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**BOTLEY WEST SOLAR FARM**  
**OXFORDSHIRE HOST AUTHORITIES**  
**Response to SoS Request for Additional Information**  
**09 June 2026**

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- 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**

The Oxfordshire Host Authorities (the “**OHA**”) are comprised of the following host authorities who are working collaboratively to represent constituents on key issues during the Decision phase and assist the Secretary of State (“**SoS**”) by providing a single response to their queries:

- 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**

This submission is in response to the SoS’s request for additional information originally published on the 21<sup>st</sup> of April 2026, with a revised version published on 28<sup>th</sup> of April 2026. For clarity, this response will refer to the letter dated to 28<sup>th</sup> of April 2026.

The OHA response to the letter is found in the table below.

Paragraph Reference	SoS Query	OHA Response
25- Landscape and Visual Impact Assessment	<i>‘If the Applicant decides to update the assessment, the Applicant is encouraged to consult with <b>OHA</b> when producing this updated assessment.’</i>	1. An inception meeting with the Applicant’s new Landscape team was held 14/05/26. Further information is awaited from the Applicant including any proposed changes to the LVIA.
26- Residential Visual Amenity Assessment	<i>‘Therefore, the Secretary of State requests the <b>Applicant</b> to consider whether an updated RVAA is required to consider the relevant comments from Interested Parties provided at Deadline 7, in particular the OHA’s response which highlighted that not all properties that have views available had been identified [REP7-191], for example Upper Whitley Farm, in addition to Cumnor Parish Council’s response [REP7-077] which details the omission of Filchampstead, and additional residential properties from the RVAA. If the Applicant decides to update the assessment, the <b>Applicant</b> is encouraged to consult with the <b>OHA</b> in preparing this updated RVAA.’</i>	2. An inception meeting with the Applicant’s new Landscape team was held 14/05/26. Further information is awaited from the Applicant including any proposed changes to the RVAA.

