



**BOTLEY WEST SOLAR FARM
OXFORDSHIRE HOST AUTHORITIES
RESPONSE TO
SECRETARY OF STATE'S CONSULTATION 2
THURSDAY 16 JULY 2026**

Oxfordshire Host Authorities (“OHAs”)

Botley West Solar Farm (EN01014)

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

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OXFORDSHIRE HOST AUTHORITIES

RESPONSES TO CONSULTATION 1 DOCUMENTS

The Oxfordshire Host Authorities (the “**OHA**”) comprised the following host authorities who are working collaboratively to represent constituents on key issues during this Examination and assist the Examining Authority (“**ExA**”) in the smooth running of the examination and to assist the Secretary of State (“**SoS**”) in considering this proposed development:

- Cherwell District Council (“**CDC**”)
- Vale 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 a written response to the **SOS Consultation Letter** dated 11 June 2026 inviting comments on documents submitted following the request for further information in April 2026.

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

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Comments on Documentation submitted in response to the information request of 14 April 2026 (re-issued 20 and 28 April 2026)

C1-033 - Response to Secretary of State Consultation 1 - 20.1 SoS Response Cover Letter 9.6.26

No comment.

C1-035 - Response to Secretary of State Consultation 1 - 1.3 Guide to the Application (Tracked) Rev 12 SoS Response

The changes to this document are noted.

C1-036 - Response to Secretary of State Consultation 1 - 2.3 - Works Plans - Rev 4

Through ongoing dialogue between the OHA and the applicant it is understood that the applicant will be proposing amended works plans. If these are not accepted by the Secretary of State, the OHA wishes to draw attention to previous comments OHA provide in their response [REP6-118] for panel removal on a field-by-field basis. Furthermore, if amended works plans are accepted, whilst a betterment on the Rev 4 plans, the indicative changes seen to date do not go far enough in delivering a scheme that minimises landscape and visual impacts to a more acceptable level.

C1-037 - Response to Secretary of State Consultation 1 - 2.4 Land Plans (Rev 4)

No comment.

C1-039 - Response to Secretary of State Consultation 1 - 3.1 Draft Development Consent Order (Tracked) Rev 10

Requirement 15

The OHA consider there are practical difficulties with how new requirement 15 will be implemented.

Many of these concerns have already been outlined within the OHA’s response to SoS RFI (**C1-024**, paragraph 29). These being the feasibility of discharging the proposed requirements within the time allowed for discharging requirements within schedule 16 of the DCO, the need to consult on the proposed buffer, and the lack of OHA resourcing to be able to discharge an RVAA requirement.

Whilst it is noted that the requirement proposed by the applicant (the new requirement 15) differs from the requirement proposed by the ExA in Rule 17 letter [**PD-018**], these fundamental difficulties remain with the practicality of discharging the requirement.

Another issue which relates as equally to the new requirement 15, as much as it does to the requirement proposed by the ExA, is the issue of evidence at this stage whether any buffer is a suitable and sufficient form of mitigation for residential visual amenity impacts. The OHA have outlined previously, and in response to the SoS’s RFI that any form of mitigation for residential visual amenity impacts needs to be based on a robust assessment of the significance of the impact. It has yet to be demonstrated that a 250m buffer has been based on any form of assessment of the impact.

The Landscape Institute guidance states (paras 4.7-4.8 on page 10):

*“When assessing relatively conspicuous structures such as wind turbines, and depending on local landscape characteristics, a preliminary study area of approximately 1.5 - 2 km radius may initially be appropriate in order to begin identifying properties to include in a RVAA. However, other development types including potentially very large but lower profile structures and developments such as road schemes and housing are unlikely to require RVAA, **except potentially of properties in very close proximity (50-250m) to the development.** For example, when assessing effects of overhead transmissions lines, generally only those properties within 100 – 150 metres of the finalised route are potentially considered for inclusion in a RVAA.”*

“Properties are normally assessed individually, but if their outlook and / or views are in all aspects the same (for example if a development is visible from the rear gardens only of a small row of houses) they could be assessed as one (group). This will be at the discretion of the assessor and will require a clear explanation of the reason for the grouping or clustering.”

Ultimately, whilst a standard buffer may be a suitable starting point, it is necessary to methodologically consider site and development specific factors for each property, informed by field work. These include not only distance but also topography of the development site in relation to that the property is located upon; the nature of the views (upstairs or downstairs windows, the

orientation of those windows and purpose of the room; the aspect of the windows or garden view and the direction of view; the nature of the existing view – the availability of views in other directions; whether it is open, focused etc, if there are other features in the views, or which block the views etc. A change may be considered to exceed the Residential Visual Amenity Threshold for various reasons such as **“blocking the only available view from a property”, or ‘overwhelming views in all directions’; and ‘unpleasantly encroaching’ or being ‘inescapably dominant from the property’** (see LI guidance Section 4 on pages 10-12 – full quote below):

“The Residential Visual Amenity Threshold judgement should be communicated in a coherent manner, using text with clear descriptions, employing terminology which is commonly understood and descriptors which may have previously been used. Assessors should ensure that their judgements are unambiguous and have a clear, rational conclusion. Some examples of descriptions and descriptors that might be used include: ‘blocking the only available view from a property’, or ‘overwhelming views in all directions’; and ‘unpleasantly encroaching’ or being ‘inescapably dominant from the property’. It may also be useful to employ bespoke graphics such as annotated aerial photographs and wireframe visualisations to aid this further assessment in Step 4.”

“The key point regarding Step 4 is that the judgement required in this final, concluding step goes beyond the assessment undertaken in Step 3 which is restricted to judging the magnitude and significance of visual effect, typically as a supplement to the accompanying LVIA”.

As an assessment methodology for residential and visual amenity impacts has not been agreed with the OHA as part of pre-application or examination process, the OHA cannot be certain that any proposed buffer (or other form of mitigation) would be sufficient to prevent a significant impact on the amenity of occupiers of residential properties. The applicant in their main response to the SoS RFI (**C1-087 - Response to Secretary of State Consultation 1 - 20.3 Botley West SoS Response 9.6.26**) at page 65 outlines that a revised RVAA was not completed to inform the proposed requirement, nor the size of the buffer proposed by the applicant. The applicant also outlines that this revised RVAA will not be produced **until detailed design stage**, but at this stage it may be too late to incorporate the required mitigation. The OHA consider therefore that the Secretary of State can also not be certain that the mitigation proposed would be sufficient to avoid significant harm when the assessment methodology used to identify the potential impacts has not been clearly outlined prior to determination.

In addition to the issue of feasibility and assessment methodologies, there are also issues with the drafting of the requirement itself:

- 15(2)(a) outlines that the residential and visual amenity plans must set out a minimum distance between works and residential dwellings. The term ‘residential dwellings’ is not defined. Does this mean the built form of a dwelling (which may be ambiguous if there are ancillary outbuildings) or its curtilage? This needs to be more tightly defined to prevent ambiguity for the LPA when discharging the requirement, and for the undertaker when preparing the residential and visual amenity plans. Typically, when measuring distances from properties, the most relevant distance is that between the façade of the home which is exposed to the view, and the edge of the development which would be seen. In this instance, there may be multiple facades that would be exposed to the change in view – as in some instances development is proposed on all sides of the home. In addition, garden space may extend up to the development edge and so be closer than property windows. To avoid ambiguity, absolute clarity is required as to the dimensions being measured and stated – with reference to a plan of each property which also shows the development edges to all sides.
- 15(2)(a) the OHA considers the requirement needs to also include Work no 5 (c) and (d), Work no 6 (c) and (d), Work no 8 (g) and Ancillary Work (a) (d) and (h) alongside Work no 1, Work no 2 and Work no 3.
- 15(3) *‘The minimum distance referred to in sub-paragraph (2) must be no less than 100 metres and must not exceed 200 metres, unless otherwise agreed with the owners of residential dwellings.’* This paragraph also leaves too much ambiguity for the LPA discharging the requirement: What evidence will be provided to demonstrate agreement with the landowner for example? Finally, the drafting does not account for the possibility of there being multiple owners or contested ownership. This may lead to situations where the LPA is not able to verify that an owner has agreed to a smaller buffer. The drafting of 15(3) also does not account for the possibility of tenants who occupy the property but are not the owner. These tenants would potentially suffer a significant impact on their visual amenity but would not have recourse if a landlord has agreed to a smaller buffer. 15(3) leaves too much room for ambiguity and therefore may not be precise nor enforceable.

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Overall, the OHA do not consider that requirement 15 is suitable to secure mitigation against residential visual amenity impacts. Insufficient evidence of the assessment methodology behind the proposed mitigation has been submitted to allow the SoS to determine whether the mitigation would prevent or sufficiently reduce a significant impact. Furthermore, the drafting of the requirement leaves too much ambiguity and is potentially unenforceable.

C1-041 - Response to Secretary of State Consultation 1 - 3.3 Explanatory Memorandum (Tracked) Rev 10

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

C1-043 - Response to Secretary of State Consultation 1 - 3.6 Land and Rights Negotiation Tracker Rev 10 (Tracked)

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

C1-045 - Response to Secretary of State Consultation 1 - 4.1 Statement of Reasons Rev 3 (Tracked)

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

C1-047 - Response to Secretary of State Consultation 1 - 4.3 Book of Reference - (Tracked)

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

C1-049 - Response to Secretary of State Consultation 1 - 5.2 Consents and Licenses Rev 1 (Tracked)

Page 7: It is noted that the applicant has updated the wording in table in relation to ‘Water’ to read ‘*the extent to which the Applicant intends to disapply relevant legislation is secured under Article 6 of the dDCO. Any other consents, if required, will be sought.*’

Whilst it is noted that the applicant is seeking to disapply S23 of the Land Drainage Act 1991, Oxfordshire County Council as the Lead Local Flood Authority would like to re-iterate the position that as the consenting body involved, OCC does not consent to the disapplication of S23 of the LDA.

