[redacted]

From: Bojan Ivanovic [redacted]
Sent: 21 November 2025 16:58
To: DESNZ Correspondence
Cc: secretary.state@energysecurity.gov.uk; Botley West Solar Farm; Calum Miller MP
Subject: Fwd: A response from DESNZ to your recent query - DESNZ ref: TOB2025/15339
Attachments: TOB2025-15339 .pdf

Re: Botley West Solar Farm – Response to Departmental Letter of 19 November 2025 (Ref. TOB2025/15339)

Dear [redacted]

I write in response to your letter of 19 November 2025. Having reviewed its contents, I must respectfully note that it fails to engage with substantive legal, procedural, and policy issues, and seems to misrepresent the Department's administrative and quasi-judicial responsibilities.

1. Procedural and Jurisdictional Responsibility

Your letter summarises procedural steps under the Planning Act 2008 and the role of the Examining Authority. While these are relevant, they cannot absolve the Department from considering whether the project is properly before it or whether the Examination is lawfully constituted. Jurisdiction, process integrity, and lawful competence are antecedent to any merits-based decision. Deferring engagement until the ExA report risks endorsing a process that may already be *ultra vires*.

It is also difficult to avoid the impression that the Department is content to rely on the possibility that the Inspectorate may not raise these questions at all, thereby positioning itself to attribute any resulting failures to others and to treat the Inspectorate as a convenient scapegoat.

Invoking the Secretary of State's *quasi-judicial role* to justify silence on these matters is a category error. Questions of administrative and legal competence are not adjudicative and may be addressed without prejudicing impartiality. Reliance on similar precedent or prior applications cannot substitute for proper scrutiny of Botley West, including:

i) The absence of consideration of abundant brownfield alternatives before proposing a project of this scale—comparable to Heathrow—almost entirely within Green Belt land;

ii) The deliberate artificial aggregation of non-contiguous parcels to meet NSIP thresholds, designed to manipulate the decision-making process away from local stakeholders to parties with no direct connection to the area, thereby bypassing proper local scrutiny;

iii) The classification of a forty-year installation as "temporary", which is illogical to any unbiased observer.

Such matters require prompt legal and administrative scrutiny. Silence from the Planning Inspectorate does not validate legality. Courts consistently hold that failure to examine critical procedural or jurisdictional questions may render a decision unlawful.

2. Omission of Critical Policy Considerations

Your response also ignores significant public interest and policy concerns:

i) Financial uplift: The project could confer a maximum uplift to landowners (Blenheim and affiliates) of ~£4.8 billion. Even a fraction of this predictable increase should be recognised. A decision by the Secretary of State could effectively gift a private landowner billions, transferring public planning value into private hands without corresponding public benefit.

ii) Privatisation of benefits and consumer impact: The public bears all environmental, amenity, and policy risks. The project will not reduce consumer electricity prices, locally or nationally. Headline figures for household generation refer to maximum installed capacity, but effective solar yield in England is almost ten times lower, and DESNZ has constructive knowledge that both the project's benefits and generation claims are massively overstated to make it appear more beneficial than it actually is. The true impact on consumer prices, when subsidies, Contracts for Difference, and other offtake and tax benefits granted to developers are taken into account, is minimal or negligible.

iii) Property impacts: DESNZ has not acknowledged predictable declines in local residential values, as evidenced in LSE and other studies—a magnitude radically greater than any token "community benefit." All premature discussion of community benefits appears intended to obfuscate the sizeable negative impact on local residents.

iv) Green Belt and farmland: Long-standing Green Belt and productive agricultural land are at risk. Yet, current policy does not prevent farmer displacement or loss of productive land, pointing to the Government's tacit strategy of "death by a thousand cuts" undermining the Green Belt and wider agricultural sector.

v) Policy failure: No policy exists to limit abuse or manipulation of intentional "greying" of Green Belt land to increase potential future benefits from land conversion.

vi) Developer misrepresentation: Blenheim Estate and affiliates, including Sustainable Woodstock, have orchestrated a coordinated campaign to greenwash the project. DESNZ should actively challenge the developer where it has constructive knowledge of misleading claims, including inflated maximum benefits based on installed capacity, and address manipulation of public opinion via Blenheim-affiliated organisations.

These considerations highlight the need for DESNZ, in conjunction with DEFRA, to immediately prioritise brownfield development over permanent conversion of Green Belt productive farmland.

3. Requested Legal and Policy Opinions

I request that the Department provide without delay:

i) A legal opinion on the safeguards and jurisdictional basis required to ensure that NSIP thresholds are not deliberately engineered to bypass local scrutiny, and to confirm whether Botley West's NSIP designation is lawful in light of the deliberate artificial aggregation of non-contiguous parcels. In this case, the proposed project's scale is clearly arbitrary: solar generation is inherently modular and effective at much smaller scales, there are no major proximate energy users to justify the output proposed, and the enlargement of the scheme appears to reflect *premeditated manipulation of the planning framework* intended to sideline established local planning procedures for comparable projects.

ii) Consideration of policy and land impacts, including *risks to long-standing Green Belt and productive agricultural land*, predictable farmer displacement, and any tacit strategies undermining Green Belt protections.

iii) Assessment of developer influence, including coordinated efforts by Blenheim Estate and its affiliates (e.g. Sustainable Woodstock) that could bias public consultation or the decision-making process.

These questions may be addressed without prejudicing the Secretary of State's quasi-judicial responsibilities. I further request that the Department procure and publish these legal and policy opinions promptly. DESNZ should also actively challenge the developer where it has constructive knowledge of misleading claims and address manipulation of public opinion via affiliated organisations.

Conclusion

The Department's response demonstrates an alarming reliance on procedural form over substantive scrutiny, and a misapplication of quasi-judicial reasoning to avoid proper engagement with legal and policy obligations. By failing to acknowledge predictable financial, environmental, and social impacts—including deliberate manipulations of the NSIP process, grossly overstated benefits, and predictable declines in residential values—and by continuing not to provide (esp. project-specific) legal or policy advice, the Department risks eroding public confidence in the planning process. It is both disappointing and concerning that such significant matters are treated with generic reference to process rather than addressed directly.

I therefore request a reasoned reply to each point raised, or, should the Department decline to respond, a full explanation for that decision.

Yours sincerely,
Bo Ivanovic