%202025.pdf>

community to identify detriment and follow the mitigation hierarchy. This position has since moved on significantly as set out further below.

Cultural Heritage (Issue 3d)

a. Blenheim Palace

12. SBW remain concerned that the Applicant has underestimated the detrimental impact of Botley West Solar Farm on Blenheim Palace by ignoring the full impact of the development on the setting of the World Heritage Site. As acknowledged by the NPPF, World Heritage Sites are irreplaceable assets of the highest significance and should be conserved accordingly. The conservation of a World Heritage Site includes conserving its setting.² Consequently, due to Blenheim Palace's internationally recognised status as a site of outstanding universal value, the importance of conserving Blenheim Palace's setting cannot be overstated.³ As was set out in the open floor hearings, the quality of evidence required to respond to this must similarly be commensurate.
13. The Applicant reiterated at ISH2 their consistent position that it was appropriate and correct to only focus on visual aspects of setting in order to make an assessment as to the impact of the proposed development on the Blenheim Palace World Heritage Site (WHS). As set out in their response to D4 Submissions⁴, the Applicant highlights the criteria under which Blenheim Palace was inscribed as a WHS and the Integrity section of its Statement of Outstanding Universal Value (OUV) which refers to 'visual links'. Additionally, they reference the ICOMOS Operational Guidelines⁵ which states that boundaries of a WHS should be drawn to incorporate all the attributes that convey the OUV.
14. SBW raised a number of concerns in relation to these points at ISH2. It is accepted professional best practice in the assessment of heritage assets that setting does not wholly relate to visual considerations. The PPG⁶ provides the following definition of setting which is consistent with that found in GPA3⁷:

² NPPF 202-214.

³ National Planning Policy Framework, para 202.

⁴ REF 5-005, pg 10

⁵ ICOMOS, 2025. *2025 Operational Guidelines*

⁶ PPG, . Paragraph: 013 Ref: 18a-013-20190723

⁷ Historic England, 2017. *Historic Environment Good Practice Advice in Planning: 3 (2nd Edition)*

“The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an in its setting is also influenced by other environmental factors such as noise, dust, smell, vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each’.”

15. SBW is therefore disappointed that the Applicant continues to maintain their focus on visual elements of setting as the only aspect that requires consideration despite evidence presented by Interested Parties, including SBW and ICOMOS. As a result, the Applicant’s baseline assessment from which the nature of any impacts is considered and thereby informs appropriate and proportionate mitigation measures continues to remain flawed.
16. SBW also consider that the Applicant’s comments on the Operational Guidelines presents a misleading and narrow approach to the guidelines themselves. It is not disputed that they set out the need for the defined area to contain all of the attributes as highlighted by the Applicant. However, this disregards other points within the Operational Guidelines which not only reinforce the importance of the setting of the WHS but describes elements of setting that should be considered. An extract from Paragraph 112 states the following:

*“An integrated approach to planning and management is essential to guide the evolution of properties over time and to ensure maintenance of all aspects of their Outstanding Universal Value. This approach goes beyond the property to include any buffer zone(s), as well as the wider setting. **The wider setting may relate to the property’s topography, natural and built environment, and other elements such as infrastructure, land use patterns, spatial organization, and visual relationships. It may also include related social and cultural practices, economic processes and other intangible dimensions of heritage such as perceptions and associations. Management of the wider setting is related to its role in supporting the Outstanding Universal Value.**”* (emphasis added)

