



BOTLEY WEST SOLAR FARM
OXFORDSHIRE HOST AUTHORITIES
RESPONSES FOR
DEADLINE 6 | MONDAY 20 OCTOBER 2025

- Cherwell District Council
- Vale of White Horse District Council
- West Oxfordshire District Council
- Oxfordshire County Council

Oxfordshire Host Authorities (“OHAs”)

Botley West Solar Farm (EN01014)

OXFORDSHIRE HOST AUTHORITIES

RESPONSES FOR DEADLINE 6

The Oxfordshire Host Authorities (the “**OHA**”) are comprised of the following host authorities who are working collaboratively to represent constituents on key issues during this Examination and assist the Examining Authority (“**ExA**”) with the Examination’s smooth running:

- Cherwell District Council (“**CDC**”)
- Value of White Horse District Council (“**VWHDC**”)
- West Oxfordshire District Council (“**WODC**”)
- Oxfordshire County Council (“**OCC**”)

In these submissions, the Oxfordshire Host Authorities may be referred to variously as the OHA, the Host Authorities or the Councils.

Purpose of this Submission

The purpose of this submission is to provide written confirmation of the OHA’s oral submissions made at Issue Specific Hearing 2 (**ISH2**), post hearing submissions requested by the ExA (**ISH2 Actions**), comments on the Examining Authority’s proposed schedule of changes to the draft Development Consent Order (**dDCO**) written confirmation of the OHA’s comments and response on documents submitted at Deadline 5 (**D5**), and the OHA response to (**RIES**).

The written comments provided below do not prejudice the OHA’s ability to make further comments on these matters.

ISH2- Written Summary of Oral Submission

Issue 3a Development Consent Order: Articles, Requirements

Clarification of National Grid connection- The OHA welcome confirmation the connection date is now October 2029.

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Design Panel- The OHA accept a design panel review of the proposed development is not required.

The OHA outlined from paragraph 7.8.42 of the joint Local Impact Report **[REP1-072]** that the offsite public right of way improvements are considered necessary mitigation. This is to do with the significant impact the scheme will have on the wider landscape character and the impact that this will have on users of the rights of way. Comments with regards to the applicant's assessment of the impact on landscape character have been provided at numerous deadlines throughout the examination and within this response. The OHA maintain that the offsite improvements are a necessary form of mitigation.

Notwithstanding this, the OHA are working with the applicant to secure offsite PRow improvements and will provide further comments on these negotiations at D7.

At ISH2 OCC raised that they would expect all highways works to be covered by side agreements to allow OCC to maintain a suitable level of control over highways works (particularly where OCC are expected to maintain the highway once the applicant's works are completed). Please see the OHA's comments on the ExA's proposed amendment to the DCO at PC003 below for the OHA's proposed solution to this issue.

Issue 3b Flood Risk and Drainage Management

Please see the LLFA's responses to Action Points 6, 7 and 8 arising from ISH2 below.

Issue 3c Ecology and Biodiversity

On the subject of bat mitigation, the OHA are broadly aligned with the position of Natural England set out in their letter dated 3rd October 2025. We agree with Natural England's comments that further analysis of the bat survey results is required before the proposed mitigation and compensation measures can be agreed.

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The proposal for a 3-tiered system of buffers alongside hedgerows and woodlands is welcomed, and we agree that the specifications and locations for all Tier A buffers must be confirmed before approval. We request that the locations of all Tier A flight paths must be clearly identified on a set of plans for clarity and agreement and adopted as part of the DCO. Although a list is described in Section 8.5.2 of the oLEMP and Section 8.5.3 states that *“given the importance of the Tier A buffers to the bat ecology within the landscape, the location of these will be fixed at this stage to ensure their location is secured by virtue of their inclusion within this oLEMP”*, we cannot currently see these on a map of the site and no specification is provided for the length or area. Further details therefore must be provided.

Monitoring of bats is welcomed but this should be for a longer term than is usually required for protected species licensing and cover the lifetime of the development. Monitoring both along flightlines and within the areas of solar panels should be included.

As set out in our previous responses, research has shown that breeding skylark are not supported within solar farms. We commented at Deadline 5 [REP5-125] to set out why we do not agree that skylarks will be adequately compensated through the provision of the measures set out in the Skylark Technical Note. We are therefore of the view that off-site compensation for loss of breeding habitat is required, whilst we have referred to the need for a Farmland Bird Strategy to achieve this, we recognise that this would primarily compensate for loss of skylark breeding habitat and therefore agree with the Examiner’s suggestion that might be more appropriately referred to as a Skylark Mitigation Strategy.

The applicant’s response to the Examining Authority’s Second Written Questions August 2025 [REP4-037] regarding skylarks (see page 77 – 78) is based on providing new habitat across the project site for skylark combined with the influence of enhanced foraging for this species on the surrounding fields around the site, which they quantify as being able to support some 119 skylark territories. This seems to miss the point that skylarks will not be able to nest within the project site as they do not use solar farms. Any enhancement of habitat onsite will only serve to provide for foraging skylarks, which might give neighbouring pairs a boost in terms of breeding success. But there would still be a loss of suitable habitat for breeding, which would result in a reduction in breeding and therefore a decline in the local population. We accept that the current situation is variable depending on the crop rotation within the arable fields year on year, but the local population continues to persist despite this. However, the solar farm will make the site unsuitable for breeding completely and therefore, offsite compensation is required to ensure that the population of this priority species is restored in line with national planning policy.

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Missing ecological assessment at this late stage, including in relation to bats and watercourses, highlights our concerns as to how the mitigation hierarchy can be applied to inform design of the scheme.

The OHA agree that the subject of Bird Strike was best dealt with under the topic of aviation safety. But there is still a monitoring issue regarding the potential for birds to hit into the solar panels having mistaken them as waterbodies (and aquatic invertebrates confusing them as waterbodies). Monitoring should therefore be included within the DCO and/or the oLEMP to ensure that incidents are reported to learn from experience, identify remedial action(s) and to inform future technologies and mitigation measures for other solar farms.

With regards to the Local Nature Recovery Strategy, at ISH2 OCC outlined that this document will be going before Cabinet for approval on the 21st of October with the aim for the strategy to be adopted on the 12th of November. Being as the document is in the public domain in advance of the cabinet meeting ([here:https://mycouncil.oxfordshire.gov.uk/ieListDocuments.aspx?CId=115&MId=7809](https://mycouncil.oxfordshire.gov.uk/ieListDocuments.aspx?CId=115&MId=7809)) and as such the applicant will have both Deadline 6, Deadline 7 and potentially Deadline 8 in which to consider this document and make changes to their submitted documents accordingly. Given this and the fact that the document will likely be adopted during the Examination, the OHA maintain that the LNRS should be given significant weight in the Examining Authority’s determination of this application.

Issue 3d Cultural Heritage

The OHA remain of the view that there are areas of solar panels within the proposed development that would result in a negative impact on Attribute 7 of the Blenheim World Heritage Site (i.e the rural character). The Host Authorities would welcome the chance to review Historic England’s assessment of the impacts of the attributes of the World Heritage Site and to engage in dialogue with Historic England on this issue.

The OHA maintain their position that the applicant has taken a very narrow on what is considered to contribute to the setting of the Blenheim Palace World Heritage Site as outlined within the LIR [REP1-072]. The Host Authorities argue that the rural character of the area surrounding the palace is a significant contributing factor to the setting of the palace and as such any impacts to this character should be prevented. The OHA have set out how the applicant could reduce the impact on the setting of the World

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Heritage Site via the removal of panels within areas around the palace at **[REP4-075]**. The Host Authority’s reasoning for the removal of panels from the scheme for heritage reasons is outlined within the OHA response to Action Point 16 arising from ISH2.

Oxfordshire County Archaeological Services (OCAS) are pleased that the applicant has committed to submitting an Evaluation Reports into the examination by Deadline 6.

However, it is disappointing that these documents have not been submitted earlier in the Examination. Paragraph 5.9.12 of NPS EN-1 states that the applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. The OHA outlined within the joint LIR [REP1-072] at Deadline 1 that the lack of an Evaluation Report meant that OCAS could not properly assess the significance of any archaeological remains and as such could not commit to the adequacy of mitigation proposed with regards to archaeological impacts.