<p>29- Residential Visual Amenity Assessment</p>	<p><i>‘The Secretary of State also requests the <b>OHA</b> as the relevant local planning authorities to comment on the practicality of implementing the 250m buffer requirement put forward by the ExA in the Rule 17 Letter [PD-018]. In doing so, the <b>OHA</b> is requested to comment on whether this would be an effective Requirement to minimise impacts from the Proposed Development on residential properties.’</i></p>	<ol style="list-style-type: none"> <li>3. The OHA have indicated in previous submissions [REP1-072], [REP3-072] [REP7-189], that a standardised buffer is not the appropriate means for mitigating impacts on residential visual amenity.</li> <li>4. In [REP7-189] in response to the applicant’s without prejudice offer (which provided a standard 75m buffer) the OHA made the following comments: <i>‘Whilst the OHA consider a 75m buffer to significantly affected properties is an improvement compared to the 25 m buffer currently proposed, it is not clear how this distance has been determined. As outlined previously the OHA consider that a bespoke approach is required to avoid effects on residential visual amenity. This includes ensuring that the deletions the OHA have recommended are carried out as these ensure that properties are not surrounded by development and will not have very close views of panels and associated infrastructure from their key or important outlooks. This includes views from upstairs habitable windows. This requires detailed work to be done to determine the exact requirements at each house or groups of houses where they have the same outlook. This is an extremely important piece of work that should inform the design and that should not be done retrospectively.’</i></li> <li>5. The OHA’s position remains the same on this matter. A detailed assessment (including site visits to each impacted property) needs to be carried out in order to determine the level of impact. This assessment</li> </ol>
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		<p>should inform mitigation to reduce residual impacts. The mitigation hierarchy outlines that impacts should be avoided in the first instance which in this case would require a buffer appropriate to the identified level of impact being incorporated into the parameters of the scheme.</p> <ol style="list-style-type: none"><li>6. The level of harm of these residual impacts would then need to be considered against the benefits of the scheme. Given this the OHA do not believe that the issue of impacts on Residential Visual Amenity can be left until after the scheme has been consented and instead need to form part of the SoS’s weighing and balancing when determining the application.</li><li>7. Equally, should the issue of appropriate buffers be left until post consent then it is possible that any scheme resultant from the proposed requirement may be materially different to that which the SoS has determined being as alterations to the panel layout may have implications for other ES chapters such as ecology or drainage. It would then not be possible for the LPA to discharge the requirement without the need to amend the order.</li><li>8. The SoS has also asked the OHA to comment on the practicality of implementing the ExA’s proposed Requirement. The drafting of the Requirement would secure a minimum buffer of 250m from any residential property ‘<i>unless otherwise demonstrated to be acceptable in writing to the satisfaction of the relevant local authority</i>’ [PD-018].</li></ol>
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		<p>9. As has been outlined above the only way in which the OHA consider a reduced buffer would be acceptable would be if the applicant were to undertake a bespoke assessment of visual amenity impacts for each effected residential property. This assessment would have to be submitted to the appropriate LPA who would then need visit each effected property to confirm the validity of the applicant’s assessment.</p> <p>10. There are three issues with the practicality of this. Firstly, the review of any information provided by the applicant to discharge the Requirement in detail (in combination with the need to organise and undertake a site visit) would take a large amount of time.</p> <p>11. Section 2(2) of Schedule 16 of the draft DCO outlines that the LPA must give notice to the applicant of any decision when discharging a requirement within 8 weeks of the application being submitted. Paragraph 2(3) of the same schedule outlines that if a response is not received from the LPA within 8 weeks consent is considered to have been granted.</p> <p>12. As such, should the applicant provide evidence of sufficient detail to discharge this requirement then the LPA would only have 8 weeks to consider this information (and visit the effected properties) before consent is deemed. The OHA do not believe 8 weeks would be sufficient time to review this submitted information and use it to make an informed decision on the effectiveness of any buffer proposed.</p>
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		<p>As such there is a significant risk that an inappropriate buffer would be granted via a deemed consent due to the nature of the time scales proposed.</p> <p>13. Secondly, none of the OHA currently employ an RVAA specialist and as such are not appropriately resourced to discharge this requirement. In the LIR [REP1-072] and other subsequent submissions the OHA outlined a desire to secure an obligation via the DCO for the applicant to enter into a post consent PPA to ensure that the LPAs are appropriately resourced to discharge the requirements. This obligation was not secured in latest draft DCO submitted into the examination and as such the OHA would have no guarantee that they would be appropriately resourced to discharge this requirement. The OHA note that Schedule 15 of the recently made Fenwick Solar Farm Order does make provision for a post consent PPA being secured. Without such an obligation, the OHA cannot guarantee that they will be appropriately resourced to give the proposed requirement an appropriate level of consideration should they need to discharge it.</p> <p>14. Thirdly, having numerous individual post consent alterations of buffers would not allow public scrutiny of the process. The procedure for discharging a requirement outlined in Schedule 16 of the DCO does not have a formal duty for members of the public, householders, or local communities to be consulted, nor to publicise notices.</p> <p>15. This combined with the issues of timing and resourcing outlined above</p>
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		<p>would make the proposed requirement impractical and would therefore risk the requirement failing to achieve the desired purpose of preventing significant impacts on residential visual amenity.</p> <p>16. In summary, whilst the OHA can see the merit of a standard buffer of 250m from residential properties unless it is proven that a smaller buffer is appropriate, the OHA do not consider it appropriate for such reductions to be considered post consent. Instead, a sufficiently detailed assessment of the potential impacts of the scheme of residential amenity should be submitted to the SoS to inform their decision.</p> <p>17. Equally, the impracticality of discharging the requirement proposed in [PD-018] may result in the requirement failing to achieve its desired intent and therefore may result in significant impacts on residential amenity.</p>
<p>33- Ecology and Biodiversity: Skylark</p>	<p><i>‘If impacts to breeding skylark cannot be mitigated on site, the <b>Applicant</b> is requested to provide a Skylark Compensation Strategy providing off-site habitat to compensate for the net loss of breeding skylark. The strategy should be developed in collaboration with the <b>OHA</b>, and include details of long-term management, monitoring, reporting, and data-sharing.’</i></p>	<p>18. Discussions on this matter were held with the Applicant 27/04/26 and 30/04/26. The OHA await additional information from the applicant including further skylark survey results to inform a compensation strategy, habitat analysis on the revised masterplan, and further information on off-site skylark habitat options.</p>

