

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

SBW's WRITTEN SUBMISSIONS FOR DEADLINE 7

INTRODUCTION & SUMMARY

1. These submissions are submitted on behalf of Stop Botley West Limited (“**SBW**”) in response to the further information provided at and since Deadline 6, including but not limited to: **(1)** the Examining Authority’s Rule 17 letter of 14 October 2025, **(2)** the Applicant’s responses at Deadline 6 (including the Residential Visual Amenity Assessment, the updated Green Belt material and the Applicant’s responses to other parties’ D5 submissions), **(3)** the Oxfordshire Host Authorities’ Deadline 6 responses (including the ISH2 Action Point 16 clarification note on further reductions), **(4)** Oxfordshire County Council’s submissions (including on Compulsory Acquisition and highways powers), and **(5)** the written summaries from Historic England, CPRE Oxfordshire and other Interested Parties (IPs).
2. Given that this is the last opportunity for SBW to address the concerns around this DCO, we have also taken the opportunity to summarise the overarching concerns as they persist at the end of the examination. Overall, SBW maintains its objection. The additional material provided has not cured fundamental defects in the application, and if anything only further compounded its shortcomings. The evidence base remains incomplete and/or is presented on assumptions that understate harm across heritage, landscape and residential amenity, ecology, agricultural land quality, hydrology and drainage, minerals sterilisation, Green Belt policy and the adequacy of consultation.
3. Whilst SBW’s specific concerns have related to focused areas, we have taken the opportunity to make further submissions on areas which intersect with our concerns.

4. The persistent changes advanced by the Applicant—including selected panel removals and statements of intent—do not resolve the extent and nature of conflict with the development plan and the applicable National Policy Statements (NPSs), nor do they meet the high thresholds required in relation to the Oxford Green Belt and the Blenheim Palace World Heritage Site (WHS). Crucially, as we have also stated before, the Applicant has chosen to use the examination process to better a scheme in a way that is wholly inappropriate. This speaks to their consistent failure to address fundamental concerns.
5. **In short**, as previously stated, the Examining Authority (ExA) cannot be satisfied that the residual adverse impacts have been properly identified, assessed, avoided and mitigated, or that benefits outweigh the significant and enduring harms. For the reasons below, SBW invites the ExA to recommend refusal. In the alternative, and without prejudice to its primary position, SBW identifies a series of minimum omissions and safeguards that would be essential if the Secretary of State were minded to grant any DCO.
6. **It is critical to point out that many more issues could have been raised in these submissions but instead these notes have been necessarily curtailed in order to focus on the most egregious impacts from these proposals. The ExA should refer to the various submissions and representations made to date by, and on behalf of, SBW.**

Green Belt: ‘very special circumstances’ remain unproven

7. The Applicant’s updated material seeks to recast its Green Belt case in light of the December 2024 NPPF and the February 2025 Planning Practice Guidance (PPG) clarifications, especially on the assessment of Green Belt purposes A, B and D with reference to towns rather than villages. That change does not rescue the proposal for the following cogent reasons.¹
8. **First**, the scale and permanence-in-effect is of an order of magnitude that remains unacceptable.² The proposal would industrialise c. three quarters of the site within the

¹ NPPF Compliance Table with updated local policy context

² Applicant’s Responses to other D5 Submissions

Oxford Green Belt for around 40 years. As multiple IPs have argued, including at Deadline 5, a scheme of this magnitude and duration is not credibly “*temporary*” in its real-world effects on openness and character. The Applicant’s own material accepts that many significant effects would be residual for the project’s lifetime.