The submission of this report at such a late stage of the Examination means that OCAS will have less than a month to review the documents and provide the ExA with their assessment of the adequacy of the archaeological remains. It also means that OCAS will not have the opportunity to request further information from the applicant, if required, before the end of the Examination.

Issue 3e Landscape and Visual

Please see OHA response to Action Point 16 from ISH2 below. Comments on the LVIA and Mitigation have also been included in the OHA responses to the Change 2 request documents and within this response.

Issue 3f Traffic and Transportation

OCC is committed to working with the Applicant to find a solution whereby OCC would lay the applicants cable ducting beneath the A40 Eynsham Roundabout whilst undertaking the A40 improvement works in advance of the applicant commencing works on the

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proposed development. OCC is currently in negotiation with the applicant on a legal agreement which would secure these works and ensure that OCC is funded by the applicant to undertake works on their behalf.

However, whilst an agreement between the parties in advance of a decision on the DCO being determined is preferable to both parties, in the event that the ducting is not able to be delivered during OCC’s planned works on the A40, OCC request that a fall back is secured by the DCO. This fall back should ensure that if the applicant is laying a cable across the roundabout following OCC’s improvement works the applicant is committed to resurfacing the entirety of the roundabout. OCC propose that a commitment is made to this effect in the outline Code of Construction Practice. A commitment should also be made at paragraph 1.7.3 of the oCTMP **[REP5-041]** to enter into a side agreement with OCC with regards to the resurfacing of the Enysham Roundabout.

OCC outlined at ISH2 that the applicant’s commitment in the oOMP to not replace more than 30% of the panels within a single year was not sufficient to address our concerns with regards to the transport impacts associated with largescale maintenance. OCC drafted a Requirement in our response to ExQ2.7.8 **[REP4-074]** which would satisfy the Councils concerns in this matter:

‘(1) No more than 30% of solar panels constructed in the central site, northern site, or southern site may be replaced until a panel replacement construction traffic management plan and panel replacement waste management plan in respect of the relevant site has been submitted to and approved by the relevant planning authority, such approval to be in consultation with the relevant highway authority and waste authority.

(2) In sub-paragraph (1) –

(a) “the central site” means land within the Order limits identified as ‘Central Site Area’ within Figure 1.1 - Site Location & Order Limits Overview [APP-059] and

(b) “the northern site” means land within the Order identified as ‘Northern Site Area’ within Figure 1.1 - Site Location & Order Limits Overview [APP-059] and

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(c) “the southern site” means land within the Order identified as ‘Southern Site Area’ within Figure 1.1 - Site Location & Order Limits Overview [APP-059]’

OCC maintain their request that this requirement be added into the dDCO

ISH2 Actions

Action Point 6. OHA to respond on the point of infiltration testing not yet being undertaken.

This specifically relates to the surface water drainage proposals for the site.

The Conceptual Drainage Strategy [**REP4-018**] includes for 4 elements of the surface water drainage strategy

The drainage proposals include for the runoff from the solar PV Array to be managed through the management of vegetation and soil adjacent to the panel. We have already provided in our RR and LIR the information we would have expected to support this application at this stage. Hydraulically the system acts as a series of disconnected impermeable surfaces with infiltration zones between them - therefore understanding the site-based soil characteristics and infiltration is important.

Where there is a reliance on the land to manage flows, we would have expected to see more detailed information on the ground conditions and vegetation to confirm that the runoff from the panels can be managed without this the applicant cannot confirm that there would not be any increase in runoff or flood risk.

We have also requested that the maintenance regime for the panels and land include for the specifics around the runoff and monitoring/remediation are explicit as the strategy relies on this to work. We have been provided with information by the developer that the Detailed OMP and the COCP and LEMP will include more details on how this will be managed at the next stage. These need to be secured for the runoff to be managed effectively.

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The ancillary buildings which form PCS and HV converters include for a granular sub-base sized to assume no infiltration as a ‘worst case’ scenario. This however has no outfall location identified which would be required where the water is not infiltrating into the ground. Therefore, these have no outfall and have no information on the potential infiltration rate available to accommodate this.

Applicant substation and NGET substation are proposed to drain via gravel bases to an attenuation basin, whilst these are acceptable methods, they will need to either drain to infiltration or to a surface water outfall which has not been confirmed at this point in time. If infiltration is not possible or there is no appropriate outfall it is not clear how this will drain. We have requested infiltration rates to confirm that this proposal would be viable and not increase runoff. Where a conservative approach to attenuate all flows on site with no infiltration a suitable outfall must be identified and provided.

Action Point 7. OHA LLFA officer to review today’s meeting and provide response to any points raised if necessary.

Field drainage was discussed at the hearing briefly. We do not hold any information on the location or purpose of the current land drainage within the area. Drainage of this nature is often used to allow water to drain off the land to facilitate farming. We would expect this to be reinstated once the solar panels are removed.

Action Point 8. OHA LLFA to respond to following question – *“We note the comments made by OHA at [REP3-072] that the LLFA do not believe that the applicant’s commitment to a detailed Operational Management Plan later is sufficient to address the LLFA’s concerns regarding the ongoing maintenance of the ground beneath the panels. The LLFA would like the Outline OMP to specifically make provision for ongoing maintenance of the area beneath the panels for the purposes of maintaining drainage. The commitment to maintain the grassland beneath the panels contained within the OLEMP [REP2-019] is not sufficient to address these concerns. In response at [REP4-038] the applicant advised that at Appendix 10.2 of the Conceptual Drainage Strategy, the maximum design scenario for new impermeable areas is assessed, and that the strategy includes initial information regarding the*

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management and maintenance of SuDS features. Further detail would also be prepared post DCO and that the oLEMP deals with the grassland management. Is this sufficient to alleviate your concerns?”

As in response to Action Point 6 (above) the surface water proposals for the site fundamentally rely on the ability of the runoff from panels to be managed by the ground and vegetation. Other areas drain to attenuation features as described under Action Point 6 (above). The drainage design is conceptual and is therefore not specific to the individual locations and elements that need to be maintained based on an understanding of how they will perform. We would suggest that the conceptual drainage proposals would not be the mechanism to secure the ongoing specific maintenance of the site where it relies on maintenance to drain the majority of the site area. Bearing in mind this will change as it is developed as ground conditions are assessed.

We understand the Outline Operations Management Plan has been updated [REP3-032] to include specific points about management of the land as it relates to runoff and that furthermore detailed information will be provided in the Detailed OMP. Notwithstanding the points about having sufficient information to understand what is required on site to manage runoff (at Action Point 6 above), we understand that this point had been dealt with through the OMP amendment.

Action Point 16. OHA to provide clarification note regarding further reductions to solar installation, the methodology used to define those areas for reduction and the impacts you feel remain.

Please see separate clarification note, with updated accompanying map.

Action Point 21. OHA (Question for the Local Authorities) – what has the greater impact on residents, longer construction period or more peaceful Saturday?

The OHA maintain that construction hours should be limited to 07.30H-18.00H Monday to Friday, 07.30H-12.30H on Saturdays and no time on Sundays, Bank and Public Holidays and therefore confirm shorter working hours on a Saturday would be preferred. As referred to in the OHA’s answer to ExQ2 2.1.12 [REP4-074] most residents will be at leisure at weekends and are more likely to

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benefit from a peaceful environment and an extended quiet period through Saturday afternoon to Monday morning than the rest of the week. Based upon the applicant’s estimated construction period of 2 years the loss of hours on a Saturday afternoon would only shorten the construction period by circa 52 days/2 months and it is not considered that this overall reduction in the construction period would outweigh the greater benefit of longer periods of peace at weekends. Furthermore, the times recommended by the OHA would bring the hours of construction into line with all other developments thereby bringing consistency for monitoring and enforcement and avoiding setting an undesirable precedent for the construction hours of other schemes.

Comments on the ExA’s Proposed Schedule of Changes to the dDCO [PD-015]

PC001 – New Requirement – Pre-commencement works

The OHA agree with the ExA’s reasoning for the inclusion of this requirement. The applicant confirmed at ISH2 that further information in respect of National Grid’s delivery programme will be submitted at Deadline 6 (20 October 2025). If, in the light of that information, the OHA change their position in respect of the proposed requirement, the OHA will provide an update at Deadline 7.