17. It is therefore clear that the Applicant has focused on aspects of the Operational Guidelines which support their entrenched position to focus only on visual connections, rather than acknowledge that the guidelines require other aspects of setting to be considered which is consistent with accepted policy and guidance. SBW would also highlight that the updated Heritage Impact Assessment⁸ concludes that following the omission of panels, the Proposed Development would **not** result in any harm to the OUV of the WHS, or as set out in Chapter 7 Historic Environment, the Grade I Registered Park & Garden at Blenheim.⁹ This position is not credible given the nature of the contribution of the Application Site to these heritage assets in respect of the other non-visual aspects of their settings that should be considered. It is also inconsistent with the Applicant's own position within other sections of the Heritage Impact Assessment which acknowledge a minor negative impact on one aspect of one attribute (page 69), and that the changes in the WHS's setting from the development may negatively affect the experience and understanding of the WHS from those experiencing it from the air (page 42).
18. The Applicant also claimed to have followed the mitigation hierarchy to avoid, minimise and then mitigate identified impacts on heritage assets. SBW note the Applicant's response to **D4 submissions** that *'even if it was concluded that some harm to the setting of the WHS would arise, this must be weighed against the significant public benefits of the Proposed Development to which substantial weight should be given in accordance with the relevant NPSs'*.¹⁰
19. Given the continued, and repeated, reliance on the NPSs to answer points, SBW is of the clear view that the mitigation hierarchy has not been properly engaged with as part of the early stages of the design development as well as throughout the Consultation and Examination phases. It implies that the Applicant considers a level of harm is acceptable rather than actively seek and explore all opportunities for harm to be avoided. The requirements of paragraph 212 of the NPPF are particularly relevant, which state that *'the more important the asset, the greater the weight that should be given to its conservation, irrespective of that level of harm'* (our emphasis).

⁸ CR2-036

⁹ CR2-020

¹⁰ REP 5-005, page 9

20. It is SBW's view that the mitigation measures do not go far enough to reduce the harm to an acceptable level, the measures themselves are inherently harmful and that the Applicant's approach to the assessment of impacts on heritage assets is flawed. SBW would highlight the concerns they initially raised with regard to the Applicant's approach to the assessment of heritage impacts in their Relevant Representations.¹¹
21. It is disappointing, to say the least, that this position continues to be maintained despite points made and evidence presented by other Interested Parties that the baseline approach and therefore the assessment of the level of harm is flawed. This disappointment is particularly acute given the levels of harm which would arise to a heritage asset of the highest significance which should command the greatest respect. On the basis of the points raised above and on the evidence provided by other Interested Parties, SBW feels that the threat to the significance of the WHS of Blenheim Palace from the development cannot be overstated. The criteria for World Heritage in Danger¹² recognises potential dangers to WHSs which could have deleterious effects on its inherent characteristics, with examples of such threats including the threatening effects of regional and town planning projects.
22. SBW welcome the opportunity to review Historic England's position as to whether they consider the omission of panels made as part of CR2 address the harm they previously identified to Attributes 1, 4, 5 and 7 of the WHS. SBW would also like to correct a point of process raised by Mr Yeates in ISH2 where he stated that the view of Historic England was the only Interested Party that the ExA would need to take account of in their decision making. All Interested Parties are entitled to present evidence which would be duly considered as part of the Examination process.

Archaeology including trial trenching and Samsons Platt

23. In respect of Samson Platt (Scheduled Monument), SBW are concerned that the present exclusion zone shown around Samsons Platt is **not** sufficient to appropriately protect below-ground remains which may be associated with the Scheduled Monument. The Applicant stated at ISH2 that they were confident no further removal of panels would

¹¹ REP1-114

¹² ICOMOS, 2025. 2025 Operational Guidelines [REDACTED]

be required. SBW welcomes the Applicant's update that the results of the trial trenching will be available at Deadline 6 after lengthy delays and will comment further following review of the findings at Deadline 7. However, SBW would like to highlight to the ExA that Historic England identified potential options for the removal of panels to protect any below-ground remains in the absence of the results of the trial trenching (REF 5-098). This included a number of fields around Samsons Platt of which Field 1.12 forms part of the grounds associated with Hordley House (Grade II* Listed Building).