9. A 40-year consent is, in practice, a generational change in land use and landscape character. The Applicant’s documents concede that significant effects will be residual for the scheme’s lifetime. The Host Authorities and IPs have highlighted the practical risk that post-termination restoration will be incomplete and that policy preference for end-of-life extension will be advanced. The ExA should give little weight to the “temporary and reversible” mantra when judging harm to the Green Belt, heritage, BMV land and amenity across a two-generation horizon.
10. **Second**, the impacts on purposes and openness are similarly unacceptable. Reframing the purpose tests around “towns” does not remove the reality that the proposal would materially erode openness across a swathe of highly sensitive countryside that performs Green Belt functions—checking sprawl, preventing coalescence at a landscape scale and preserving the setting of Oxford and the historic environment. This is notwithstanding the in-principle acceptance of what the National Policy Statement states around this issue. The Applicant’s contention that conflict with Green Belt purposes is “limited” because the scheme is reversible is an assertion rather than an evidence-based conclusion. As other parties have pointed out, long-term industrialisation creates path-dependency and policy momentum for continuation at end of life.
11. **Third**, VSC instability. The ExA’s Rule 17 letter recorded concerns that the Applicant’s list of Very Special Circumstances (VSC) has been “*flexible and subject to change.*” No stable, compelling VSC case has ever been made which makes it difficult to report to the Secretary of State in this case. Rather, the Applicant has removed reliance on certain items (e.g., community benefits) while doubling down on generic national need in a way that has frankly been quite insulting to the ExA’s careful assessment and required judgement. As stated, need is undisputed in principle, but it does not automatically supply VSC for this location.

12. It is not sufficient to say that Green Belt harm is acceptable because energy is needed. The balancing exercise must be performed on a comprehensive and sound evidence base, which has always been absent here. The Applicant's failure to put forward the evidence base required for this cannot shield it from the careful scrutiny required.
13. **Fourth**, alternatives and site selection. The alternatives case remains high-level and conclusory. It has not demonstrated that less harmful spatial options—including lower agricultural grade land, non-Green Belt locations, dispersed smaller schemes, or roof-top/commercial brownfield capacity—were properly considered and discounted with transparent costed comparisons. Decision-makers are not invited to choose the least-worst site; they are required to test whether VSC have been made out for this site.
14. On any fair view of the evidence and the ExA's own questions to date, the Applicant has not overcome the presumption against inappropriate development in the Green Belt. The VSC case remains unproven.

Heritage, Blenheim Palace WHS and Samsons Platt

15. SBW adopts and reinforces the concerns raised by Historic England (HE) and ICOMOS International regarding effects on the Outstanding Universal Value (OUV) of the WHS, and the wider cultural landscape within which Blenheim sits. The Applicant's reliance on iterative changes to approach a "no harm" outcome is unconvincing in both method and result. Substantial and less than substantial harms have been under-described throughout by confining "setting" to a narrow visual lens, despite the repeated urging of both HE and ICOMOS to take a broader experiential, cultural and functional approach.
16. Crucially, HE's Deadline 6 material confirms a difference of professional judgement with ICOMOS as to the quantum of harm. Dialogue remains ongoing, with ICOMOS intending further advice to the State Party before the close of the examination. This surely does not fill the ExA with much confidence on these outstanding matters. In any event, that advice will be consequential and it will not be procedurally fair if interested parties cannot review and comment on it. To that end, we make the request that the ExA should not close on heritage matters until that input is available and tested. Alternatively, should the ExA

consider that enough time has been expended to give the Applicant the opportunity to address these issues, it should close knowing that this must necessarily be held against the making of the Order.

17. Samsons Platt now plainly concerns a more extensive archaeological landscape than the initial scheduling footprint implies. The Applicant's evaluation reports submitted at D6 substantiate the risks that SBW and others have long identified. The proposed buffers are not yet agreed with HE and the County Archaeologist, and the Applicant's invitation to rely on a Requirement 5 "fallback" at detailed design is the wrong way round when it comes to how these issues need to be addressed. In reality, where there is credible risk of harm to nationally important, highly sensitive archaeological assets and their setting, the harm must be avoided by removing panel areas, not deferred.
18. SBW specifically requests omission of **Field 1.12** and extension of the buffer to encompass the wider archaeological complex now evidenced, with all corresponding adjustments to cable routing and access.
19. SBW return to the issues originally raised in respect of heritage impacts resulting from the proposed development in their Relevant Representation (REP1-115) at the beginning of the Examination period. Despite significant additional information submitted by the Applicant and deletions of areas of solar panels, and after written evidence and oral hearings, SBW's original position and concerns remain unchanged.
20. **In summary**, the impacts on heritage assets, particularly those highly-graded assets at Blenheim, remain misunderstood, understated and fundamentally incorrect. This is not only contrary to the NPSs and the DCO processes, but is also inconsistent with accepted best practice as well as local and national policy requirements.
21. SBW therefore respectfully contends that on the basis of the flawed baseline and approach to the assessments, not least the level of harm to heritage assets of the highest significance, the application cannot be recommended for approval. The level of confidence and understanding required on the part of the ExA is simply missing.