The OHA would make the following drafting points –

- in sub-paragraph (1), while the construction programme must be submitted to and approved by the Secretary of State, the planning permission or development consent only needs to be submitted to the Secretary of State (because the planning permission will have already been approved by the local planning authority and development consent granted by the Secretary of State),
- in sub-paragraph (1)(b), the relevant planning authority should be consulted on the construction programme, and
- sub-paragraph (2) should be divided into two provisions and the OHA consider some minor drafting amendments should be made to the proposed text.

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Taking these points together, the OHA would propose the following amendments to the new requirement. (Additions are shown bold and underlined; deletions are shown bold and struck through) –

Pre-commencement works

(1) No part of the authorised development may commence until–

(a) the planning permission and/or development consent for the National Grid **Substation Electricity Transmission proposed Substation** ~~substation at Farmoor Reservoir~~ (if delivered outside the Order limits) **has been submitted to the Secretary of State;**

(b) a construction programme that aligns the completion of the National Grid **Substation Electricity Transmission proposed substation** and the connection offer of the **undertaker Applicant** (regardless of whether the substation is to be delivered within or outside the Order limits) **has been submitted to and approved by the Secretary of State, in consultation with the relevant planning authority.**

(2) With respect to paragraph (1) above, **if the National Grid Substation –**

(a) in the event of the National Grid substation being is constructed delivered within the Order limits, **it must this shall** be **constructed** in accordance with the layout shown on sheet 13a of the Works Plans; **and**

(b) is constructed In the event that National Grid substation is to be delivered outside ~~of~~ the Order limits (outside the scope of this Order), Work No.2 **must shall** not **be constructed occur** and, ~~instead,~~ the layout shown on sheet 13b of the Works Plans **must shall** be implemented.

(3) In this requirement, the “National Grid Substation” means the proposed National Grid Electricity Transmission substation at Farmoor Reservoir.

PC002 – New Requirement – Decommissioning Fund

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The OHA consider a bond is required as this would provide the OHA with an appropriate financial guarantee that the undertaker will complete the works to the required standard and within any agreed timeframe. A bond is a tried and tested mechanism for protecting public money from poor quality work or a developer failing. A bond is the OHA’s preferred means of providing a financial safety net for the project.

The OHA would make the following comments on the new requirement –

- in sub-paragraph (1), “No phase ...” is not a formulation used in the dDCO and the Applicant has said the development won’t be delivered in phases. The OHA would suggest “No phase” is replaced with “No part”. (This formulation is used in R5 (Detailed design approval), R6 (LEMP), R7 (BNG), R8 (Fencing), R9 (Surface and foul water drainage), R10 (Archaeology), R11 (CoCP), R13 (Skills, supply chain and employment),
- in sub-paragraph (1), should the reference to “the local planning authority” be to “the relevant planning authority”?
- in sub-paragraph (2), when must agreement be reached and how will the suitably qualified independent professional be appointed?

should sub-paragraph (3) explain what “maintained” means and who is responsible for maintenance?

PC003 – New Requirement – Development Consent Obligations

Introduction

The OHA are grateful to the ExA for the suggested new requirement, they consider their outstanding concerns regarding highways can be addressed by several amendment to the CTMP and a straightforward amendment to article 9 (power to alter layout, etc., of streets) of the draft DCO [**CR2-009**]. The OHAs’ concerns regarding the BNG monitoring fee and a financial contribution for off-site

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improvements in respect of public rights of way works can be secured by legal agreement, which could itself be secured by the inclusion of a new article in the draft DCO.

Section 278 agreement

The OHA have explained in previous submissions that, before commencement of the authorised development, it is expected that OCC works will have recently been completed on the A40. OCC do not want these to be dug up under DCO powers by the applicant.

An agreement under section 278 of the Highways Act 1980 is being negotiated between OCC and the applicant to provide, for the applicant’s benefit, for ducting works to take place before the instant order is made. This will help ensure that OCC’s A40 works will not have to be dug up.

If, for some reason, the agreement falls through, OCC would like the applicant to commit to resurfacing the Eynsham roundabout.

OCC understand this commitment will be included in the next version of the CTMP, which is due to be submitted at Deadline 6 (20 October 2025). If necessary, OCC will comment on the drafting of the commitment at Deadline 7 (10 November 2025).

Provided the drafting which is to be included in the CTMP is satisfactory, no provision to secure the resurfacing of the Eynsham roundabout, in the circumstances mentioned above, will need to be included in the draft DCO.

On the subject of resurfacing, the applicant maintains that resurfacing works following cable laying can be undertaken under article 8 (street works). Nothing in article 8 requires reinstatement works to be carried out to the satisfaction of the street authority. Where a statutory undertaker places utilities into the highway, OCC expects them to comply with the DfT guidance document, *Specification for the Reinstatement of Highways* (2020). OCC would request that a further amendment is made to the CTMP in which the applicant commits to carrying out reinstatement works following any cable laying in accordance with the *Specification for the Reinstatement of Highways* (2020).

Highways agreements

The Botley West Outline Code of Construction Practice **[CR2-045]** includes the outline construction traffic management plan (“**CTMP**”) which states, in respect of highway side agreements, that highways side agreements made under article 14 of the draft DCO will be entered into with OCC to facilitate certain works. It is essential that these agreements are entered into before commencement of the

authorised development and OCC consider the language of paragraphs 1.6.7 and 1.7.3 should be amended to reflect this. Furthermore, OCC has shared its template section 278 agreement with the applicant and is proceeding on the understanding that any side agreement will be based on that template. In the light of this, and for certainty, OCC considers the CTMP should be amended to reflect this. OCC would therefore propose the following amendments to paragraphs 1.6.7 and 1.7.3 of the CTMP (with OCC’s proposed additions shown bold and underlined and deletions shown bold and struck-through) –

“Highways side agreements pursuant to Article ~~14~~ **15** of the draft DCO will be entered into with OCC to facilitate the delivery of the access junctions set out within Volume 3, Appendix 12.8 Accesses and highway drawings of the ES. The final form of the highways side agreements will be discussed and agreed with OCC post-consent once the design detail of each of the works is known. **The highways side agreements will be entered into before commencement of the authorised development and will be based on OCC’s template section 278 agreement**”. (Paragraph 1.6.7).

...

“Highways side agreements pursuant to Article ~~14~~ **15** of the draft DCO will be entered into with OCC to facilitate the delivery of the above listed off-site highway works (the B4044 Eynsham Road / B4017 Cumnor Road / B4044 Oxford Road mini-roundabout, the B4017 Cumnor Road through Filchampstead, the B4027 / Banbury Road junction and the Burleigh Road / Yarnton Road junction). The final form of the highways side agreements will be discussed and agreed with OCC post-consent once the design detail of each of the works is known. **The highways side agreements will be entered into before commencement of the authorised development and will be based on OCC’s template section 278 agreement**”. (Paragraph 1.7.3).

OCC consider these proposed amendments to be uncontroversial and request that the applicant confirms they will be included in the next iteration of the CTMP.

If the applicant refuses to make these amendments, OCC will ask the ExA to recommend that article 14 is amended to restrict development on the highways works proposed under the draft DCO until an appropriate side agreement has been entered into. Such an approach is preceded in other DCOs. For example, article 23(3) (agreements with street authorities) of the Sizewell C (Nuclear Generating Station) Order 2022 (SI 2022/853) provides that the undertaker cannot commence certain numbered works until the undertaker has entered into an agreement under article 23 of that order. Similarly, article 16 of the forthcoming Fenwick Solar Farm

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Order **[REP5-004]** provides that, before any work under Part 3 (streets) of that order is commenced, the undertaker must enter into “an agreement which is substantially in accordance with the framework highways works agreement between the City of Doncaster Council and the undertaker dated 20 August 2025, or any subsequent replacement agreement as to highways works”.

Inspection fees

OCC seeks a further amendment to the CTMP to confirm a point which has been discussed between OCC and the applicant in recent meetings. By section 75(1) of the New Roads and Street Works Act 1991, an undertaker executing street works must pay to the street authority the prescribed fee in respect of each inspection of the works carried out by the authority. For certainty, OCC requests that the application of section 75 is set out in the CTMP.

Major highway works and minor highway works

In a meeting with OCC officers on 14 October 2025, the applicant stated they did not want to enter into a highways side agreement for what they consider to be “minor” highway works, which they see as things like field crossings and bell mouths to enter fields.