Hordley House

24. A detailed assessment of the grounds and setting of Hordley House was submitted by the Applicant at Deadline 5 which responded to ExQ2.16.2.¹³ This requested that further assessment of the historic relationship between Hordley House and the land to the south-west was provided as the ExA had identified the potential for a wider, planned historic landscape. The Applicant concluded that *'on the basis that this study has not identified any conclusive evidence for any planned or designed landscape associated with Hordley House, the Applicant does not intend to make any reductions to the areas of solar PV panels proposed in this area'*. However, SBW would contest this conclusion, with the Applicant's assessment including a series of maps which clearly indicate the presence of designed landscape features such as naturalistic tree planting, a walled garden, a 'model farm' and the gazebo (separately listed at Grade II). The architecture of Hordley House indicates it is a farmhouse of some status and it is highly likely that the landscaping to the south-west was deliberately laid out to reinforce this.
25. It is the view of SBW that Field 1.12 therefore positively contributes to the appreciation of Hordley House's heritage significance as part of the planned grounds within which it was designed to be experienced in conjunction with. The proposed panels within Field 1.12 alongside mitigation measures would therefore be harmful to the significance of this Grade II* Listed Building through the loss of the present legibility of its formal grounds which remain largely intact. Furthermore, the existing exclusion zone around Samsons Platt means that only a narrow band of isolated panels is proposed within Field 1.12 which appear operationally redundant and would have a disproportionate impact on the Listed Building.

¹³ REF 5-007

26. SBW therefore considers that the remaining panels within Field 1.12 should be removed to alleviate the harm to Hordley House, a Grade II* Listed Building, with the additional potential benefit of protecting additional areas around Samsons Platt.
27. **In sum**, there is little, if any, comfort to be gained from what the Applicant has provided to the ExA. Not least because their whole approach has been one of downplaying impacts, undertaking poor assessments, repeating assertions that are unsupported, and consistently failing to respond appropriately to the ExA questions and feedback.

Landscape (Issue 3e)

28. It is worth reflecting on the ExA's request for further information dated 14 October 2025, and in particular the section on landscape.¹⁴ We share the deep sentiment of frustration with the Applicant. The gist of the approach taken by the Applicant to date can be summarised as follows; first, a sub-par assessment that's both not serious to start with, but also dismissive of any challenge to the approach taken; second, when the ExA asks for further clarification or information, the response is to just repeat the unjustified and unevidenced previous positions taken, despite plenty of evidence to the contrary; and third, it will become evident that by Deadline 7 none of these points will be properly engaged with, still less actually answered.
29. It is almost as if the Applicant has run out of funds to pay consultants to do further (and necessary) works required to make this Order. We are sure that this is not lost on the ExA when listening to the answers to the questions raised.
30. Turning to the substance of the landscape issue, the applicant has judged in the LVIA that there will be no significant landscape effects as a result of the development proposals. They judge in table 8.2 that there will only be a Medium Magnitude of Impact. The criteria for Medium Magnitude of impact, as defined in their methodology is: "*On the landscape resource – introduction of elements that may be prominent but may not necessarily be substantially uncharacteristic with the attributes of the receiving landscape.*"

¹⁴ EN010147

31. High Magnitude of impact is described as *“Introduction of dominant or uncharacteristic elements with the attributes of the receiving landscape”*
32. For all the reasons contained in the evidence before the ExA, the proposals firmly fit the criteria for the high Magnitude of impact, not the Medium by virtue of being dominant and uncharacteristic of the receiving landscape. The fact that the Applicant is unable to confront this fact is shocking and concerning.
33. The LVIA is riddled with errors, new information has been compiled and submitted as Appendices yet the updated evidence has not been carried through to the ES Chapter, and fundamentally misses crucial elements. For example, in the Landscape Character Assessment they make numerous references to a High Magnitude of change occurring (1.3.7, 1.3.21, 1.3.44) and yet this hasn’t translated to the LVIA. Similarly points have been raised by the ExA in their latest request for information.
34. In questioning at the Hearing Specific Sessions, the applicants Landscape Architects conceded that they have based their judgements on the whole Project site rather than appreciating the nuances of the different areas, their setting, and the potentially different impacts upon them. An example of this being there are a number of visual receptors where the judgements are that there will be significant visual impacts – for example VP25, 23, 24 and 38. To think this through, the reference to the GLVIA3 and the assessed significant impacts on visual receptors – at 3.20 – it states that *“it is also possible, although less common, that there may be likely significant effects on visual amenity without effects on the landscape resource.”* What the GLVIA3 is trying to direct us is that if the proposed development results in significant impacts on the visual receptors, it is very likely that there will be a significant impact on the landscape receptors.
35. For example, VP25, the baseline views show open, rolling countryside, long views to the higher ground, no industrial influences, all viewed from a specific PRoW. At a winter year it shows the implemented solar array, with no mitigation and the extent of the array across many of the fields in the view, changing the character of this landscape. Some long views will be lost when near the array, with the planting of the new hedge