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C1-050 - Response to Secretary of State Consultation 1 - Figure 1.2 Illustrative Masterplan Overview - Rev 4

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

C1-051 - Response to Secretary of State Consultation 1 - 6.4 ES - Figures 2.1a - 2.4c - Illustrative Masterplan - Rev 4

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

C1-053 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 7.5 Settings Assessment Rev 4 (Tracked)

The settings assessment has been updated to include the wall surrounding Blenheim Palace WHS, which itself is a Grade 2 Listed Building. The 14.km wall surrounds Blenheim Palace World Heritage Site.

The Applicant has concluded in their assessment that the boundary wall of the park at Blenheim Palace has parts that may be medieval and some parts have repaired that date to the 19th and 20th centuries. That the significance of the Grade II listed boundary wall principally derives from its historical associations with the palace and with the designed landscape around the palace. There are also aesthetic values as the wall provides a clear boundary to the Registered Park and Garden and to much of the Blenheim Palace WHS. And, that there are clear group values associated with the heritage assets within the Registered Park and Garden.

Also, that views out of, and into, the Registered Park and Garden are largely restricted by the presence of the wall and by substantial areas of dense mature woodland within the Registered area which extends up to the wall. Consequently, the setting of the Grade II listed wall makes a substantial contribution to its heritage significance; this is derived from not just the Registered Park and Garden but also the landscapes and townscapes outside the WHS which contrast with the enclosed designed landscape.

As a Grade II listed structure this designated heritage asset would usually be considered to be of medium sensitivity/value. However, with the close association with the Blenheim Palace WHS, the Registered Park and Garden and the numerous listed buildings within and outside of the park (many listed at Grade I or II*) means that a very high sensitivity/value is more appropriate.

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The Applicant states that the changes set out in the Applicant’s Change Request 2 Report [EN010147/APP/16.2] have ensured that the Grade II listed boundary wall around the Registered Park and Garden at Blenheim Palace would not be visible in any views from, towards or across the Project Site. And, that no part of the listed structure, or any of the associated heritage assets which are key contributors to its heritage significance, would be physically impacted by the Project. And, that any group values associated with these heritage assets would remain unchanged.

The heritage significance of the Grade II listed boundary wall would not be harmed; therefore, the magnitude of impact is considered to be no change, and there would be no effect.

However, although the OHA agree with the assessment of significance, we disagree with the Applicant’s conclusion that there would be no change / no impact. The assessment has considered the impact of views, but not any other criteria of setting as defined in Historic England’s advice notice (GPA3) which states: *The setting of a heritage asset includes the surroundings in which it is understood, experienced and appreciated embracing present and past relationships to the surrounding landscape. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the heritage significance of an asset, may affect the ability to appreciate that heritage significance or may be neutral.*

This is expanded in the Assessment Step 2 Checklist to include intentional intervisibility with other historic and natural features, cultural associations etc. So, an assessment of setting could explore and question how people – past and present might experience the walls, as part of the wider WHS house / grounds and how they understand / understood them etc.

Blenheim Palace (WHS), (inc. its wall) were and still are a dominant and prominent presence (not just visual feature) in the landscape whether seen or unseen. I suggest that any large-scale development within the setting of the heritage assets would cause change (including cumulative change); it would not be ‘no change’. This is because the development would alter the historically undeveloped, agricultural and rural landscape – severing the last link between an asset and its original setting. I consider this change would cause less than substantial harm (at the lower level).

C1-055 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 7.4 Heritage Impact Assessment Rev 2 (Tracked)

The applicant has amended the HIA with further discussion around the attributes which help convey or express the OUV but dismisses all impacts against these except in relation to Attributes 1 and 7. The OHA consider that the logic expressed for the omission of other Attributes and of non-visual factors of setting does not fully justify their omission.

Outstanding Universal Values Attributes:

Attribute 1: Historic England considers that *‘Whilst this is principally embedded in the family being in residence at Blenheim, the way the family has influenced the evolution of the landscape and use the wider estate to support its running of the estate is relevant here’*. The Applicant states that: *The Project would not require any change in ownership of land currently held by The Blenheim Estate. Land outside the WHS and within its setting is currently leased to third parties by The Blenheim Estate in order to provide revenue for the maintenance of the property and this aspect would remain unchanged.*

However, they acknowledge that *whilst the construction, operation and maintenance, and decommissioning of the Project would not result in any change of ownership of land within the setting of the Blenheim Palace WHS, it could affect the way in which this land is seen and experienced and therefore could affect how the relationship of this land with the WHS is understood and appreciated.* The Applicant goes on to state: *Consequently, this latest iteration of the Heritage Impact Assessment considers the potential for impacts on this Attribute to cause harm to the significance of the WHS.*

The Applicant then states: *with regard to Attribute 1, any potential impacts would arise from the change in use of the land within the Project Site and how this affects the ways in which the current landscape is perceived and experienced as a product of gradual evolution resulting from continued ownership linked to the world heritage property. Previous changes within this landscape, such as the reorganisation of field systems to improve efficiency, have not resulted in substantial differences to the ways in which it is perceived and experienced – arable and pastoral farming has continued to be the dominant element within the landscape, albeit with the fields resized and the boundaries adjusted. The visible change in use of the land to areas of ground-mounted solar pv*

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panels with associated infrastructure could diminish the ability to understand and appreciate the historic link between the Blenheim Palace WHS and its setting as experienced through the shared ownership of the land.

And, in para 1.4.144, the Applicant states: *...the Project would not actually affect the ownership of any land within The Blenheim Estate. The functional relationship between the Blenheim Palace WHS and land within the Project Site would be retained, in that the land used for the Project would continue to be leased for the purpose of generating income that can be used to support the maintenance of the world heritage property.*

However, ICOMOS, Technical Review 2024 clearly states: Negative impacts on Outstanding Universal Value should always be avoided altogether, since the OUV of a World Heritage property is irreplaceable and damage to OUV is unacceptable... And offsetting harm to the Outstanding Universal Value against potential benefits through the raising of funding for maintenance is not appropriate to World Heritage Properties.

Attribute 4: The surviving special relationship between the important *architectural elements and their landscape setting* are an exceptional piece of design and, together are greater than the sum of their parts. Historic England considers that ‘Whilst this relationship is focused within the parkland grounds, there are exceptions. There are designed and borrowed aspects from outside the boundary of the park that form an important part of its design. This includes the tower of St Martin’s Church in Bladon, which acts as an eye catcher within the park and was used by Vanbrugh as the marker of the long north-south axis on which the park and house were laid out. Furthermore, it is from within the wider countryside landscape that the palace, its designed landscape and the stone wall boundary as a whole entity, can be seen to be the pre-eminent feature of the surrounding area.

The Applicant agrees that the tower of the Church of St Martin at Bladon is an important part of the designed landscape of the Blenheim Palace WHS... and there are some longer views in which the upper part of the Column of Victory or the upper parts of trees on the higher ground within the WHS are visible. That these views are all at a distance from the WHS such that the visible elements of the WHS form a very small part of the overall view. That the visibility of the upper part of the Column of Victory or the upper parts of trees on the higher ground within the WHS would remain unchanged. Consequently, the Project would not affect any part of Attribute 4.

However, in response to Historic England’s concerns, the Applicant seems to focus on only views. But, Historic England, in their assessment of Attribute 4 show that it is more than just about views. Attribute 4 is stating that the surviving special relationship between the important *architectural elements and their landscape setting are an exceptional piece of design and, together are greater than the sum of their parts*. This is about a holistic approach to all the (inc. individual parts and as a whole) parts that make up the WHS including its setting and wider landscape. It includes how Blenheim became an ‘influencer’ to other people / architecture etc. and, *the way the family (Blenheim) has influenced the evolution of the landscape and use the wider estate to support its running of the estate (as per Attribute 1)*.

To fully assess the impact on Attribute 4, the Applicant would need to undertake a more thorough assessment that was broader than just focussing on views, and more aligned with the ethos of The World Heritage Convention and in the form of a comprehensive (historic) landscape character assessment.

Attribute 5: The UK has by far the greatest concentration of veteran trees in northern Europe and within High Park, which sits in the south-west section of Blenheim Park, is one of the finest areas of ancient oak-dominated woodland in the country. It is partially descended from the ancient Wychwood Forest, a 12th century deer park and an Anglo-Saxon chase. Historic England considered that *‘Whilst this is focussed on land within the WHS boundary, we note that land within the application, prior to enclosure, did form the historic eastern extent of the earlier Wychwood Forest – a landscape of ancient forest, meadows, fields and heaths. Views from the application site’s fields to the southwest of the WHS look over this surviving ancient woodland, helping to illustrate the evolution and time depth of the area’*.

Historic England and the Applicant have discussed changes and have concluded that any perceived potential for impacts on this aspect of Attribute 5 was resolved.

Attribute 7: The Applicant states: *‘The park retains a complete, 18th century enclosing stone wall which protects its integrity, but views into and out of the site still provide key linkages between Blenheim and the traditional English countryside and villages surrounding it. Looking more closely at the description of this Attribute 7, careful design of the Project has ensured that no impacts would arise in respect of the ‘key views into and out of the site’*. Any potential impacts would arise primarily through visual change

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to the use of land within the ‘traditional English countryside’ surrounding the WHS and (to a much lesser extent) increased levels of noise, vibration, dust and traffic during construction and decommissioning of the Project.