By article 9(3) (power to alter layout, etc., of streets) of the draft DCO **[CR2-009]** “the undertaker must restore any street that has been temporarily altered under this Order to the reasonable satisfaction of the street authority”. The applicant considers that, to obtain OCC’s consent under article 9(3) for “minor works”, the applicant will seek service of a notice under section 184 (vehicle crossings over footways and verges) of the Highways Act 1980. However, section 184 applies in limited circumstances (“where the occupier of any premises adjoining or having access to a highway maintainable at the public expense habitually takes or permits to be taken a mechanically propelled vehicle across a kerbed footway or a verge in the highway to or from those premises ...”) and so it is not clear how any “minor” highway works which fall within article 9(1) (which concerns works identified in Schedule 5 (alteration of streets)) and which do not fall within section 184 will be controlled.

This is because works falling within article 9(1) are not subject to any consent and so, while (per article 9(3)), OCC will, in theory, be able to require restoration works to be carried out to its reasonable satisfaction, the absence of a consenting provision means OCC will not know that the works’ details are satisfactory or whether the way in which the works have been carried out is acceptable. OCC will only be able to comment at the end of the process; however, it will not have been able to comment on two preceding stages (i.e. the design stage and the carrying out stage). OCC considers the most straightforward way of improving this situation is to make the

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work falling under article 9(1) subject to OCC’s consent. OCC would therefore propose that article 9(4) is amended as follows (amendment bold and underlined) –

“The powers conferred by paragraph **(1) and** (2) may not be exercised without the consent of the street authority, such consent to be in a form reasonably required by the street authority”.

OCC would also welcome an explanation from the applicant as to which highway works it considers to be “minor” highways works.

Section 106 agreement

Regarding obligations under section 106 of the Town and Country Planning Act 1990, the OHA have previously explained they consider two obligations are required. The first would secure a fee for the work carried out by the district councils in reviewing BNG monitoring reports prepared by the applicant and undertaking BNG-related site visits. Under the TCPA regime, such a fee is secured by section 106 agreement. (The applicant has stated that the oLEMP sets out how BNG monitoring will be undertaken. It does; however, the oLEMP does not provide for the payment of the fee mentioned above). The second obligation would secure a financial contribution of approximately £300,000 for off-site improvements in respect of public rights of way works. The applicant does not want to enter into a section 106 agreement.

The OHA do not consider these payments should be secured by requirement. (Because requirements are the DCO equivalent of planning conditions and planning conditions should not be used to secure financial payments). However, since a DCO is a statutory instrument, and as much a piece of legislation as an Act of Parliament, it can make provision for the payment of a sum of money. (The instant dDCO **[CR2-009]** does so, for example, in paragraph 5 (fees) of Schedule 16 (procedure for discharge of requirements)). To secure these payments under the dDCO, the OHA consider a new article should be included (after existing article 46 (National Grid substation works) to secure the payment via agreement (which could be entered into under (say) section 1 of the Localism Act 2011 and section 111 of the Local Government Act 1972). To that end, the OHA would suggest the following text –

“Financial arrangements for the relevant planning authority and the highway authority

(1) The undertaker, the relevant planning authority and the highway authority, (“the parties”) are to agree in writing the financial contribution to be made available by the Applicant for the benefit of the relevant planning authority and the highway authority.

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(2) The agreement referred to in paragraph (1) is to be made prior to the commencement of the authorised development.

(3) The financial contribution referred to in paragraph (1) is to be used for—

(a) monitoring by the relevant planning authority of BNG monitoring reports prepared by the undertaker;

(b) undertaking by the relevant planning authority of BNG-related site visits; and

(c) undertaking off-site improvements to the public right of way network by

(4) If agreement is not reached regarding the financial contribution, the parties are to agree that the matter is referred to an agreed independent assessor or arbitrator, or failing agreement to be appointed on the application of any of the parties (after giving notice to the other parties) by the President of the Institution of Civil Engineers (“the President”).

(5) The parties are to agree a timetable with, and the provision of papers and documents to, the agreed independent assessor or arbitrator or with the arbitrator appointed by the President.

(6) The costs of the consideration of the financial contribution (referred to in paragraph (1)) by the agreed independent assessor or arbitrator, or the arbitrator appointed by the President, is to be paid by the undertaker.

(7) The reasonable costs of the relevant planning authority and the highway authority is to be agreed between the parties and paid by the undertaker.

(8) The agreed independent assessor or arbitrator or the arbitrator appointed by the President is to prepare a recommendation regarding the appropriate level of the financial contribution referred to in paragraph (1). The recommendation referred to in paragraph (7) is to be submitted to the Secretary of State by the undertaker together with any supporting papers and documents provided to the agreed independent assessor or arbitrator or arbitrator appointed by the President.

(9) In relation to the recommendation, the Secretary of State may—

(a) approve the recommendation;

(b) refuse the recommendation; or

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(c) modify the recommendation in such way as the Secretary of State thinks fit”.

This suggested provision is based on the text included in article 65 of the A122 (Lower Thames Crossing) Development Consent Order 2025 (SI 2025/462).

PC004 – New Requirement – Farmland Bird Strategy

The OHA agree with the ExA’s reasoning for the inclusion of this requirement.

In terms of the drafting, if possible at this stage, the OHA consider it would be helpful if a new sub-paragraph was added explaining where the “area in which the compensation measure to be provided” will be located.

The OHA are content with the suggestion of the ExA at ISH2 to alter the wording of the draft requirement to refer to a ‘Skylark Strategy’ as opposed to a ‘Farmland Bird Strategy’.

PC005 – Article 6

The OHA agree with the ExA’s reasoning for the deletion of this provision because no agreement has been reached on the applicant’s proposed protective provisions. Owing to this, there is no reason to retain in the draft DCO (i) sub-section (a) of article 6 (in relation to s.23 of the Land Drainage Act 1991) and (ii) the protective provisions included at Part 3 (for the protection of drainage authorities) of Schedule 15 (protective provisions) to the draft DCO.

In any event, the OHA would prefer to retain the use of the Land Drainage Act (“**LDA**”) regime, which they are used to and which works. The protective provisions would reduce the time for determining applications from a maximum of 62 days (if an application covered (say) July and August or December and January) to 28 days. The OHA consider such a reduction is unrealistic because that is not the timeframe the relevant team works to. Having said that, applications under s.23 of the LDA are generally dealt with in

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around a month (the average is around 32 days), though this timeframe does not include any the time taken for any pre-application discussions. Obviously, complex applications can take longer. The LDA process is straightforward for an applicant and works. The OHA will work proactively with any applicant in respect of an application and would emphasise that using the LDA regime does not mean the process cannot be managed in a forward-looking way.

The OHA have mentioned in previous submissions that there is an agency agreement in place between OCC and the district councils which allows the district councils to determine applications under the LDA. The agency agreement does not provide for determining applications under the instant Order and so it would have to be reworked to provide for this. The OHA would prefer to avoid this additional administrative step, especially since a satisfactory regime is already in place to determine applications

PC006 – Requirement 7

The OHA agree with the ExA’s reasoning for the inclusion of this requirement. The OHA understand the applicant’s deadline 6 version of dDCO will include figures and the OHA shall consider that drafting in due course.

Comments on submissions received at D5

REP5-002 – 1.3 Guide to the Application (Clean) (Rev 8)

OHA have no comments to make on the changes to this document currently.

REP5-004 – 11.5 Compulsory Acquisition (CA) Schedule and Land Rights Tracker (Clean) (Rev 5)

OHA have no comments to make on the changes to this document currently.

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REP5-005 – 15.2 Applicant’s Responses to other D4 Submissions and comments on Interested Parties’ Responses to ExA’s Second Written Questions (ExQ2) Submitted at D4

Page 16- OCC outlined at ISH2 that the applicant’s commitment in the oOMP to not replace more than 30% of the panels within a single year was not sufficient to address our concerns with regards to the transport impacts associated with largescale maintenance. OCC drafted a Requirement in our response to ExQ2.7.8 [**REP4-074**] which would satisfy the Councils concerns in this matter:

‘(1) No more than 30% of solar panels constructed in the central site, northern site, or southern site may be replaced until a panel replacement construction traffic management plan and panel replacement waste management plan in respect of the relevant site has been submitted to and approved by the relevant planning authority, such approval to be in consultation with the relevant highway authority and waste authority.