further curtailing, and in places fully restricting, the views and impacting the overall experience on the PRow to a significant extent. There will be a significant impact on the landscape character in this location.

36. Due to the lack of continuity and the piecemeal changes that have been made to the Environmental Statement Chapter, and the supporting evidence, it seems an impossible task to carry on making amendments as they are clearly resulting in errors. This puts the ExA in the impossible position of having to then make judgements by piecing together information that the Applicant was unable to explain at the hearings. There is absolutely no way that the ExA can have any confidence in this material to the standard required to report back to the Secretary of State.

Visual Impacts

37. The basis for the visual impact is set out in ExQ2 Q2.13.9, where the overarching approach to the visual assessment is set out; *The LVIA has taken the stance of a person who would rather see the **landscape mitigation** (rather) than elements of the project.*
38. This utterly bizarre approach has contaminated the whole assessment of visual effects and resulted in the confusion evident in the overall visual assessment, including the position taken that there is an improvement in visual amenity because of the mitigation, particularly the hedgerows along the boundaries of PRows. On a proper approach, change is assessed on size, scale, geographical extent, and then on the duration and reversibility of such a change. This is not based on how one might imagine the ideal individual (receptor) viewing the proposal.
39. There has been much discussion about the introduction of the hedges into landscapes where it is a new feature, uncharacteristic of the existing open agricultural landscape and creating a tunnelling effect. We disagree that in the 15 VPs which have been identified as receiving significant effects at YR1 that only 4 of them will be unchanged at Yr 15. (VP32 has had the panels pulled back from the viewpoint but this is an example of where the ES Chapter hasn't been updated to recognise this)

40. There are a number of views where we consider there is no change in the visual impact with the embedded mitigation, including but not exclusively 04,05b, 08, 13,17,18,23,24,25,38,40,41,48 and 54

Moderate and Significant

41. We are aware of the GLVIA advice on the assessment of significance. By categorically setting out that Moderate is ‘not significant’ the Applicant leaves themselves no room to justify their position, landscape by landscape and view by view. It appears that they have, reluctantly, now changed their stance however this now needs to be consistently assessed through the VPs at DL6. Notwithstanding this, we note that it is apparent that the intent was always to ensure that there were limited significant effects arising from the project with reference to applicants comment in REP1-020 where they explicitly state that position at RR-870-006:

For the purposes of the Project, those effects of Moderate adverse or below are considered to be not significant. Taking the proportionality approach to the assessment, it is judged that having Moderate adverse as significant would have resulted in a disproportionate level of significant effects, when considering the circumstances of individual landscape and / or visual receptors.

42. We still maintain that it is uncommon for developments of this scale to not have significant landscape and visual effects. The fact that the Applicant still resists this basic point speaks to their lack of credibility and the little weight to attach to their ‘evidence’.

Residential Visual Amenity Assessment

43. The applicant has yet to submit a Residential Visual Amenity Assessment and has been further pressed by the ExA in the latest request for information. In the Open Hearing Sessions they stated that they have now completed an assessment however there has been no confirmation that they have visited any private properties (Mrs Lewis for SBW said at the hearings that nobody she knows has been approached for access).