However, in their para 1.4.146 they state: *These changes, in particular the visible change in use of the land to areas of ground-mounted solar pv panels with associated infrastructure, could impact on the associative values identified above, through which people (including local people) identify with the Blenheim Palace WHS. This change within the setting of the WHS could result in potential adjustments to the ways in which people experience and understand the WHS through its largely rural setting.* In para 1.4.147 they state: *Any associative values that accrue from the Church of St Martin at Bladon being the burial site of the Spencer-Churchill family would not be affected. The design of the Project in this area has ensured that there are no views towards the church in which both the church and elements of the Project would be visible.* They conclude in Para 1.4.148 that: *The impact on each of these single two summarised attributes has been assessed as minor negative.*

The OHA consider that views are still the focus of the HIA, and without a comprehensive (historic) landscape character assessment a fully informed decision about the full impact of solar panels in the present and in the future cannot be made.

In the Applicant’s HIA rev2 - Page 68 – under impact and evaluation of impact they have been tabled, assessed and scored the elements of the project. OHA consider that the ‘Evaluation of Impact’ – relating to the Attributes and setting of the WHS in general is downplayed by the Applicant: they have considered most of the impact to be of ‘minor negative’, or ‘no change / impact’.

They consider that some elements would be fully reversible, however, whether it be in 24 months, or the full 37.5 years (which is more than a generation), once people’s experience of a place changes - the next generation will not understand the place in the same way – seeing the sites as industrial sites not rural countryside. This could impact what happens to the landscape in the future (after the 37.5 years). In terms of setting this would be considered a negative change severing the last link between the assets are its original setting.

For example, one of the ‘Element of the Project’ items is ‘the establishment of new planting for landscape mitigation including establishment of new planting – hedgerows and woodland. However, it states that this landscaping is fully reversible through

decommissioning of the project, that the duration of action is 24 months and that there would be no change to the Attributes and no impact to the Attributes. However, once landscaping is planted there are two aspects that are problematic:

- Once landscaping is in situ – and becomes established, it will attract / encourage wildlife (and other associated plants etc.). When this happens, it would be harmful to remove it because then we are affecting the new wildlife / plant species. In fact, in reference to other developments (near the WHS) – i.e. housing they state that these *are considered to be permanent and any consequent impacts on the OUV of the WHS are considered to be irreversible*. Whereas the Project is time-limited and any consequent impacts of the Project on the OUV of the WHS are considered to be fully reversible, albeit that much of the proposed planting would probably be retained for ecological reasons. Therefore, they recognise that planting would be retained for ecological purposes, therefore, not be reversible; this element has no change and no impact on Attribute 1 which is clearly not assessed correctly.
- The historic landscape character would be changed – it’s character and appearance would alter, become less visible and less legible to today’s landscape; we would not experience it in the same way in 40 years’ time.

The applicant discusses the conclusions of the ICOMOS technical reviews but makes no change to conclusions of the HIA as a result.

The OHA consider that the logic put forward by the applicant in relation to cumulative impacts within the setting of the WHS does not fully justify the response provided.

The letter from the Secretary of State dated 28 April 2026 advises consideration of both tangible and intangible elements of OUV. Intangible elements of OUV could include perceptions, associations, and relationships (including functional relationships) And that the Applicant should consider the need for assessment to take a landscape-led approach with consideration to both tangible and intangible elements of OUV, including matters relating to integrity and authenticity (as outlined in the 2022 UNESCO Guidance and Toolkit for Impact Assessments in a World Heritage Context [REP1-041]), not solely the visual impacts of the Proposed Development.

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In response the Applicant has stated:

The Applicant notes *that the Technical Review titled ‘ICOMOS Technical Review of four proposed and partially approved urban development projects in the setting of the Blenheim Palace World Heritage Property’ was issued to the State Party and not to the Applicant. The actions recommended by ICOMOS including the preparation of a ‘comprehensive Landscape Character Assessment and a revised Management Plan’ rest with the State Party. The Applicant is aware that a revised Management Plan is being prepared as these are done on a 10-year cycle, with the most recent one adopted in 2017. The Applicant is not involved in the preparation of the revised Management Plan and is not aware of the proposed timescale to completion and adoption of this document. The Applicant is not aware of any actions taken by the State Party to prepare a ‘comprehensive Landscape Character Assessment’. The Applicant considers that it is unreasonable for the determination of the DCO application for the Project to be delayed until documents required to be prepared by others have been completed, including documents for which no programme is known to exist.*

In the Applicant’s Response they mention: *It should be clearly noted that most of the actions requested by ICOMOS are aimed at the State Party and not at the Applicant. The only one for which action is required from the Applicant is the production of ‘a revised and enhanced Heritage Impact Assessment for the Botley West Solar Farm ... that integrates the findings of the Landscape Character Assessment’.* As stated above, the Applicant is not aware of any actions taken by the State Party to prepare a Landscape Character Assessment. *It is likely that this request will be actioned through delegation to the relevant planning authorities. The Applicant has prepared an updated Heritage Impact Assessment (Rev 2) in response to the Secretary of State’s letter. This updated document provides additional details including a cumulative effects assessment as requested in the third bullet point advice, but it does not integrate the findings of a Landscape Character Assessment as no such assessment has been undertaken on behalf of the State Party. The Applicant considers that it is unreasonable for the determination of the DCO application for the Project to be delayed until documents required to be prepared by others have been completed, including documents for which no programme is known to exist.*

The Applicant states that ICOMOS International is requesting that the State Party should undertake a cumulative impact assessment that considers the *Botley West Solar Farm alongside other approved or proposed developments in the setting, including recent and planned urban expansions.* And, therefore, they do not need to produce this as part of this application.

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And the Applicant’s HIA para 1.4.18 states that there is no defined ‘buffer zone’ around the Blenheim Palace WHS. However, legislation, policy and guidance can be implemented to protect the setting. And, in para 1.4.19 they refer to the latest Periodic Reporting Cycle undertaken by the State Party (2024) which stated that the ‘boundaries are adequate to maintain the property’s Outstanding Universal Value and the property has no buffer zone and does not need one. They conclude that the setting can be protected in other ways (e.g. NPPF and HE’s GPA3).

In para 1.4.174 of the Applicant’s HIA: *the information set out above in paragraphs 1.4.159 – 1.4.172 also identifies how these residential developments within or close to Woodstock have caused, or could cause, harm to the OUV of the Blenheim Palace WHS. The decision-making process in each case did not identify which attributes of the OUV could be affected, or how this might relate to the integrity and authenticity of the World Heritage property, merely that there could be harm to the significance of the WHS as a result of change within its setting.*

The criticism of the ICOMOS review contents does not assist in either providing or explaining the absence of a detailed cumulative assessment as requested. The brief cumulative analysis (1.4.75-1.4.77 only) does not go into the evidence for change to OUV from the cumulative schemes other than in a very superficial way. It is difficult therefore to judge its reliability.

Deciding a proposal of this extent must be based on a comprehensive assessment including an understanding of the authenticity and integrity of our cultural heritage (and in particular Blenheim WHS).

The Applicant states that the international obligations are not breached if national legislation, policy and guidance on the historic environment and cultural heritage are properly considered. The Applicant’s report states that this aligns with UK planning policy and guidance, which seeks to avoid or minimise harm to the significance of heritage assets, and to allow such harm only where it is clearly and convincingly justified.

However, the OHA consider that there are gaps in the assessment that have not been properly covered / considered – and therefore, consider there is a breach to our international obligations. the Applicant has referred to this deficiency when stating that their HIA: ...does not integrate the findings of a Landscape Character Assessment as no such assessment has been undertaken on behalf of the State Party...

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ICOMOS Technical Review 2024 states: A ‘mitigation hierarchy’ is often used in impact assessment, ranging from the preferred ‘avoidance’, through ‘minimize’, ‘rectify’ and ‘reduce’ to ‘offset’... However, in the case of World Heritage, OUV is irreplaceable and cannot be ‘offset’.

Therefore, without a comprehensive (Historic) Landscape Assessment referred to by ICOMOS and the SoS, and potentially a ‘buffer zone’ we cannot make a fully informed decision and could be in breach of our international obligations by making a decision without the necessary evidence, and we are then in danger of losing another (and very important) World Heritage Site.

C1-056 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 8.3 AMS Rev 2 Part 1

No comment.

C1-057 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 8.3 AMS Rev 2 Part 2

No comment.

C1-058 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 8.3 AMS Rev 2 Part 3

No comment.

C1-059 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 8.3 AMS Rev 2 Part 4

No comment.

C1-060 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 8.3 AMS Rev 2 Part 5

No comment.

C1-061 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 8.3 AMS Rev 2 Part 6

No comment.

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C1-062 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 8.3 AMS Rev 2 Part 7

No comment.

C1-063 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 8.3 AMS Rev 2 Part 8

No comment.

C1-064 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 8.3 AMS Rev 2 Part 9

No comment.

C1-065 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 8.3 AMS Rev 2 Part 10

No comment.

C1-066 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 9.15 Veteran Tree Survey Report Rev 1 Part 1

See below.

C1-067 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 9.15 Veteran Tree Survey Report Rev 1 Part 2

The OHA note that additional trees have been added to the Woodland Trust's Ancient Tree Inventory and that these are now included in the Veteran Tree Survey Report (T75-T80) 3 of which have been described as notable.