(2) In sub-paragraph (1) –

(a) “the central site” means land within the Order limits identified as ‘Central Site Area’ within Figure 1.1 - Site Location & Order Limits Overview [APP-059] and

(b) “the northern site” means land within the Order identified as ‘Northern Site Area’ within Figure 1.1 - Site Location & Order Limits Overview [APP-059] and

(c) “the southern site” means land within the Order identified as ‘Southern Site Area’ within Figure 1.1 - Site Location & Order Limits Overview [APP-059]’

OCC maintain their request that this requirement be added into the dDCO.

Page 27- OHA remain concerned about the LVIA, as covered in previous responses and outlined in further detail within this response.

REP5-006 – 15.3 Applicant’s Responses to comments on ExQ2 - Landscape and Visual Resources Clarification Note

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At a meeting held on 10 June 2025 the OHA agreed that the guidance listed in para 1.1.3 are industry best practice but did not agree ‘*to the principle of the LVIA methodology used by the Applicant*’ as stated in para 1.1.4. The LVIA methodology still appears to be in development, as of October 2025. The Statement of Common Ground mentioned in Para 1.1.5 is still in draft form.

With regards to paras 1.2.1 to 1.2.5 covering the assessment of viewpoints, the OHA has provided comments to the Change 2 documents including the LVIA summary in Table 8.22 (Table 8.24 in previous revisions) and the new associated appendices within the Change 2 as well as the Deadline response documents.

The OHA accept the Energy National Policy Statements which are referenced in Joint LIR [REP1-072] and agree that nationally significant energy infrastructure projects will have adverse effects on the landscape. However, as covered in Section 7.3 of the Joint LIR, the OHA do not judge that the LVIA or the EIA process has been used to minimise the effects on landscape character and views, by the use of the mitigation hierarchy. This point is also covered in the OHA’s design evolution/ iterative design section of the Joint LIR. The subsequent revisions to the LVIA and the DCO have not adequately addressed the OHA concerns.

The applicant states in their response to the Relevant Representations [REP1-020] (page 144 and 152) ‘*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.***’ This points to a design that has not been adequately developed and refined through the iterative process of LVIA, with the objective of reducing levels of effect, where it is possible. The OHA consider there are a very large number of changes that could be made to the design to reduce the number of significant effects and has set these out [REP4-075].

The statement illustrates the OHA concerns with regards to the LVIA and its assessment of effects, as raised in the OHA [REP2-049] response to the Rule 17 letter Issue 2: Assessment of Effects.

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Section 1.3 Part 3 – Clarification of the Applicant’s Response to the ExA’s Second Written Questions for Landscape and Visual Amenity

Q2.13.4 With regards to Landscape effects – operation, the applicant states ‘*The review is being undertaken as part of the wider review to assess the effects of the Applicant’s Change Request 2 Notification [REP2-045] and will be submitted at Deadline 5.*’ The OHA do not consider that this has been adequately addressed in the Change 2 LVIA.

Q2.13.7 Hedges - the applicant states that the LEMP has been revised ‘*The wording in Appendix C of the oLEMP has been revised and submitted as an updated document to clarify that 3 m would be the approximate height that hedgerows will be maintained at, unless there is a requirement from the LPAs to maintain them at a different height (e.g. to protect important views that they may wish to define).*’ The OHA have not found this revision in the Change 2 LEMP. As covered elsewhere in the OHA Change 2 response and in OHA response to EXQ2 2.94 [REP4-074], the OHA are concerned that the issues relating to the proposed location of the solar arrays and the substation are fundamental and cannot be addressed by the LPAs proposing different hedgerow heights as part of a LEMP once the Works Plans have been agreed.

Q2.13.9 The OHA also remain concerned about the impact the proposed mitigation hedgerows will have on the views and the ability of users of the landscape to be able to appreciate the landscape they are within.

Q2.13.10 Definition of temporary - the OHA are still concerned how the Change 2 LVIA has addressed temporary impacts within the methodology when considering the magnitude of impact.

Q2.12.12 LVIA methodology and assessment of effects - the OHA remain concerned about the methodology and assessment of effects. This is covered in the OHA comments on the Change 2 LVIA and the OHA Response to DL 6.

Q2.13.14 Viewpoints – the OHA considers its previous responses relating to the EA as still valid. 55 viewpoints were proposed as part of the EIA scoping and 55 viewpoints are still being used in the EIA. The OHA’s comments provided on viewpoints at the

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scoping and PIER stage did not result in the addition or change of viewpoints to the LVIA. It is also noted the ZTV work that was provided before or as part of the Scoping or PIER stage was based on the solar panels alone, but no other elements such as the transformers and built structures, which are typically higher.

REP5-007 – 15.4 Applicant's Response to ExQ2.6.12

OHA have no comments to make on this document.

REP5-008 – 15.5 Applicant's Comments on the Host Authorities Response to Question 2.7.4 (as set out in Annex 1 of REP4-074)

The OHA will address the applicant's response within their closing statements at Deadline 7.

REP5-009 – 15.6 Botley West Bat Technical Note

As set out at ISH2 (see ISH2 Written Summary of Oral Submission above), OHA broadly agree with the proposed tiered approach to buffering of hedgerows and woodlands, and request that the specification for Tier A buffers, and their location, is identified on plans that form part of the DCO. This should be informed by the further analysis of bat data required by Natural England in their letter for ISH2.

OHA note that the Bat Technical Note describes treatment for buffers alongside hedgerows but not does propose a different treatment for buffers of woodlands, we request clarification as to the intended habitat provision within woodland buffers. OHA request that justification for the buffer widths proposed is provided and suggest consideration of a wider buffer to the woodlands supporting bat roosts, particularly to join Bladon Heath Wood and Burleigh Wood where radio tracking has demonstrated that this area formed part of Bechstein 95% KDE home range.

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REP5-010 – 3.1 Draft Development Consent Order (Clean) (Rev 6)

This document is superseded by CR2-009 – 3.1 Draft Development Consent Order (Clean) (Rev 7) and the OHA response to the latest version of this document can be found in our separate Deadline 6 Response to Change Request 2.

REP5-012 – 3.3 Explanatory Memorandum (Clean) (Rev 6)

This document is superseded by CR2-011 – 3.3 Explanatory Memorandum (Clean) (Rev 7) and the OHA response to the latest version of this document can be found in our separate Deadline 6 Response to Change Request 2.

REP5-014 – 3.6 Land and Rights Negotiation Tracker (Clean) (Rev 6)

This document is superseded by CR2-013 – 3.6 Land Rights Negotiation Tracker (Clean) (Rev 7) and the OHA response to the latest version of this document can be found in our separate Deadline 6 Response to Change Request 2.

REP5-016 – 6.3 Environmental Statement Chapter 12 - Traffic and Transport (Clean) (Rev 1)

OHA have no comments to make on the changes to this document currently.

REP5-018 – 6.3 Environmental Statement Chapter 11 - Ground Conditions (Clean) (Rev 2)

OHA have no comments to make on the changes to this document currently.

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REP5-020 – 6.3 Environmental Statement Chapter 19 - Air Quality (Clean) (Rev 1)

OHA have no comments to make on the changes to this document currently.

REP5-022 – 6.3 Environmental Statement Chapter 20 - Cumulative Effects and Inter-relationships (Clean) (Rev 1)

OHA have no comments to make on the changes to this document currently.

REP5-024 – 6.3 Environmental Statement Chapter 7 - Historic Environment (Clean) (Rev 2)

This document is superseded by CR2-019 – 6.3 Environmental Statement Chapter 7 – Historic Environment (Clean) (Rev 3) and the OHA response to the latest version of this document can be found in our separate Deadline 6 Response to Change Request 2.

REP5-026 – 6.3 Environmental Statement Chapter 8 - Landscape and Visual Impact Assessment (Clean) (Rev 2)

OHA note this document is superseded by [CR2-021] Environmental Statement Chapter 8 - Landscape and Visual Impact Assessment (CR2) (Clean) (Rev 3). Further comments on LVIA are also made in the OHA’s response to the Change 2 Request.

Although additional paragraphs, sections and additional appendices have been added to the LVIA, these do not satisfactory address OHA’s concerns about how the site has been assessed, the quality of the LVIA and how it has informed the selection and iterative approach to the design of the site area, in order to reduce effects (See [REP1-072] OHA Joint Local Impact Report).