Landscape, visual effects and residential amenity

22. The Oxfordshire Host Authorities' **Action Point 16** note sets out a systematic basis for further reductions grounded in sensitivity assessments and fieldwork by chartered landscape architects.³ Those professional judgements are cogent and conservative. By contrast, the Applicant's approach has been to resist strategic reduction while offering a late "without prejudice LVIA offer" and a new Residential Visual Amenity Assessment (RVAA) at Deadline 6.⁴
23. **The RVAA is too little, too late.** And it frankly speaks to the lazy and cavalier approach taken by the Applicant to the concerns raised by the community. It follows repeated requests by the ExA and IPs and arrives without the time or transparency to enable meaningful scrutiny by residents and councils. Negative inferences must be drawn from the actions of the Applicant. The information remain incoherent and although the LVIA itself has been updated, the appendices to this document have not which further demonstrate the lack of care and reactive nature of the work.
24. Even then, it appears to under-scope properties, to treat thresholds narrowly and to depend on planting growth and hedgerow management assumptions that the Host Authorities have already critiqued as unreliable in this landscape. SBW have already highlighted much of these concerns in its Deadline 6 response, but for present purposes we would add the following.
- i. The Applicant continues to assert that a 25m setback from residential boundaries is sufficient. The Host Authorities have given specific examples (e.g., Goose Eye Farm, Denman's Farm, Jumpers Farm, properties east of Tumbledown Hill and in Cassington and Begbroke) where arrays are proposed above or around dwellings, resulting in likely overbearing effects beyond recognised RVAA thresholds. The Applicant has not provided a property-by-

³ Responses to Issue Specific Hearing 2 Action Point 16 – Clarification note on solar installation reduction, with Updated Maps

⁴ Residential Visual Amenity Assessment, Part 1

property analysis commensurate with the scale of risk. It appears that the applicant has not visited any private properties as part of the RVAA and all of the views are recorded from public locations.

- ii. The PRoW strategy still risks “tunnel effects” through high hedging and fencing, contrary to user amenity and safety—an issue raised by Wootton Parish Council and others. A minimum 10m corridor is insufficient in places; wider corridors and genuine breathing spaces are required along the Oxfordshire Way, Akeman Street and other key routes.
- iii. The applicant has applied flexibility to the height of hedgerows, however this is not cross referenced in the LVIA. With regard to the Landscape Character, the applicant relies on an unknown future landscape baseline to justify changing the character of the landscape now, a wholly incorrect application of the methodology.
- iv. The glint and glare assessment continues to rely on composite receptor scenarios and future planting rather than present-day reality, with gaps against the ExA’s requests for central and southern imagery identified by IPs.
- v. In these circumstances, LVIA and RVAA are not decision-grade. The ExA cannot discharge its obligations by relying on a future iteration of detailed design to put right strategic siting errors made now.

25. The previously raised overarching concerns are not repeated here but they do persist.

Ecology and BNG: skylarks, bats and the limits of the metric

26. SBW notes the Host Authorities’ continued concerns that the Applicant’s biodiversity net gain (BNG) claims are not a proxy for the protection of species assemblages actually present, nor do they represent mitigation for identified losses.⁵ We underline two points:
- i. **Skylark.** Evidence before the examination shows that breeding skylarks do not generally persist within dense solar arrays. The proposed onsite measures do not remedy the functional loss of local breeding territories—something the Host Authorities have already pressed. A dedicated Skylark Mitigation Strategy (not a generic farmland bird strategy) with secured off-site delivery is required to address real impacts on a priority species. None is in place.
 - ii. **Bats.** The Applicant relies on a tiered buffer concept but, as the Host Authorities highlight, Tier A bat flightline buffers are not yet mapped to a level that secures their locations and extents on a plan. The buffers also do not offer any protection for bats that use arable fields for foraging, such as noctules, and thus the outlined strategy will only offer partial protection to bat communities with the Red Line. Monitoring commitments should run for then project lifetime and encompass both flightlines and array areas, yet the Applicant’s proposals remain non-committal and time-limited.
 - iii. BNG unit percentages added to Requirement 7 do not compensate for specific, foreseeable adverse effects on skylarks or the coherent bat network. Absent secured, targeted species mitigation, the ecological case is not made.