The report appendices categorise tree T55 as a veteran tree. However, chapter 4 of the Veteran & Ancient Tree Survey (C1-066) states that, *as an indicator of age the majority of oak trees had measured/estimated stem diameters of between 1 and 1.5 metres. This puts these trees between 150 to 280 years of age. The largest oak was aged at approximately 575 years (T55 – 2.26m stem diameter), this should be treated as an estimate and used for arboreal interest only.*

The applicant's commentary suggests that T55 should be classified as ancient rather than veteran. This brings into question the reliability of data in the survey report.

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C1-068 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 9.15 Veteran Tree Survey Report Rev 1 Part 3

No comment.

C1-069 - Response to Secretary of State Consultation 1 - 6.5 ES -Appendix 9.15 Veteran Tree Survey Report Rev 1 Part 4

No comment.

C1-070 - Response to Secretary of State Consultation 1 - 6.5 ES - Appendix 9.15 Veteran Tree Survey Report Rev 1 Part 5

No comment.

C1-071 - Response to Secretary of State Consultation 1 - 6.5 ES Appendix 9.15 Veteran Tree Survey Report Rev 1 Part 6

No comment.

C1-073 - Response to Secretary of State Consultation 1 - 7.6.1 Botley West Outline Code of Construction Practice Rev 7 Part 1 (Tracked)

1.10.66. page 21. The details of public rights of way (PRoW) surfacing type and width, hedge composition, or hedge maintenance for PRoW temporary and permanent diversions, such as closures, controlled crossings, and signage to be provided during construction should have been provided prior to this point rather than post- decision in the detailed PRoW Management Strategy

1.10.68 page21. If PRoW that are open are damaged due to construction direct activity (such as driving) or as a result of that activity (e.g. offset flooding) then repair and reinstated should be undertake within 24hrs of the event not following completion of the works

Annex B Outline PRoW Management Strategy.

1.4.2 and 1.4.3 Page 11. The statement of the temporary and insecure aspects of permissive access compared to PRoW show why it is better that all public access across the site is provided as permanent PRoW and cycle paths to reflect the decades long

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disturbance to local people and visitors and the need to embed and sustain sustainable travel and recreation journey choices for generations to come.

1.4.4, Page 11. The 17.15km of PRoW proposed to be enhanced by greening need to have the additional width dedicated to enable a 15m green route with the definition of how wide the clear (dedicated) PRoW will be and the width and type of compacted stone or other suitable surfacing to be provided. Maintenance programmes and approaches need to be detailed.

1.5.1 Overarching management principles, page 12. The aim of the PRoW Management Strategy (outline and detailed) should also include the preservation and enhancement of public amenity and utility, the mitigation of the physical and feeling changes to the countryside in the area, the provision of robust and suitable PRoW surfaces to enable access for more people and more times of the year and in all weather conditions, to be able to adapt to the impacts of climate change

1.5.2 Temporary closures, page 12. Network closures of PRoW normally require a 12-week lead time. To avoid delay a temporary order covering all the likely works and PRoW could be applied for with a local notice approach for specific short-term dates for closure in that period. Outside of that the PRoW should remain open.

1.5.8 and figure 1 Managed crossing page 13. An arrangement where PRoW closed is the default position is unacceptable. The default position for open PRoW is that the haul road only is closed. Gates for traffic control are not authorised on PRoW and instead signs and bollards could be used. Gates can of course be used on haul roads, and these could be opened across the PRoW for the short period that the crossing is being used for.

C1-075 - Response to Secretary of State Consultation 1 - 7.6.1 Botley West Outline Code of Construction Practice Rev 7 Part 2 (Tracked)

The OHA are satisfied with the methodologies for the species listed.

In relation to otter and water vole, a reporting requirement has been included, to demonstrate that the survey results will be shared with the OHA as well as Natural England and the Environment Agency, however, this has not been included in the sections for the other species (which have already been subject to surveys for the project).

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It is therefore assumed that the reporting requirements will be covered by condition as part of the DCO to ensure that all updated survey reports, licences and method statements are submitted to the OHA – this is to provide survey results, mitigation details and licence confirmation to the OHA for information, which will be useful if any enforcement issues arise.

C1-077 - Response to Secretary of State Consultation 1 - 7.6.3 Botley West Outline Landscape and Ecology Management Plan Rev 8 (Tracked)

See other comments within this document in relation to Landscape and Visual and Ecological impacts.

C1-079 - Response to Secretary of State Consultation 1 - 7.6.4 Botley West Outline Decommissioning Plan Rev 3 (Tracked)

The OHA welcome the changes made in this document.

C1-081 - Response to Secretary of State Consultation 1 - 7.7 Outline Layout and Design Principles Rev 7 (Tracked)

The OHA accept the text changes made to Work No 2.

C1-082 - Response to Secretary of State Consultation 1 - 8.3 Schedule of Changes to the dDCO Rev 9

No comment.

C1-083 - Response to Secretary of State Consultation 1 - 8.4 Schedule of Changes to the Book of Reference

No comment.

C1-085 - Response to Secretary of State Consultation 1 - 18.4 Schedule of Negotiation RFI (Tracked)

No comment.

C1-086 - Response to Secretary of State Consultation 1 - 20.2 Environmental Statement Addendum 2

See other comments within this document in relation to Landscape and Visual and Ecological impacts.

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C1-087 - Response to Secretary of State Consultation 1 - 20.3 Botley West SoS Response 9.6.26

Page 27 – Best and Most Versatile (BMV) Land

The Applicant states “it is inevitable that the Order Limits for any major development would include some BMV”. Equally, where they have identified BMV, they say excluding these areas would not practically allow for arable farming to continue and therefore they’ve been left in. The OHA contend that an entire field where BMV is located within the Order Limits could be removed from the scheme to avoid the impact and allow farming to continue.

Page 29- Minerals Safeguarding areas

In preparing this response, the Minerals and Waste Planning Authority have reviewed the materials submitted, including the Applicant’s response to Secretary of State RFI [CR-087] and other updated material where indicated. OCC has also been liaising with applicant on matters relating to Minerals and Waste, which includes meetings on 28th May and 18th June 2026, and subsequent emails with additional information from the Applicant.

The Council welcome this dialogue and additional information, but there are still areas of disagreement as set out below.

The SOS requested that the applicant provide evidence on how certain locational factors were taken into account including mineral resources. The Applicant states UK planning policy does not prohibit development on mineral reserves but seeks to prevent unnecessary sterilisation of such reserves.

In the Applicants response to Secretary of State RFI [CR-087] (Section 7), they state,

“the Applicant did not use the location of mineral resource to rule out, in principle, development in this location”

This is because, in the Applicant’s view,

- The mineral reserve affected is temporary and will not damage the resource,

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- And, that the mitigation hierarchy has been applied.

The Applicant considers that the mineral reserve affected by the Project is temporary and will not damage the resource. Also, that Mineral Safeguarding Areas (MSA's) were identified by the Applicant, and assessed, concluding the Projects acceptability in all of the circumstances, including urgent national need for renewable energy and security of energy supply.

However, OCC disputes that the project of approximately 40 years can be considered temporary rather than permanent given that it would cover several Mineral Plan Periods and there can be no certainty at this stage regarding future applications for operational extensions or repowering of the facility.

It is also noted that paragraph 168(c) of the NPPF (2024) states that when determining planning applications for end-of-life extensions to existing renewable sites, local planning authorities should give significant weight to the benefits of utilising an established site. This suggests that once the precedent of using the site for a solar farm is established, there would be planning policy support for continuing to do so once the temporary permission has expired. This principle could be applied to Botley Solar Farm in the future, and this would further prevent or hinder the future working of the mineral. This would be a major negative outcome from a Mineral Planning Authority perspective regarding mineral sterilisation.

In terms of mitigation proposed, the Council welcome the commitment to the full removal of all above and below-ground infrastructure, including within the MSA, as well as the current proposal for the use of driven piles or ground screws, to aid removal of the solar panels. This is confirmed by the June 2026 revision to the Outline Decommissioning Plan [C1-079] para 2.1.3, which has been amended to read *"all piles are to be removed, and the applicant will remove all foundations"*.

The Applicant states that exceptions to removal of below-ground infrastructure in the MSA include the horizontally directional drilled (HDD) cabling. The retention of such infrastructure has the potential to result in permanent constraints on future mineral extraction at those locations.

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To ensure appropriate decommissioning, OCC would welcome a measure or obligation applied to the grant of any consent to be to the satisfaction of the Minerals and Waste Planning Authority. However, the Council recognises and is not satisfied that a detailed decommissioning plan will be provided at a later stage of the determination process.

The Applicant has ruled out Prior Extraction as their proposed mitigation would allow for future extraction post decommissioning. OCC does not agree that this approach adequately addresses the requirements of mineral safeguarding. Policy M8 of the Oxfordshire Minerals and Waste Local Plan seeks to safeguard mineral resources for possible future use, in accordance with the NPPF, and resists development that would prevent or otherwise hinder future working unless it can be demonstrated that the need for the development outweighs the economic and sustainability value of the mineral resource. OCC remains concerned that the scale of the affected sand and gravel resource is significant and that the Applicant has not adequately justified why sterilisation of this resource should be accepted.

It is noted that the applicant would be willing to include a requirement which would permit the phased, parcel-by-parcel international with a future mineral operator during the operation life of the development. However, no evidence has been provided to demonstrate that this would be a viable option, and no draft requirement has been put before the Council for consideration.