There have been very limited changes in the assessment outcomes, and the OHA are still concerned that the LVIA seriously underplays the scale of the effects of the development on landscape character and views, especially with regard to the expected Magnitude of impact, and therefore the significance of the effect. These issues were raised in the OHA Joint Local Impact Report [REP1-072]. While the amended LVIA [CR2-022] has added paras 8.5.17 and 8.5.19 to address the duration and reversibility of effects, the LVIA methodology is still not clear how these effects are weighted with regards to size, scale and geographical extent,

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which also inform the Magnitude judgement within the impact assessment. The LVIA reports most of the Magnitude judgements as **Low** (leading to effects being considered *not significant*), or when a **Medium** magnitude is given, it is not judged to result in the expected **Moderate to Major** level of significance as per Table 8.22. This point is further covered in the OHA General observations on CR2.

There is a considerable amount of inconsistency in the information provided in the revised LVIA [CR2-022].

Landscape Character

The main text of the LVIA has been updated and now references the Vale of White Horse and South Oxfordshire District Council Joint Landscape Character Assessment 2024, para 8.6.50 to 8.6.52. However, these changes have not been taken through the report as apparent in paras 8.9.48 and 8.9.55 where the old LCAs are referenced.

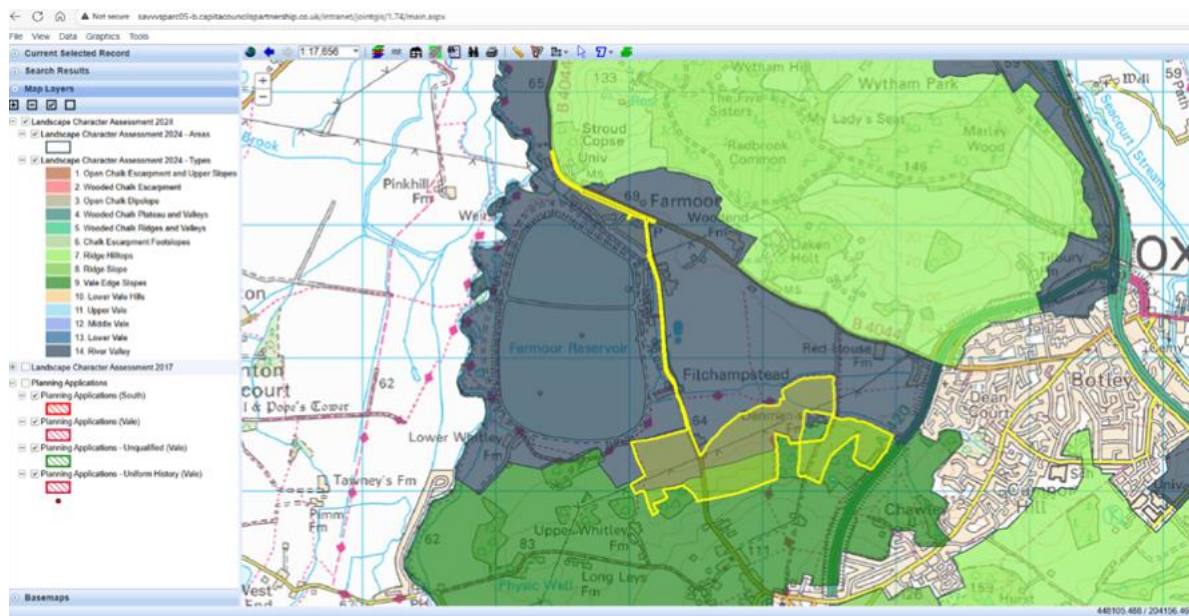
For example, the referencing of VoWH Landscape Character Areas (LCA) in the LVIA is not very clear. It is assumed that references are predominately based on the Landscape Character Type rather than the much more detailed LCA information. For example, the VOWH Landscape Character Assessment description of the 14A Farmoor Reservoir Valley LCA contains no reference to the River Thames or the Chiltern Way as neither are these located close to or within the 14A LCA, however, these are mentioned in paras 8.6.51 and 8.6.52 of the revised LVIA. The LCA Joint Landscape Character Assessment contains information about Key characteristics, Description, Valued qualities, Forces for change and Landscape strategies and guidelines but none of these are referenced in the [CR2-022] 6.3 version of the LVIA. However, it is noted that 8.6.53 does correctly reference the **South Oxfordshire and Vale of White Horse Renewable Energy Study Landscape Sensitivity Assessment**, which states that both the Northern Vale Edge Slopes LCT and River Valley LCT have ‘high’ landscape sensitivity to large scale solar energy development.

The associated ES - Figure 8.246 Local Landscape Character Areas and APP-143 6.5 ES – Appendix 8.1 Landscape Character in [APP-070] have not been updated to reflect the reference to the Vale of White Horse and South Oxfordshire District Council Joint Landscape Character Assessment 2024, and the Landscape Character Areas (LCA) present in the Southern Section of the site. If

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these plans were updated, it would illustrate that the text within the LVIA is inaccurate with regard to where the LCA boundaries fall in association to the scheme. The 9G Northern Vale Edge Slopes LCA boundary is located approximately 130m to the south of the overhead lines and the 14A Farmoor Reservoir Valley LCA is located to the north of the 9G Northern Vale Edge Slopes LCA. Approximately half the southern solar area is in the 14A Farmoor Reservoir Valley LCA, including the locations for the site for the NG substation.



The inaccuracy of the information added to the LVIA with regards to the Landscape Character is a concern with regards to the assessment of the landscape character of the site. A new appendix, [REP5-031] Appendix 8.5 Landscape Character Assessment has been submitted, but it seems to confuse Landscape Character Types (LCT) and Landscape Character Areas (LCA). For example, the detail within the Vale of White Horse and South Oxfordshire District Council Joint Landscape Character Assessment 2024 is predominately focused on Landscape Character Areas. Appendix 8.5 [REP5-031] assesses that the Northern Vale Edge

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Slopes LCT 9G (should be referenced as LCA) has a *high-medium sensitivity* to the project but does not correctly identify that half the site including the substation is located within the Farmoor Reservoir Lower Valley LCA 14A.

The OHA still query the levels of significance with regards to landscape character outlined in para. 8.14.4, in which it states that there would be a **Minor to Moderate** adverse (*not significant*) significance of effect upon those landscape character areas as a whole, within which the Project is located. At a local level, landscape characterising effects of the Project site, within a small part of the LCA(s) are considered *Moderate adverse (not significant)*. This point is also covered in OHA's comments on the magnitude.

Design Approach in Respect of Landscape and Visual Matters

The OHA are concerned about the text within this new section (paras 8.8.7ff). While the majority of the principles in the section are acceptable, the OHA cannot see how the LVIA has followed these principles. It is also queried if these have been written bespoke to the site, as they are very general and have been added retrospectively to the LVIA being undertaken. For example, para 8.8.10 states: *‘Temporary construction compound will be located near the Site entrance of the proposed **BESS** area, which is well contained from views from the outside. The compound area will be reinstated and reseeded following the completion of construction works and the removal of all temporary Structures.’* However, there is no BESS proposed as part of this project, and the three proposed construction compounds are not all well screened, but will be highly visible in views, especially the Southern Compound area, which is proposed on an open slope with a gradient greater than 1 in 10. The construction compound areas are also proposed for the inclusion of solar arrays during the operation period.

In para 8.8.9, it refers to *‘in line with all biodiversity objectives listed in Section 10 below’*, however, there is no Section 10 in the LVIA.

Significance

The LVIA states in para. 8.5.30: *‘Where the landscape or visual impact has been classified as Major and Major to Moderate this is considered to be equivalent to a significant effect. Moderate effects **may or may not be significant**, depending on the particular circumstances arising and professional judgement. In this instance justification has been provided in the receptor assessment.’*

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However, Table 8.22: Summary of potential environmental effects, mitigation and monitoring, does not include a column listing whether *moderate* significances are classed as *significant* or not. It is therefore hard to follow the summary of effects, and the reader is left not knowing what should be classed as significant. It is noted that there are numerous discrepancies between the table and the assessments contained in the LVIA appendices, and that it is not clear which judgement are considered to be the correct ones.