<p>41- Ecology and Biodiversity: Ancient and Veteran Trees</p>	<p>‘The <b>OHA</b> and <b>Forestry Commission</b> are invited to comment on the Strategic Arboricultural Impact Assessment &amp; Method Statement submitted at Deadline 6.’</p>	<p>19. In the view of the OHA, there are flaws in the applicant’s methodology for identifying ancient and veteran trees and as a result, there is potential for ancient and veteran trees to have been missed from the assessment.</p> <p>20. The OHA reviewed the Strategic Arboricultural Impact Assessment &amp; Method Statement Parts 1-4 [APP-145, APP-146, APP-147 and APP-148], prior to the submission of the Local Impact Report [REP1-072] and considered it to be inadequate at the time.</p> <p>21. The proposed development covers a very large area. Paragraph 1.4 of the Strategic Arboricultural Impact Assessment &amp; Method Statement [REP6-014] states ‘Due to the wide spreading nature of the site and the inherent low impact of solar farm installation, a full site survey was deemed impractical and unnecessary, however, a walkover survey of the proposed cable routes between sites was carried out to help inform the best route for the cable to take’.</p> <p>22. The OHA considered that without a detailed survey of all trees and woodlands adjacent to all works that have the potential to impact on these features, it is not possible to make an accurate and detailed assessment of the arboricultural impact of the proposed development.</p> <p>23. Determining what constitutes a veteran/ancient tree is a rounded concept and there are many characteristics that can be considered in determining the age of trees. The applicant has stated that</p>
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		<p>not all trees within the project area were accessible during the walkover survey of the site and it was not possible to properly observe all characteristics, for all trees. This, in addition to the site the size of this proposal, mean that there is potential for ancient veteran and notable trees to have been overlooked within the project area.</p> <p>24. The OHA consider that there are limitations in the approach to identifying ancient and veteran trees. The categorisation of T55 as a veteran tree [APP-164] for example appears to underestimate the age classification of the tree. With a diameter of 2.26m (roughly +6.6m girth) would likely mean that the tree should be categorised as Ancient when considering size based attributes for Veteran Trees.</p> <p>25. As a full site survey was deemed impractical and unnecessary, the applicant has been unable to detail specific locations and incidences of where construction will be in conflict with trees retained on site, or detail which methodologies will be used for each conflict to mitigate the impact of the development.</p> <p>26. The applicant proposes that a more generic methodology shall be used when dealing with construction near trees upon site. This methodology will then be used to identify when and where trees need to be protected, the methods of construction required to limit constructions impact, as well as giving detailed instruction of how to set up this protection. Upon consent, and at detailed design stage, further, more focused tree surveys will be</p>
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		<p>tasked where appropriate. These will be used to reduce arboricultural impacts and help to inform detail arboricultural working methodologies where necessary.</p> <p>27. The OHA consider that reserving focused tree survey work until the detailed design stage means that the impacts of the proposed development on trees and woodlands have potentially been underestimated through the design stage and that there is potentially significant work required of the OHA Tree Officer or Arboricultural Consultant prior to the construction phase, to determine whether the correct scenarios have been applied in each situation, where veteran and ancient trees have been identified, or where they are yet to be identified.</p> <p>28. Once the Tree Protection Protocol Flowchart in Appendix C [REP6 -018] has been used to identify the correct Tree Protection Scenario, the methodology on the appropriate reference card in Appendix C should be used to set up tree protection before any other work is carried out.</p> <p>29. The OHA agree that the scenarios presented in the tree protection protocol provide a range of options for works within and in proximity to root protection areas, but would wish to be engaged in determining which scenario should be applied. It is not clear how or when this would be decided.</p> <p>30. In terms of the scenarios the applicant has presented for trenching in the Root Protection Areas (RPA), the OHA would require confirmation of which scenario is to be applied in each case. The OHA</p>
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		<p>have concerns about the use of the Strip Foundation scenario within root protection areas.</p> <p>31. Para 6.1 of the Tree Protection Protocol (Appendix C) [REP6-018] states that trenching within the RPA of retained trees shall only be carried out if absolutely necessary. Any proposed work that will require trenching within RPAs shall first be assessed to see if it can be diverted in order to protect trees. The OHA wish to understand how and when this will be decided.</p> <p>32. For HDD 11 the OHA have determined that the applicant is likely proposing Scenario 6, for works in relation to a Veteran Tree. A clearer representation as to whether trenching is proposed in the root protection area or the buffer area would be helpful, although we acknowledge and agree with the SoS that the Strategic Arboricultural Impact Assessment &amp; Method Statement should be updated to state that there will be no trenching in veteran tree Root Protection Areas. This would allay the concerns of the OHA as to whether the appropriate scenario would be implemented. The OHA consider that the mitigation hierarchy should be applied; any proposed works within the RPA of veteran trees and above is unacceptable and should be avoided.</p> <p>33. The Tree Protection Protocol Scenario 6 is not acceptable. Using machinery to excavate within RPAs is likely to lead to excessive and adverse arboricultural impacts, contrary to section 7.2.1 of BS 5837:2012 which states ‘To avoid</p>
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		<p>damage to tree roots, existing ground levels should be retained within the RPA. Intrusion into soil (other than for piling) within the RPA is generally not acceptable, and topsoil within it should be retained in situ. However, limited manual excavation within the RPA might be acceptable, subject to justification. Such excavation should be undertaken carefully using hand-held tools and preferably by compressed air soil displacement’. NJUG Volume 4 also provides guidance for installing utilities within proximity to trees.</p> <p>34. The methodology is not clear as to how trenching will be decommissioned at the end of the project. Will it involve any soil improvement? The OHA require clarification as to how trenching will be rectified at the decommissioning stage.</p> <p>35. The OHA agree that clarification is required on how the potential impacts of HDD will be managed at Crossing Point 3 – The OHA assume that scenario 10 would be implemented as the cable route would follow the road or verge, but appears to cut directly through the RPA of several notable trees identified by the Ancient Tree Inventory.</p> <p>36. Scenario 10 appears to be the likely method to be implemented at HDD9, following the road or verge, but is directly cutting through what would be the RPA of tree T71. It would be useful to understand the specification of how deep the cables will go in this section, if it will go under or through the road. If breaking out of hard surfaced areas is to be</p>
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		<p>completed by hand or light plant working from outside the RPA in a retreating manner, it would be useful to know how and when this will be determined and what specific methods will be used.</p> <p>37. A clearer representation of works in relation to HDD5 would be useful as it is apparent that there are a number of trees that could be affected in this area including T40, T41 and T42. These may require additional buffering.</p> <p>38. The OHA have previously stated at LIR that we consider a greater buffer (50m) to ancient and veteran trees and ancient woodland to be necessary, in line with Woodland Trust Guidance.</p>
<p>51- Minerals</p>	<p><i>The Secretary of State notes the Applicant prepared a Mineral Resources Assessment (“MRA”) [APP-195] which estimated that 270 ha of the project area falls within Mineral Safeguarding Areas (“MSA”). Within the MRA the Applicant estimates a volume of 4,581,500m<sup>3</sup> of sand and gravel resource would be sterilised for the duration of the Proposed Development. In line with NPS EN-1 paragraph 5.11.19 the Secretary of State requests the Applicant to provide justification on</i></p>	<p>39. No further discussions have taken place with the OHA on this matter. In its capacity as Minerals and Waste Planning Authority, Oxfordshire County Council will review and comment on any further submission from the Applicant</p>