The Applicant has also provided updated figures to OCC regarding the estimated amount of mineral affected by the development (discussed below), but amendments were principally introduced in response to other environmental and design considerations, including residential amenity, ecological mitigation and landscape requirements. The reduction in the area affected by solar infrastructure is therefore largely a consequence of these changes rather than the result of a specific exercise to avoid sterilisation of safeguarded mineral resources. OCC therefore remains of the view that mineral safeguarding was not a determining factor in the site selection or layout design process.

Whilst the Council notes the proposed mitigations, OCC hold that Mineral Safeguarding was not taken into account during the site selection process and no alternative site locations that are not in the MSA have been provided, and the Council does not agree that the mineral extraction would not be prevented or hindered by the proposal (and therefore not in compliance with Policy M8 of the OMWLP 2017), as discussed below (see response to page 110 of [CR-087] below).

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Page 36 – Green Belt

The Applicant states “Green Belt has influenced the design and layout of the project” and “Its influence has come in the detail design and layout”. The OHA disagrees as detail design and layout is to follow through Requirement 5. By the Applicant’s own calculation, 69% of the proposed development lies within the Oxford Green Belt. Furthermore, the Applicant mistakenly refers to Kidlington as a village. Kidlington officially became a town on 20 February 2026 and prior to this was, unequivocally, ‘a large built-up area’ for the consideration of Green Belt policy. The applicant also fails to mention Bicester as one of the nearest towns (closer to the site than Banbury).

Page 37 – Infrastructure

The OHA remain concerned there is still lack of clarity on the National Grid substation / grid connections and who will deliver them and whether the required substation will indeed be operational, ahead of the implementation deadline set out in Requirement 2. Furthermore, it remains unclear to the OHA on whether sufficient land is provided within the Order Limits for the applicant to deliver the proposed National Grid substation.

It is also noted that the detailed configuration of the connection to the existing 400kV overhead line, including the overhead line tower works, remains the subject of ongoing discussion with NGET and has not yet been finalised. The OHA suggest the application should not be determined until an updated Grid Connection Statement reflecting the agreed connection arrangements is submitted.

Pages 57 - 58 – Historic Environment

Oxfordshire County Council contends the point made by the applicant that ‘*In the signed Statement of Common Ground between the Applicant and Oxfordshire County Council ([REP8-002], Item 4.2.1) the approach, scope and methodology for the assessment of impacts and effect on the historic environment is noted as agreed*’. Paragraph 4.2.5 of the agreed SoCG [REP8-002], clearly states that OCC was not able to agree to the effect of the proposed development on the historic environment as evaluation reports [REP6-055 – REP6-063] had only been submitted in draft. The SoCG made it clear that exclusion areas could not be agreed until

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the final versions of these reports had been submitted to the Council. The dimensions of these exclusion areas are based on the significance of the archaeological remains identified. As such by extension, the Council's position in the SoCG is that the assessment of the significance of any archaeological remains is also not agreed. Given this it would not be possible to agree the ‘effect on the historic environment’ as the applicant has suggested.

Pages 61 - 86 – Landscape

The SOS requested the applicant to consider “...*whether an updated LVIA assessment of the landscape and visual impacts of the Proposed Development is required.*” The applicant’s response largely seeks to justify the approach taken in the LVIA. A comprehensive review and update of the LVIA have not taken place. The information submitted by the Applicant in response to the SOS is predominantly focused on residential amenity.

Pages 62-63 Para 24(a)

The Applicant’s response states “*the Applicant completed an independent review of the LVIA submitted, including the methodology and findings, as well as the representations made by the OHA and wider Interested Parties... The review identified areas to be resolved as identified in the Applicant’s Initial Response to the SoS’ letter where an extension was suggested...*” However, the letter to the SOS does not state what issues have been identified, and neither does the information submitted as part of the Applicant’s Response to the SOS. The findings of the LVIA review have not been shared with the OHA, and no update to the LVIA has been submitted.

Methodology: The applicant states in their first bullet point: “*However, upon review of the methodology used, the process adopted is in alignment with GLVIA3 with minor modifications included to accommodate DMRB for consistency between EIA topics. This is reflected in the agreement of the methodology reached with the OHA, accepting that the application of the methodology was challenged.*” As outlined in section 2.3 in the OHA’s closing statement [REP-191] the OHA have questioned not only the application of the methodology throughout the examination process but the methodology itself. Whilst the applicant has made some minor amendments to the methodology, it remains unclear why DMRB is used at all since it is an assessment method for new highways. The OHA consider that their concerns have not been adequately addressed.

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The applicant does not offer any additional information to issues raised regarding lighting and cumulative effects. The OHA’s position on these issues remains unchanged.

While an amended Masterplan has been submitted, the changes are predominately based on a standardised offset distance of 250m from residential properties albeit it is uncertain where this 250m is measured from. It is difficult to spot any changes that have been made in landscape and visual terms, and no plan highlighting the changes has been submitted.

Previously expressed concerns about sense checking plans still apply to the information. Concerns were originally raised in the VWHDC PEIR response and are also covered in the OHA Joint LIR paragraph 7.3.84. **[REP1-072]**. Standard offsets have been applied to the plan, with no sense checking afterwards with regards to the remaining panel layout, such as fields 1.10, 1.11, 2.27, 2.29, 2.30, 1.1.15, 2.27, 2.29,2.30, 2.70, 2.84, 2.100, 2.110, 2.89, 3.6 and 3.2. This approach illustrates that the design and layout of the scheme is development-led rather than landscape-led. How the potentially revised development layout will impact on the landscape character and views does not appear to have been reviewed, including in response to changes to the scheme made for the reasons of archaeology, or other constraints such as bat buffers. A mitigation hierarchy led approach would require the potential effects of the proposed development to be looked at and then revised to minimise landscape and visual, as well as other impacts.

The applicant response does not submit any additional information to address the OHA’s concerns apart from the proposed Residential Amenity offset proposal. OHA concerns are highlighted in section 2.3 of the OHA’s closing statement **[REP7-191]**. In addition, comments made in the OHA’s response to the ExA’s Rule 17 Letter and Deadline 6 **[REP7-190]** remain the same.

Page 64 – 68 - Para 24(b)

Page 64 Residential buffer zone – 25m vs 250m

The applicant proposes *“to increase the buffer distances from residential properties to a minimum distance of 100 m (and where appropriate up to 250 m, whereby the offset will be resolved through detailed design interrogation), except where otherwise agreed with the respective property owners.”* in order to overcome concerns relating to the impact on residential amenity. Whilst increased

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buffers are expected to reduce effects on residential properties, this approach still seeks a standard buffer approach. Insufficient justification for the appropriateness of the proposed buffers is given, and the proposal falls short of a site-by-site approach requested by the OHA in the LIR [REP1-072] and throughout the examination process. It also only focusses on the residential amenity but does not address concerns of the LVIA regarding landscape and visual effects and mitigation. The OHA also have concerns about the implementation of such a buffer as described above. In May 2026 the applicant appointed consultants (Iceni) to engage with the OHA on landscape and visual matters, with a view to agree an approach to the RVAA, proposed buffers. This engagement has been constructive but was not completed in time for this deadline.

Page 64- 65 RVAA methodology and adequacy

A document titled Botley West Solar Farm Residential Visual Amenity Assessment (RVAA) November 2025 was provided by RPS [REP7-042 / REP7-044].

Para 1.3.31 notes *“In total, there are 320 properties within a 250m radius, of which 75 properties fall within the ZTV and 245 remain outside the ZTV.”* It is noted though that these ZTVs so include vegetation, based on a LIDAR survey, which can interpret trees and hedgerows as ‘solid’ structures whose canopies extend to ground level, and therefore is not likely to accurately reflect true visibility, particularly in winter. Caution is advised and detailed field work would be required to accurately determine the potential for views.

The purpose of the Residential Visual Amenity Assessment (RVAA) (as stated in para 1.2.10) *“is to identify potential effects of the Development on residential visual amenity of such nature and / or magnitude that it potentially affects “living conditions” or residential visual amenity.”*

It states at paras 1.2.6-1.2.13 that: *“During the evolution of the design and layout of the Project, the Applicant (initially comprising Mr C Lecointe and Ms Jane Betts (CMLI)), using their combined planning and landscape experience of over 70 years) decided that it would be necessary to include buffer zones between residential properties and the solar arrays. They took this view in order to protect amenity - from a planning perspective and from a visual amenity perspective.”*

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“There is no ‘rule’ as to what such a buffer should be; instead, it is ultimately a matter for professional judgement. They applied this judgement.”

“That initial judgement eventually settled on a distance of a minimum of 25m from the curtilage of residential properties. They took the view that if a property had a view of the arrays, that distance was a good starting point to mitigate any unacceptable adverse effects.”

“As a default, therefore that buffer distance was adopted by the Project.”

“Importantly that ‘starting point’ continued to be tested and refined, mostly through the addition of additional planting within the buffer, in order to avoid or offset what might be judged to be unacceptable landscape and visual effects.”

“During this process it was decided to increase the buffer distance around Purwell Farm, to remove panels on the slopes to the west of that property, and to introduce woodland planting and hedgerows, which combined, achieved the protection of the amenity of that property. The landscaping solution incorporated in this area was also designed to avoid or minimise views across the Evenlode valley in this general area.”

“It should be noted that overall, the built elements of the Project are set back by more than 25 m from the perimeters of the properties. As evidence of this approach, the enclosed document produced by PVDP, set out a record of how such buffers would look like of some potentially affected properties (see Appendix B).”

We note here that RPS suggested a starting point of 25m for a buffer, whereas recent work by Iceni is suggesting a much larger buffer, but neither appear to be rooted in evidence or grounded by thorough field work, and a bespoke approach to each property would be required in practice. Some of the work that has been done by both companies goes on to seek to do this, but in both cases, it has been done at the end of the project, rather than at the start, and it is far too late to properly inform the design development stage of the work that needs to be undertaken in the early stages of an EIA.