It is noted that ‘*The Definitions of Significance of Effects Matrix*’ has been removed from the LVIA. This was previously presented at table 8.13 of the LVIA. It is not clear why this has been done.

RVAA and buffer zones

Appendix 1 of the Joint LIR [REP1-072], set out the OHA concerns about the methodology that led to the assumption that the RVAA was not required. With regards to the updated LVIA version 6.3 [CR2-022] the approach has not changed. Regarding Private Views para 8.6.132 states: *“While there is no legal “right to a view”, the viewpoints from private properties have been considered in the design of the Project, and a range of mitigation measures (including a minimum 25 m offset from the outer edges of residential properties) have been proposed to soften viewpoints that will ensure the Project is appropriately responds and is respectful to the surrounding landscape.”*

The LVIA scopes out the assessment of private views from residential properties and the need for an RVAA on the basis: *“Due to the low level of the Project, particularly the solar arrays, and proposed mitigation, there is **no potential** for any private views to be adversely affected to an extent that would result in a level of harm of **Substantial**, which trigger the threshold for an RVAA being required. As such, private views are not considered further in this Chapter”*. (Para 8.6.134)

Within the amended LVIA, there is still very limited mention of residential properties and private views and additional detail about the impact of the scheme on residential receptors has not been provided. There has been no change in the approach to RVAA.

Private views are covered in paragraph 8.6.132. This paragraph refers to a 25m offset being used, but does not list how this distance was determined, and which private views have been looked at when setting this offset. It does not explain why this

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offset was considered appropriate for all locations, especially where solar panels are located on slopes above properties, such as the Southern Section of the scheme or adjacent to Shipton Slade Farm. There are many properties across the site where panels are proposed in multiple directions, surrounding the property on several sides, or on slopes above it, where effects could be considered to be overwhelming/overbearing, resulting in effects on residential visual amenity which tip beyond the **Residential Visual Amenity Threshold** (RVAT) set out in the Landscape Institute guidance. Goose Eye Farm is an example.

In Table 8.15: Description of Views from Representative Viewpoints, Viewpoints 46 and 47 are the only viewpoints that list residents as part of the receptors. Denman’s Farm and Jumpers Farm are referenced in paragraph 8.11.38 with regards to the cumulative assessment but not elsewhere. Similarly, residential views from closer areas of settlements such as Cassington, Begbroke and individual farmsteads have not been assessed.

Using the Southern Section of the site as an example, the [AS-043] Ben Prior submission indicates the views towards the solar panels and substation that are available from the residential properties to the east of the B4017 Tumbledown Hill just north of Cumnor Village. There is limited information with regards to the impact of the scheme on these properties, including east of Tumbledown Hill around Jumpers Farm, and the properties of Filchampstead, Lower Whitley Road, which sit south of the Substation, as these are not mentioned in the LVIA.

Mitigation

The LVIA does not adequately address concerns previously expressed with regards to design mitigation and the impact of hedgerows, both during operation and decommissioning. The OHA does not feel that there is enough information in the LVIA and the wider application to inform mitigation measures that are characteristic to their location, and to be able to assess the impact of the proposed hedgerows on the effect of views, including from the public rights of ways.

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With views being an important characteristic element of the local landscape, the loss of views will also impact the landscape character of an area. The LIR [**REP1-072**] and OHA Responses to Examining Authority’s Second Written Questions (ExQ2) Q2.13.8 [**REP4-074**] cover the OHA response with regards to mitigation and hedgerows.

The standard proposed height of 3m is well above head height and will change the availability of open views across the landscape and does not reflect a bespoke approach.

All the landscape mitigation proposals need to be more nuanced in terms of their design. For example, hedgerows might not be the most appropriate approach in all locations, but the use of woodland blocks or woodland belts might be more in keeping with the local character. Where hedgerows are used a more differentiated approach should be adopted. For example, hedgerows should be planned so that they sweep further away from paths in places, to create a series of spaces which are less oppressively enclosed, and which enhance the character of the journey along them; they could have gaps to allow open views across the countryside; different types and categories of hedge could be proposed. Essentially, landscape proposals need to be carefully designed, implemented and maintained to establish a robust landscape framework, which can help soften and integrate development. It is not simply a case of seeking to block views, as this would be inappropriate and out of character.

The design of the hedgerow locations and maintained heights should go hand in hand with the design of the areas in which solar panels are proposed. It is not an issue that can be covered retrospectively once the Operational Development Areas have been agreed.

OHA also note that there are still unresolved issues with regards to bats and hedgerows, and the location and height of hedgerows needed for bat mitigation will have not been assessed as part of the LVIA work and fed into the site design. There are also unresolved issues with regards to drainage and newt mitigation which are also proposed within these hedge corridors. Again, these issues should not be left to the development of the Outline Layout and Design Principles after the DCO has been granted, as the Operational areas of the Solar panels will have been consented.

REP5-028 – 6.4 Environmental Statement - Figure 8.12- 8.127 Representative Viewpoint Photographs (Winter) (Rev 1)

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OHA have no comments to make on the changes to this document currently.

REP5-029 – 6.4 Environmental Statement - Figure 8.128- 8.243 Representative Viewpoint Photographs (Summer) (Rev 1)

OHA have no comments to make on the changes to this document currently.

REP5-030 – 6.4 Environmental Statement - Figure 8.248 to 8.371 Photomontages (Winter and Summer) (Rev 1)

This document is superseded by **CR2-032 – 6.4 Environmental Statement Figure 8.248 to 8.371: Photomontages (Winter and Summer) (Rev 2)**. The OHA response to the latest version of this document can be found in the separate Deadline 6 Response to Change 2 Request.

REP5-031 – 6.5 Environmental Statement Appendix 8.5 Landscape Character Assessment

References to this document are also included in the OHA response to **REP5-026** (above).

This is a separate document on landscape character, and the updates and findings appear not to have been carried through to the LVIA. The document provides an update on the landscape character information and assessment, but it is difficult to follow as it neither includes a map nor are the locations and sources given for the different landscape character areas quoted in the text, i.e. which District LCA they are quoted from. In addition, the terminology of landscape character types (LCT) and landscape character areas (LCA) is confused in many places.

It also remains difficult to get a sense of what the key characteristics for different parts of the site are and how they have informed the location and design of the development.

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The document assesses the magnitude of impact mostly as *low or negligible* resulting *non-significant effects*, which remains difficult to understand considering the extent, scale and nature of the development in this rural landscape. The assessment gives limited recognition to the vast scale of the development, and the contribution the lost agricultural land uses make to the landscape character. At the same time there is an overreliance in the assessment on the existing boundary vegetation and new hedgerow planting, and their effectiveness in mitigating impacts on landscape character and views.

REP5-032 – 6.5 Environmental Statement Appendix 12.7 Traffic Flows with Construction Traffic (Clean) (Rev 1)

OHA have no comments to make on the changes to this document currently.

REP5-034 – 6.5 Environmental Statement Appendix 20.1 Cumulative Developments Longlist and Shortlist (Rev 1)

OHA have no comments to make on the changes to this document currently.

REP5-035 – 6.5 Environmental Statement Appendix 7.5 Settings Assessment (Clean) (Rev 2)

OHA have no comments to make on the changes to this document currently.

REP5-037 – 6.5 Environmental Statement Appendix 8.6: Public Rights of Way and Recreational Routes Assessment

Impacts on PRoWs are also covered in the OHA response on the applicant’s latest revision on the LVIA **[REP5-026]** (above).

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This is a new separate assessment. It very broadly considers the effects of construction, then deals with the long-term operational effects on a series of routes. Viewpoints are referenced, but there is no reference made to accompanying maps showing the routes and viewpoints, or ZTVs, which would be useful. It would then be clearer which PRow have been assessed and which have not.

Construction effects are covered only very broadly (paras 1.1 - 1.2.5), only mentioning construction compounds in relating to residential amenity and a high-level consideration of cabling.

For each route, the assessment provides a short description of the route, although it does not give a flavour of the views available from the route and how the landscape is currently and will be experienced after development. The description reads as if it was not based on field work. The applicant should be asked to confirm what field work was undertaken to inform the work, which directions the PRow was walked in, the time of year, whether vegetation was in leaf etc. Elements of the baseline information in the different PRow appear to have been added to the LVIA, but details regarding the assessment don't seem to have been carried over into the LVIA.