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	<i>their approach to avoid or minimise the effects of the Proposed Development upon mineral resources.</i>	
52- Waste	<i>‘The Secretary of State notes that issues relating to waste arising from the Proposed Development, including the capacity of local waste management facilities, were raised during the Examination... The Statement of Common Ground between OHA and the Applicant did not cover this issue although it was covered during the Examination. The <b>Applicant and OHA</b> are requested to provide detail of any further consultation that has taken place since the end of Examination on this matter.’</i>	<p>40. A meeting took place between Oxfordshire County Council and the Applicant on this topic on 28/05/26.</p> <p>41. It was agreed that the applicant would provide information in relation to PV panel recycling infrastructure at a national and local level as well as an estimated timeline of waste arisings over the project duration. The Council still awaits this additional information and as such this issue remains unresolved at this time.</p> <p>42. Once the Council has received the additional information OCC will update the SoS to outline whether this issue is resolved.</p>
68- Without Prejudice Offer	<i>‘Without prejudice to his final decision, the Secretary of State requests the <b>Applicant</b> to consider where further reductions to the array layout can be made to address the impacts of the Proposed Development by maximising solar panel</i>	<p>43. No discussions have taken place on this matter.</p>

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	<p><i>removal whilst maintaining a viable development. In providing this information, the Secretary of State encourages the <b>Applicant</b> to consult with the <b>OHA</b>.’</i></p>	
<p>70- Without Prejudice Offer</p>	<p><i>‘The <b>Applicant</b> and the <b>OHA</b> are requested to update the Secretary of State on any consultation undertaken between parties following the close of Examination in respect of the Without Prejudice Offer, or any additional proposals that may have been discussed.’</i></p>	<p>44. No discussions have taken place on this matter.</p>