In its section 1.3 on ‘Assessment Methodology’, the RVAA summarises and quotes directly from the Landscape Institute guidance – TGN 1/19, regarding Steps 1-4 of the guidance.

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“Step One: Definition of study area and scope of the assessment - informed by the description of the proposed development, defining the study area extent and scope of the assessment with respect to the properties to be included.

“Step Two: Evaluation of baseline visual amenity at properties to be included having regard to the landscape and visual context and the development proposed.”

“Step Three: Assessment of likely change to visual amenity of included properties in accordance with GLVIA3 set of principles.”

“Step Four: Further assessment of predicted change to visual amenity of properties to be included forming a judgement with respect to the Residential Visual Amenity Threshold.”

It introduces the concepts and explores some of the considerations, for example if the development:

- *“blocks the only available view from a property; or*
- *is overwhelming views in all directions; or*
- *is unpleasantly encroaching/ overly intrusive; or*
- *is inescapably dominant from the property.”*

At para 1.3.16 it correctly recognises the importance of considering encirclement – a key issue for this project. At 1.3.18 it introduces the key issues around whether the project would be considered overbearing, overwhelming or oppressive.

In Table 2, it describes if each property is scoped in or out of the assessment, for construction of the cable route. Given the cable route is to be placed underground, it would not normally be considered as part of a RVAA, albeit an assessment of effects on views and visual amenity would be expected within the main LVIA.

Tables 4 and 5 goes on to consider the effects of the solar panels themselves, during operation. These read more like a visual impact assessment contained within a LVIA, and do not appear to add much reference the considerations introduced above,

including factors such as encirclement. Does the work include consideration of views from upstairs windows which would be much more extensive?

At para 1.4.22, it states *“In summary, the Project, the built elements of would stretch over a distance of 17 km at operation, would affect a relatively small number of residential properties. These would mainly be the properties which lie next to, or in close proximity of, the Application Boundary.”* This statement does not seem to be a true reflection of the findings, or indeed possible given the fact that there are 320 properties within 250m of the project. It appears that the assessor may be over optimistic as to the effectiveness of the mitigation by Year 15 or perhaps may not considered the full way in which people experience views from their properties, and how they contribute to their living conditions.

At para 1.4.23 the assessment concludes *“Effects on private residential amenity are a separate matter and only require assessment when a development is likely to meet the threshold of effects becoming ‘overwhelming’ or ‘overbearing’, which is not the case in respect of this Project. Based on the assessment findings, none of these properties (Table 5) have been considered for Residential Visual Amenity Assessment Step 4.”*

Given the lightweight nature of the assessment, the absence of visualisations or evidence to support it, and the facts on the ground, as explored by the OHA on their field visits, this conclusion seems unlikely. Iceni projects have since undertaken further work and made different recommendations as to required mitigation, suggesting that they too thought the initial proposals were inadequate.

The maps and plans which follow the written reporting clarify the potential relationship of the properties with the proposed panels, but lack information such as contours, vegetation or other geographic references, which would make them more helpful. They show how close the panels would be to the properties, and how in many instances they would be located to several sides, leaving residents with few unaffected views in many instances. They could be annotated to show the key views and other viewing directions from properties, which would make them more useful.

The pack of photos and plans in the second pdf is also useful in terms of providing, but it is not easy to know where the photographs are taken from – would be helpful if photo locations were shown. It is perhaps incomplete in terms of the notes, which are limited.

Page 65 LVIA methodology and conclusions disputed

The applicant states that the “...*the scope and content of the LVIA methodology is broadly accepted, with the main area of disagreement relating to the application of the methodology with regards to conclusions on magnitude*”. As per comments in relation to the methodology above, the OHA never agreed the methodology but have voiced concerns about it and its application throughout the process. The applicant has not submitted any additional information to address the concerns raised, stating that ‘*subjectivity may remain, and accordingly divergence among the opinion of landscape professionals is commonplace*’.

As covered in the OHA Rule 17 letter response [REP2-049] page 2, it highlights the response to significance levels which stated ‘*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 statement highlights the continued concern about the LVIA work. As covered in Table 8.13 Definitions Significance of Effects Matrix, a moderate effect is judged where the proposed changes would be noticeably out of scale or at odds with the character of the area. The LVIA should clearly assess the landscape and visual effects of the scheme to feed into the planning balance. The fact that there would be a disproportionate number of significant impacts does not mean that the level of significance should be reduced so that these levels are not recorded as significant. LVIA/EIA guidance requires mitigation to be applied to reduce the number or level of significant effects, not simply a change in the threshold proposed, so that significant effects are not recorded. This approach is entirely misleading and wrong.

The Applicant also states in their SOS response that ‘*The LVIA has been undertaken as a live and evolving process, with findings feeding directly into design development to reduce adverse effects and, where possible, realise landscape benefits (refer to the detailed response related to Para 24(d) in this document).*’ The OHA and other parties have continually expressed concerns about the LVIA and noted that it does not correctly describe or assess the effects of the scheme or illustrate an iterative approach to design development. The OHA’s have questioned and voiced their concerns about how the LVIA has informed the design throughout the process, e.g. [REP1-072], [REP3-072], [REP7-190], [REP7-191]. The applicant has not provided additional

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information that helps to support the applicant’s claim that there has been an iterative approach. The submitted information as part of the Applicants SOS response does therefore not negate these concerns.

Page 65 – 66 Important views in adopted Neighbourhood Plans

The applicant states that ‘*The Cumnor Parish Neighbourhood Plan Important Views (February 2021) has been reviewed and taken into account in the selection of Representative Viewpoints as part of the engagement process with stakeholders and to inform the approach to siting and design within the Order Limits in line with NPS EN-1 paragraph 5.10.19.*’ However, Cumnor viewpoints were not satisfactorily covered, this is covered in OHA Responses to Examining Authority’s First Written Question (ExQ1) [**REP2-050**] section 1.14.6, page 130-136 and in the Cumnor Parish Council response [**REP2-048**]. There were practically no changes in the layout of the scheme in the southern area of the site (Cumnor) between the Preliminary Masterplan dated November 2022, pre LVIA work and any of the submitted plans addressing any landscape or visual issues, except for the recent amendments proposed in respect of Residential Amenity.

The applicant states ‘*Representative Viewpoints were agreed with all host authorities following consultation, as set out in Table 8.5 of Chapter 8: Landscape and Visual Resources*’. This is not the case. This point is also covered by the OHA [**REP2-050**] section 1.14.6, page 130-136.

Page 66 Loss of countryside / rural character and amenity

This subject is not adequately addressed in the response. The applicant states it has been considered as part of the updated Masterplan, but the updates to the Masterplan predominately relate to the Residential Amenity Offset and do not address the concerns raised by the OHA and other Interested Parties in relation to landscape character. There are no submitted updates to the LVIA.

Page 66 Loss of Green Belt openness (visual function)

There is limited information about the loss of Green Belt openness, no additional information has been submitted to address this point.

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Page 66-67 Topography — panels on rising land / hillsides

The applicant states that *‘The Project has been designed and located in those areas of the landscape considered to be less sensitive to a development of this nature in accordance with NPS EN-1 paragraph 5.10.6.’* This is clearly not the case. There are large expanses of panels located on highly and widely visible hill slopes. Contrary to the applicant’s statement, panels located on slopes do break the skyline as covered in OHA REP7-190 page 13-14.

Page 67 Fencing, CCTV, security infrastructure — visual intrusion (incl. PRow corridor width)

Width of Greenways/Public Rights of Way

The statement that the 15m width is not across all PRowWs on page 67 does not tally with the linked comment on page 76, where 15m is stated. There is no detail provided about path surfacing type, hedge composition, or hedge maintenance for each PRow. It is not appropriate for hedges to intrude into the line of the PRow, and means annual trimming is necessary.

The applicant states *‘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).’* This does not address the concerns of the OHA and Interested Parties about the change in character of views, resulting from the proposed hedgerows blocking views that offer wide vistas over an open landscape, and how this change has been assessed in the LVIA. For more detail, see OHA responses: [**REP1-072** page 79 and **REP7-190** page 17].

Page 67 -68 Substation and ancillary infrastructure — visual impact

The Applicant states *“The LVIA (REP6-012) assessed the NGET substation based on maximum design parameters set out in ES Chapter 6: Project Description’.* However, OHA [**REP7-190**] page 14 sets out that no updated ZTV has been submitted to cover these changes, the original DCO ZTV submitted November 2024 is the only ZTV submitted. Photomontages were updated [**CR2-032**], 23rd September but these have not been updated to reflect the changes to the scheme since that date. As such, there remains considerable uncertainty as to what the effects will be.

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Page 68 Construction phase visual disturbance

OHA REP7-190 states that the LVIA REP6-012 does not adequately cover the construction phase. No additional information has been submitted. Issues remain with regards to the visual impact of the site Compounds, especially the southern compound proposed on a gradient greater than 1 in 10 slope. Lighting of the construction compounds, working area and NGET substation is also not adequately assessed.

Page 68 Cumulative visual impacts

No additional information has been submitted with regards to the cumulative landscape and visual effects of the application. REP7-191 covers the OHA concerns on this subject. The OHA notes that the Red House Farm Solar Scheme which abuts this scheme in the Vale of White Horse is now an appeal, APP 6009163

Page 68 'Temporary' v permanent landscape character change

The Applicant states *‘It is the Applicants view that landscape character change as a result of the Project will therefore be temporary, albeit long term, as reflected in the LVIA findings.’* How temporary and reversible are covered in the project LVIA is still a concern for the OHA **[REP7-190]** pages 25, 26 and 30] as some of the elements will not be reversed even after decommissioning, including the NGET substation.