Essentially, the fact that the magnitude of change to views along the length of the route will alter is recognised – ie it will vary from negligible through to high. The assessment then seeks to make an ‘overall’ judgement, which seems to leave aside what would be the significant effects from certain sections, having the effect of diluting the inevitable significant effects from certain sections.

The proposed new hedgerows are described as having a beneficial effect (enhancement), although the assessment does not seem to recognise that they will block views, resulting in adverse effect in that respect.

The ‘vast scale of the landscape’ is referenced as a mitigating factor, but the assessment does not give a flavour of the vast scale of development proposed and seen within the wider landscape, as it speaks mainly about changes in fields next to the PRow – ie the more immediate and close proximity changes.

Some limited significant visual effects are predicted, which seems to suggest a general misunderstanding of the way in which people appreciate and use the PRow network, ie going out for a day or an hour or so to enjoy a scenic walk along the local PRow

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network, and the views available across the landscape from that network. It seems likely that there would be a much greater number of significant effects than are reported in this assessment.

REP5-038 – 6.5 Environmental Statement Appendix 8.7 Representative Viewpoints Assessment

OHA have no comments to make on this document currently. The visual assessment is also covered in the OHA response [REP5-026] to the applicant’s latest revision of the LVIA (above).

REP5-039 – 6.5 Environmental Statement Appendix 9.4 Bat Survey Report (Clean) (Rev 1)

OHA note the changes to address some minor corrections and updated monitoring data.

REP5-041 – 7.6.1 Outline Code of Construction Practice (Clean) - Part 1 (Rev 3)

This document is superseded by 7.6.1 Botley West Outline Code of Construction Practice (Clean) Part 1 (Rev 4) [CR2-045] and the OHA response to the latest version of this document can be found in our separate Deadline 6 Response to Change Request 2.

REP5-042 – 7.6.1 Outline Code of Construction Practice (Clean) - Part 2 (Rev 3)

This document is superseded by [CR2-047] – 7.6.1 Botley West Outline Code of Construction Practice (Clean) Part 2 (Rev 4) and the OHA response to the latest version of this document can be found in our separate Deadline 6 Response to Change Request 2.

REP5-045 – 7.6.3 Outline Landscape and Ecology Management Plan (Clean) (Rev 4)

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This document is superseded by **[CR2-051]** – 7.6.3 Botley West Outline Landscape and Ecology Management Plan Rev 5 (Clean) and the OHA response to the latest changes to this document can be found in our separate Deadline 6 Response to Change Request 2.

With reference to Rev 4 OHA consider that a more integrated approach to monitoring is needed with regard to BNG (currently based on habitat condition assessments) and species (currently reliance on protected species licensing requirements only) – protected species licensing is only usually secured for 2 years but the solar farm should be monitored for the full lifetime of the project. BNG monitoring should be for lifetime of solar farm (42 years as commented previously), but this should be carried out in conjunction with species monitoring – habitat suitability and condition will have a knock-on impact on use by associated species, e.g. hedgerows for bats and dormice, nesting birds, etc.

Monitoring methodologies and timings must be confirmed as part of the LEMPs submitted for each phase of the development to provide full details of monitoring and remediation measures that could be implemented where necessary. The oLEMP appears to only refer back to the requirements in the DCO.

Section 17 of the oLEMP covers management reviews and actions, with reference to the production of monitoring reports and any subsequent changes to the management plan. However, it doesn’t stipulate where these monitoring reports will be made available and who will be involved in agreeing or approving them. Will they be submitted to the OHAs for approval before any changes are implemented?

The Bat Technical Note by Sylva does not cover monitoring – no recommendations for this have been included. A consistent approach is needed in order to be able to compare the baseline with future assessments. Static detector monitoring for bats is a good way forward, but there should also be some transect surveys and/or additional static detectors deployed within the solar arrays to monitor activity to provide a complete picture of the ongoing use of the site by foraging and commuting bats, and the functional link with known bat roosts.

Issue with decommissioning previously raised – monitoring will be important in terms of establishing what is present on site and the impact of the removal of the solar farm during the decommissioning phase due to likely impacts on species. It is assumed that the site would be reverted back to a form of agricultural use that would not detract from the biodiversity value that has been achieved.

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Otters and water voles – we understood that surveys to establish a baseline are underway for the watercourse units for BNG, but it would also make sense for baseline otter and water vole surveys to be carried out, so that monitoring also encompasses these protected species in relation to the proposed enhancements to the watercourse and floodplain meadows. It is understood that the outline Code of Construction Practice now includes a requirement for otter and water vole surveys prior to construction; but in the absence of data at application stage, these surveys should provide the basis for ongoing monitoring – the oLEMP therefore should be updated to include these species. We advocate for the oLEMP to include mink control within the scheme boundaries (and ideally beyond) during the lifetime of the project, as it is known to be one of the main factors in the dramatic decline of this species. A scheme of this scale which incorporates significant lengths of watercourse provides an opportunity to manage the mink population in a strategic manner and therefore benefit the local water vole population.

Invertebrates – monitoring in the oLEMP only refers to insect hotels (or hives). These are generally considered to be urban type features that are installed in parks and gardens to create habitat for invertebrates rather than a more natural approach should be implemented at the solar farm. Perhaps deadwood piles and beetle banks or other similar features would be more appropriate (as well as management of habitats).

Skylarks - The oLEMP only focusses on skylark plots and does not cover the management of grassland areas for skylarks (as foraging habitat). This should be amended to ensure that the ongoing management of the grassland areas within the solar farm incorporates measures to increase the availability of invertebrate prey through other means rather than artificially creating plots of bare ground. Management principles should be sufficient to deliver this rather than having to deliberately create skylark plots at all of the locations specified on the plans. This would be easier to monitor in the long term.

Landscape and visual concerns with regard to the OLEMP are also covered in the OHA's response to **[REP5-006]** (above) and the revised LVIA **[REP5-026]** (above). Landscape and visual concerns predominately relate to the use and management of hedges, including the hedgerow height, as mitigation.

The OHA consider that the mitigation proposals need to be more nuanced in terms of their design. For example, hedgerows might not be the most appropriate approach in all locations, and where hedgerows are used a more differentiated approach might be required.

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As already mentioned above the OHA are concerned that the issues relating to the proposed location of the solar arrays and the substation are fundamental and cannot be addressed by the LPAs proposing different hedgerow heights as part of a LEMP once the Works Plans have been agreed.

REP5-047 – 8.3 Schedule of Changes to the draft DCO (Rev 5)

This document is superseded by CR2-056 – 8.3 Schedule of Changes to the draft DCO (Rev 6) and the OHA response to the latest version of this document can be found in our separate Deadline 6 Response to Change Request 2.

REP5-048 – Figure 20.1 - Cumulative Developments - West Oxfordshire (Rev 1)

There are three proposals included on the cumulative developments – West Oxfordshire map where the status has changed. One additional approval has been granted for a solar farm and BESS within the parish of Curbridge since the cumulative developments list was compiled.

Cumulative Developments Reference	Updated Planning Reference	Description	Status
23/00760/SCREEN	24/01565/FUL	Installation and operation of a renewable energy generating station comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage	Approved Subject to S106
23/00770/SCREEN	25/00234/FUL	Installation of a ground mounted solar PV, energy storage system	Application Refused

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22/01330/OUT	24/00795/RES	Reserved matters application detailing layout, scale, appearance and landscaping for the construction of 150 new homes,	Approved
N/a	24/03278/FUL	Construction and operation of a ground-mounted solar farm with battery energy storage system (BESS)	Approved

REP5-049 – Figure 20.2 - Cumulative Developments - Cherwell (Rev 1)

CDC would like to draw attention to the submission of application 25/02190/HYBRID for up to 9,000 dwellings and including an area of solar PV of circa 9.1ha at Heyford Park on 09 September 2025. In addition, the New Towns Taskforce: Report to Government published on 28 September 2025 recommends Heyford Park as a New Town location for up to 13,000 homes.

REP5-050 – Figure 20.3 - Cumulative Developments - Vale of White Horse and OCC (Rev 1)

VWHDC have no comments to make on the changes to this document.

Comments on RIES [PD-016]

OHA have no comments to make on this document.

Statement of progress on SoCG

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OHAs continue to work with the applicant on SoCG for deadline 7 (**D7**). Updated drafts are to be provided by the applicant.