PRoW, highways management and compulsory acquisition

27. SBW supports OCC’s position that the Applicant does not need, and should not be granted, additional rights over highway land beyond the already extensive DCO powers to enter and undertake authorised works.⁶ On PRoW, off-site improvements and monitoring should be secured where scheme effects remain significant notwithstanding

⁵ OHA Deadline 6 Response

⁶ OCC Written Summary of Oral Submission – CA1

panel removals. If the Applicant insists that such contributions are “voluntary” and not necessary because effects are “reduced,” that underscores the inadequacy of its landscape and amenity assessment rather than obviating mitigation.

Aviation Safety

28. One of the starkest outcomes of the final ISH session was hearing from the representative of the Oxford Airport. Particularly when they pointed out the extent of work yet to be done, and how it would require ‘peer’ review in order for them to be satisfied as to the likely harm being neutralised. To that end, Oxford Aviation Services has raised coherent concerns about bird strike risk displacement and thermal plume modelling. The Applicant’s reliance on generalized CAP 772 land-use typologies and a US research citation does not address site-specific risk pathways around Oxford Airport. It is critical to note that where aviation safety bodies remain unpersuaded—and changes to land management could displace birds towards the aerodrome—precaution demands more than aspirational text in the oLEMP. And if unresolved at close of examination, this residual risk should weigh against consent.

Grid Connection, BESS and cumulative interactions

29. SBW had previously raised the substation and grid connection in its Deadline 6 submissions. The Applicant now accepts an **October 2029** grid connection date, after multiple earlier contradictory statements. The Applicant maintains that any battery energy storage system (BESS) advanced by National Grid Electricity Transmission is separate. This may be right in strict Order Limit terms, but it does not take much investigation to understand the implicit connection between the storage system and the DCO sought. To this end, the ExA has rightly probed the associated Screening Opinion and the overlap of land interests, laydown areas and timing.
30. At a minimum, cumulative effects—including construction traffic, laydown, landscape/visual and noise—require robust joint assessment. The evolving picture has

never been transparently assessed or secured through binding coordination commitments. The ExA cannot simply assume “no additional significant effects” without scrutiny. It would be a dereliction of duty to do so.

Planning Balance and conclusion

31. Considering the latest information, the project still fundamentally fails on multiple fronts:
 - i. Green Belt harm remains very substantial, and the VSC case remains unproven;
 - ii. Harm to the WHS OUV and to nationally important archaeology (including Samsons Platt) remains unresolved and understated;
 - iii. Landscape and residential amenity harms are inadequately assessed to begin with and no real attempt made to mitigate, with insufficient setbacks, mapping and design controls;
 - iv. Ecological impacts on skylarks and bat assemblages are not remedied by BNG percentages and lack targeted, secured mitigation;
 - v. Cumulative, aviation and grid-related uncertainties persist. This is a serious safety flaw that cannot simply go unchecked;
 - vi. Consultation and evidence shortcomings have constrained meaningful public scrutiny at the point of decision.
32. **Under section 104 of the Planning Act 2008**, the SoS must decide in accordance with the relevant NPSs unless material considerations indicate otherwise.
33. Here, the adverse impacts demonstrably outweigh the asserted benefits on the evidence available to the examination. As previously stated, to repeatedly use the NPSs as cover for a subpar proposal is an insult to the ExA. There is little confidence with which to consider the evidence and report back to the SoS to positively consent. SBW therefore respectfully invites the ExA to recommend refusal. As with the Hinckley National Rail

Freight Interchange, there is ample procedural basis for a “minded to refuse” signal where the Applicant’s case is incomplete and key harms remain inadequately addressed.

34. If the ExA is not minded to do so at this stage, SBW requests that the examination remain open to receive and test ICOMOS’s forthcoming advice on the WHS and further archaeological safeguards, and that a “minded to refuse” letter be issued pending resolution of those decisive matters.
35. SBW is separately preparing an application for costs in accordance with the published guidance, having regard to the Applicant’s unreasonable conduct and the unnecessary expense caused by late, incomplete and shifting submissions. We are grateful for the ExA’s guidance on how and when this would be appropriate to pursue.

STOP BOTLEY WEST LIMITED

Deadline 7 Submissions

10 November 2025