There is no site-specific Landscape Character Assessment contained within the LVIA, therefore it is difficult to follow how mitigation planting is proposed to *‘respond positively to the landscape character areas’ / landscape character types’ management guidelines and would provide biodiversity enhancements in accordance with NPS EN- 1 paragraph 5.10.24’*. There does not seem to be any variation in how mitigation planting is proposed between different character areas including adjusting to different scales of landscape, pattern, topography or views. While the oLEMP touches on different Landscape and Ecology Zones, the proposals for each Zone are very similar and there is no variation in the proposed planting species to reflect these zones. There is inclusion of a Typical Tree and Shrub Palette for Plas Power Solar Park **[REP C1-077]**, which is not explained.

Page 69 – 72 Para 24 (c)

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ZTV and viewpoints

The applicant refers to Providing a Zone of Theoretical Visibility (ZTV). OHA [REP7-190, page 14] notes that the ZTV has not been updated during the DCO process and does not reflect the proposed parameters of the Grid Connections. OHA [REP2-050] section 1.14.6, pages 130-136 set out the OHA's concerns with regards to viewpoints. The applicant states in the SoS response *'Identified visual receptors and selected representative viewpoints based on ZTVs, fieldwork and consultation with LPA.'* However, the LPAs were not provided with a ZTV which included built elements of the project and the NGET substation until November 2024, just before the DCO submission, two years after initial viewpoint guidance was given to the applicant in November 2022. Additional proposed viewpoints were requested in the Scoping Response and at the PEIR response stage when more details of the project were known, but additional viewpoints were not provided in the LVIA. 55 viewpoints were suggested by the Applicant in the Scoping, and 55 Viewpoints were included in the EIA assessment. It is noted that the comments given by the VWHDC at the Scoping Stage with regards to viewpoints were not included in the PEIR report. OHA [REP2-050] section 1.14.6, page 130-136.

The initial viewpoint consultation was carried out with each individual Council via email, without any clear project description or ZTV of the proposed built elements being provided, just a redline boundary, enabling limited understanding of the proposal. However, incorrect details were used for OCC and therefore no comments were provided by OCC on viewpoints at this stage, but OCC raised concerns about the number of viewpoints in their PEIR, the Relevant Representation and scoping response.

Concerns were raised by the VWHDC at an early stage about the adequacy of the viewpoints selected. The applicant was pointed towards the Cumnor Viewpoints Assessment. The issue of the impact of the proposal on Hill End was also raised at an early stage in the project.

The LIR [REP-072] points out the application is effectively 3 separate application areas, all with their own landscape and visual sensitivities and we would expect the submitted LVIA and the number of viewpoints reflect this.

As covered in [REP6-119] page 3-4, the OHA had ongoing concerns about the assessment with regards to the identification of significant effects, both as a result of the under assessment of significance, but also the setting of the significance levels in the methodology as explained above.

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Visualisations

The OHA outlined their concerns about the visualisation of the scheme in the LIR **[REP1-072]**. Although the applicant provided additional information during the examination process, the OHA have remained concerned with regards to visualisations **[REP7-191, para 2.3.9]**. Concerns about the photomontages/ photo wires have not been addressed in the responses to the SOS, and they have also not been updated to reflect proposed revisions to the scheme.

The applicant states that *‘The Hill End Outdoor Education Centre (Hill End Charitable Trust) is not a residential property and is therefore not included within the RVAA’*. However, the Hill End representation states that there are two dwellings on the site. There are also a number of dormitories, which accommodate children (and staff) visiting the site, as they have done for the last 100 years. One of the residential buildings can be seen on the photograph submitted as part of OHA **[REP2-50]**, page 135.

Page 73- 80 Para 24(d)

The applicant could have answered this question by using extracts from plans to illustrate the changes in the scheme to demonstrate how the mitigation hierarchy has been applied. The OHA would usually expect this type of information to be included in a Design and Access Statement submitted alongside the application, to help understand the design evolution in response to the landscape character and views. However, this information has not been submitted with the application. The application did not include reference to how the mitigation hierarchy was applied when developing the scheme, as expected under NPS EN-1 Paragraph 4.2.11 **[REP7-190]** page 27 and **[REP6-118]**.

The 7.7 Outline Layout and Design Principles **[APP-238]**, submitted as part of the application did not refer to any design principles used to inform the site design, but just states operational parameters. In 6.3 Environmental Statement Chapter 8 - Landscape and Visual Impact Assessment (Clean) (Rev 2) **[REP5-026]**, a new section was added called ‘Design Approach in Respect of Landscape and Visual Matters’. The OHA queried if these had been written bespoke to the site, as they are very general, have been added retrospectively to the LVIA and referred to a BESS area, which is not proposed as part of this site. This is covered in OHA’s response **[REP6-117]** page 29. This demonstrates that there were no overall Design Principles guiding the development of the schemes as expected by NPS EN-1 para 4.2.11 and 5.10.37.

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The project Masterplans illustrate that there has been little change to the overall site layout, from the Preliminary Masterplan dated November 2022 to the final scheme. Sections of panels have been removed in response to constraints such as archaeological areas, residential amenity areas and airport-related areas without the overall site layout being revised. There have been in effect no changes in the layout of the scheme in the southern area of the site (Cumnor) between the Preliminary Masterplan dated November 2022, except for the recent amendments proposed in respect of Residential Amenity.

The LVIA work appears to have had very limited influence on the development of the site layout, since solar panels remained located across highly visible slopes in landscape areas with limited detractors, such as the Evenlode Valley Slopes and the north facing slopes within the VWHDC. These sensitive areas should have been highlighted as part of the LVIA/ EIA process.

Within the LVIA, it is difficult to see differences in the sensitivity of the site, as there is no Landscape Character Assessment at a site-scale to allow an appropriate assessment of landscape effects. The LVIA assesses the whole project site as having *Medium Magnitude of impact* and *Medium to High Sensitivity* of the receptor (not significant), and as such is not detailed enough to inform that solar is located on the least sensitive areas. NPS EN-1 Para 5,10.6, 5.10.10 and 5.10.37 expect a comprehensive baseline assessment and understanding of the Landscape Character and visually sensitivities of the scheme in a LVIA, to be able to follow the NPS EN-1 provisions.

Page 73- 74 4.1 Avoid

The applicant's description predominately relates to known constraints such as Blenheim Palace World Heritage Site and listed buildings, Registered Parks and Gardens, Conservation Areas and Ancient Woodlands. It also notes amongst other things the removal of ridgeline zones but OHA [REP7-190] page 13-14 illustrates that the solar panels are proposed across and along the top of slopes. It notes that approximately 35 hectares were removed from the Proposed Development area during this design evolution process, however, the applicant acknowledges that some of these areas were primarily removed to avoid harm to archaeological features.

It is noted that during the examination process, change requests have not been focused on landscape character and visual reasons [REP6-048 page 4]. The applicant's response to the SoS does not include reference to a site assessment of landscape character

and views to influence the design of the layout across the site, and to ensure avoidance of the most sensitive areas as would be expected. Such information is often summarised in a Constraints and Opportunities Plan, which is used to help guide the design of the site and aid understanding of how the design has responded to these issues. There is no such plan in this application despite being requested by the OHA in the Joint LIR [REP1-072].

The applicant’s response does not adequately address the concerns raised about how the mitigation hierarchy was used to avoid adverse effects.

Page 74- 75 4.2 Reduce

The applicant states that *‘The approach to mitigation is set out in Chapter 8 of the Environmental Statement. This includes a description of the approach to landscape design, which aimed to use the existing features and character of the area to reduce the impact of the Proposed Development. For example, at paragraph 8.8.10, the design principles include:*

- *Landscape Integration and Local Character – To respond to the setting, scale and character of the site and to provide screening to the Site from within the local area and from elevated areas to the west’.*

As covered above, the DCO documents did not include the type of Design Principles expected to inform the design of the scheme until [REP5-026]. Many of the Design Principles included in Chapter 8 are generic solar principles and are not bespoke to the site, including a reference to a BESS area (BESS is not part of the application). The OHA cannot see within the DCO and supporting documents how these Design Principles could have been used to inform the mitigation hierarchy and to reduce the impact of the scheme, since they were not presented as part of the ES until September 2025 in response to comments about the lack of Design Principles.

As outlined above no site-specific landscape character assessment has been carried out as part of the LVIA to inform the siting, scale and design of the scheme as it is usually the case. Instead, some landscape character-based zoning is included in the oLEMP to inform the mitigation, i.e. late in the process. This again suggests that the early stages of the scheme were not informed by the landscape character considerations. The application states *‘The Applicant has reduced the impact on the landscape character of the surrounding landscape, by adopting a scheme that minimises the loss of characteristic landscape elements, such*

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as hedgerows and trees, by placing solar panels within fields and using existing field gates/accesses to fields.’ However as covered by the OHA [REP6-118], the Council does not consider that the scheme takes into account landscape sensitivities, by placing solar in the historic field pattern of the visible Evenlode Valley slopes and also on the highly visible north facing slopes of VOWDC, which form part of the wider valley landscape.

As covered previously including in LIR [REP-072] standard buffers were used in the scheme, such as offsets from watercourses which has resulted in a development pattern that is not related to field patterns. A standard buffer of 25m from dwellings was also incorporated into the scheme layout, with little assessment included in the LVIA work with regards to impacts on settlements and dwellings to the appropriateness of this buffer.