44. This means that they have yet to complete this work, or have not even began the process, or it is currently only a desktop based exercise, or a combination of the aforementioned. For SBW this is the biggest and most shocking omission on the part of the Applicant. The frustrations of the Chair of the ExA were palpable at the hearings and they pale in comparison to those held by the SBW community who have been at the receiving end of this dismissive attitude from the very start. For completeness, we know that the Applicant stated their LVIA ES Chapter that they have not visited any private properties, so we are unsure of how the RVAA has been completed.
45. From the perspective of SBW, who have undertaken this work, and updated since the last open floor hearing, circa 300 properties are likely to fall in the range of 50 - 250m from the panels. We have attached an updated xl. Spreadsheet to demonstrate the same.
46. Despite the Applicant's oral submissions at Issue Specific Hearing 2, it is not sufficient to rely on general policy as a shield to protect the Applicant from the need to complete RVAAs. RVAAs should have been undertaken before finding that any visual impact was residual. In general, while it is accepted that policy supports achieving net zero emissions, this does not mean that proper procedures should be abandoned; to suggest otherwise is an abuse of policy.
47. Again, this points to the lack of consultation with the local community despite the significant visual impact of the proposed development. Moving forward, there is inadequate time for any form of meaningful consultation on this point. Consequently, the ExA cannot be satisfied that detrimental visual impact has been appropriately identified and avoided or mitigated.

Summary of residual issues dealt with in oral submissions made during Open Floor Hearing 3

48. In summary, SBW drew attention to the following broad issues with the proposed Botley West Solar Farm, all of which were raised under relevant agenda items:
- a. community voice;
 - b. landscape;
 - c. heritage; and
 - d. residential amenity.
49. SBW further highlighted significant gaps in the evidence, without which the Examining Authority is unable to form an informed view of the application. The Secretary of State will not be able to reach an informed view based on whatever report comes out of this examination. Some of these gaps arise from the Applicant's failure to consult and/or complete necessary assessments before seeking to define the Order limits. Others have arisen from the absence/inadequacy of input from important statutory consultees, including Historic England, ICOMOS, Natural England, the Defence Infrastructure Organisation, and the Environment Agency. Some of these critical consultees did not even bother to turn up to the hearings. Again, this leaves a significant gap in the knowledge and data available on which the ExA is required to make a robust recommendation.
50. Further, delays in the provision of evidence by the Applicant mean that interested parties will be unable to meaningfully respond to any subsequent findings.¹⁵
51. In light of this, SBW invites the Examining Authority to refuse to recommend that consent is granted for the Botley West Solar Farm. The Examining Authority may be guided in this regard by the recent recommendation given to refuse consent in respect of the proposed Hinckley National Rail Freight Interchange.¹⁶ There is ample procedure

¹⁵ For example, see comments made by Oxford Airport.

¹⁶ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR050007/TR050007-002407-FINAL%20Hinckley%20TR050007%20Report.pdf>

and process to assist the ExA to be able to reach a view that yields a letter that makes clear its ‘minded to refuse’ position.

52. Further, whilst in these circumstances the starting point is for parties to bear their own costs, as is the case in planning matters. In this case, pursuant to the July 2013 guidance which deals with awards of costs in DCOs, SBW will be seeking to make an application against the Applicant due to their unreasonable conduct. The type of behaviour on which SBW shall rely will be set out in more detail, but suffice it to say that the submissions set out above give a flavour of the nature of such an application.
53. SBW would welcome an indication from the ExA as to when (presuming **D7**) and in what form they would like to receive said application.

CONCLUSION

54. For all the reasons set out above, we respectfully invite the ExA to report back to the Secretary of State that this is far from a project that should be granted a consent order.
55. We invite the ExA to issue a ‘minded to refuse’ letter as soon as practicable.
56. We will invite the ExA to consider full costs against the Applicant on behalf of SBW.

STOP BOTLEY WEST CAMPAIGN

19 October 2025