The Applicant has now offered to increase the buffer distances from sensitive receptors to parts of the solar installation, to a minimum of 100m and to a maximum of up to 250m, with 250m illustrated on the submitted plans. Again, as with the previously proposed 25m buffer this is being presented without bespoke assessments to illustrate how and why this offset has been chosen. Please note that this comment only refers to information submitted as part of the Applicants Response to the SOS, not any new information produced by the applicant after the SOS response date.

Page 76-77 4.3 Mitigate

The applicant states that Paragraph 8.8.11 outlined the following mitigation measures:

- *Utilising a sensitive colour palette for built structures to aid assimilation into the landscape.*
- *Implement advanced planting, where agreed, to minimise visual effects.*

However, there is limited reference to these mitigation measures in the DCO documents. The OHA note the only reference to advanced planting in the oLEMP [C1-077] is in relation to PRoW 184/22/20 near Denman’s Farm.

The applicant refers to The Illustrative Masterplan showing the mitigation measures such as creation of woodland belts, reinforcement of existing field boundaries and the creation of new field boundaries, however, this level of detail is not reflected on the corresponding plan, which only state ‘New Planting/ Areas for Enhancement’. The Landscape, Ecology and Amenities Plan,

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which gives a better understanding of the proposed planting, has not been updated. The application refers to the creation of woodland belts as part of the mitigation measures but only 5ha of woodland is proposed, which is less than 1% of the proposed area of panels.

It is not clear where proposed planting will be with regards to the Residential Amenity Buffers, as a revised Landscape, Ecology and Amenities Plan has not been submitted. There is no comprehensive document showing the effects of the proposed mitigation planting on individual properties, e.g. where these areas of planting are to be located, and whether they replace areas of solar panels, which would mean that views would be blocked by mitigation planting.

Similar concerns remain with regards to the extensive hedgerow planting of PRoW routes, as covered in OHA [REP7-190] page 17. Once the extent of panels is fixed, the DCO mitigation cannot change the impact of the scheme on Landscape Character and views. Mitigation planting can block views of the proposals, but at the same time it will block characteristic views of and across the landscape. The existing PROWs will effectively become hedged corridors rather than footpaths with views across the open landscape of the Vale and West Oxfordshire. Deferring mitigation to a post DCO decision would also be difficult to manage within the timescales, given the amount of information currently presented.

The applicant repeats mitigation measures outlined in table 8.18 chapter 8, which are relatively generic. No additional information has been provided but the applicant mentions woodland planting at Purwell Farm as an example for mitigation, *to break up the Proposed Development, particularly within views available from areas around Lower Road and on higher ground to the west at Church Hanborough*. The exact location and nature of the proposed woodland is not clear, but the views referred to here are likely to be those of the sensitive open valley sides of the Evenlode Valley, which should not be considered for solar panels in the first place. This is an example of the shortcomings of the LVIA by not informing where panels should be avoided. The use of woodland planting to mitigate effects that should have been avoided are also likely not to be in keeping with the landscape character in this location, which is predominately open, with open views being a key characteristic.

Page 77 4.4 Compensate

The proposed compensation outlined in the applicant’s response is not landscape-led but predominately biodiversity based, and it remains unclear how these have been informed by the LVIA and local character work. The compensation measures are not considered to be at a scale that is sufficient to address the landscape and visual effects, and in the case of the proposed hedgerows, will have their own landscape and visual effects.

The updates to the masterplan through the DCO process are all items that should have been picked up by a comprehensive EIA and in pre-app engagement. As covered above the applicant stated that none of these changes were in response to the landscape impact of the scheme, confirming that they were not landscape led. The scheme has not illustrated an overriding principle of minimising landscape harm in conjunction with exploring opportunities to provide meaningful mitigation and/or enhancement from the outset in adherence to the mitigation hierarchy.

Page 77-80 Updates to the illustrative masterplan and application of the mitigation hierarchy

As covered above during the DCO process no changes to the Masterplan were proposed for landscape and visual reasons. The applicant has now done some additional work on Residential Amenity. The applicant states that additional work undertaken since the SoS letter has found that *'This review found that the first 100m from a dwelling typically comprises the immediate setting of the property and the foreground of views, which are generally the most sensitive to change. The introduction of above ground components within this zone would have the greatest potential to result in significant adverse effects on residential visual amenity.'* This work has been asked for since the Scoping Report and not provided until after the hearings closed. This is an example of the applicant not undertaking comprehensive assessment at the detail and scale required to inform the application. Again, no comprehensive assessment has been submitted in response to the SoS, but a standard offset proposed, which will require additional work to refine the right response for each dwelling, and which leaves considerable uncertainty as to the actual impacts in practice.

The submitted changes to the Masterplan relate to Residential Amenity. While this does take areas of solar panels out of the scheme and therefore is likely to offer some benefits in terms of Landscape and Visual, and Residential Visual Amenity effects, none of these effects are explored in an updated LVIA and EIA. The decision maker has no up-to-date information available to inform their decision, as no updated LVIA, or associated drawings (ZTV, photomontage, wirelines etc) are included to assess and

show the project as it is now be proposed. From a more wholistic perspective, the decision maker also does not have an up-to-date EIA to inform their decision. The potential layouts of the scheme are purely offset and constraints based, and the actual layout of the application has not been sense checked, for example to remove small areas of solar panels that would have a large impact on the local footpaths.

Page 80 LVIA mitigation hierarchy conclusion

It is the OHA opinion that the above does not demonstrate that the applicant has followed a mitigation hierarchy process and our comments in the [REP7-190] are still valid.

‘The applicant’s response in this section does not include anything new or of substance that provides greater clarity but tends to repeat statements from previous responses. Much of the information provided in the section is vague and of little relevance to the mitigation hierarchy. The response only confirms the OHA’s view that the mitigation hierarchy has not been followed when considering landscape and visual effects.

The applicant states that the mitigation hierarchy has been followed. It states under ‘avoid’ that panels have been removed in flood areas, because of archaeological constraints, South and West of Bladon, a field in the conservation area of Church Hanborough and in response to assessing individual residential properties. Whilst removals in panels are welcomed, it should be noted that many of these changes are late in the process and only occurred because of questions and pressure from consultees rather than the applicant taking a proactive and comprehensive approach on the outset and the OHA asked for design evolution in their LIR. As per the response to Deadline 6 [REP6-118], the OHA do not consider these changes to go far enough.’

Pages 81- 83 Para 25

The email extract quoted by the applicant illustrates that the OHA were expecting changes and updates to the LVIA work. This has not been provided in the submission nor has any comprehensive change to the scheme been proposed to address the OHA’s landscape character and visual concerns with the scheme, as illustrated throughout the OHA’s representations, including in the clarification note on solar installation reduction [REP6-118].

Page 76 – Greenways Plan.

There are no standalone greenways plans. All that has been provided is an outline approach to managing public rights of way and providing around 15km of them with landscape and biodiversity enhancements in the form of ‘green ways’ which include hedge planting to help screen the paths from the solar panels and ensure there is an appropriate width provided between the hedges for the paths to run and as the hedges mature – along with management of the paths. As per the point above, these need to be specified, constructed/planted and maintained to an agreed standard in perpetuity.

Page 76 – PRow Compensation Package.

There is no standalone greenways plan that fully covers onsite treatment of PRow surfacing, clear and/or legal width, hedgerow species and maintenance and there is no agreed compensation package for offsite mitigation measures.

Page 110- Minerals

In the Applicant’s response to the Secretary of State RFI (Section 9), they state that the area affected by actual panel/apparatus areas is an area of 130 Ha (not 270 Ha) and a calculated excavation area of 2,222,920m³ (with an average depth of 1.70m - not 4,581,500m³). However, in correspondence between the Applicant and OCC, the applicant is now quoting a new estimated excavation quantum of 1,974,040m³, following a 243,300m² area reduction to reflect the new masterplan.

The applicant has provided the area of land estimated to be covered by PV panels/apparatus with an average depth of excavation of 1.70m to calculate this figure. The submitted Minerals Resource Assessment has not been updated to reflect these changes and is therefore not an accurate representation of the impact on the mineral reserve. Further, the Council would welcome further evidence to demonstrate the assumption of an average depth of excavation to be 1.70m.

Whilst OCC acknowledges that amendments have been made to the layout and that further explanation has been provided, the Council remains unconvinced that the revised figures accurately reflect the extent to which future mineral extraction would be prevented or hindered. In the Council’s view, the assessment continues to focus on areas physically occupied by panels and

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infrastructure whilst underestimating the wider operational and practical constraints that the development would place on future mineral working. Areas of land that may remain physically undeveloped could nevertheless become inaccessible or unworkable due to operational, environmental; safety and infrastructure constraints associated with a large-scale solar installation. OCC is therefore of the view that a significant amount of mineral could be sterilised, more than the figures provided.

The applicants have given the Council sight of their “Change Process Table - Project Amendments since Submission highlighting Application of Mitigation Hierarchy”, amended figures and layout plans. However, these amendments which relate to the area of land affected have been based on parameters other than Minerals Safeguarding, such as buffers to properties and bat corridors. Therefore, the reduction to the amount minerals affected is merely a consequence of this exercise and it is our opinion that Mineral Safeguarding has not been properly considered. Moreover, the revised figure of 130 ha would still amount to a significant amount of sterilisation and that the released land is in the form of thin perimeter strips and are not likely ever to be seen as a realistic prospect for extraction.

There has been no subsequent amendment made to the minerals assessment and the applicant remains reliant on the value of the renewable energy, but they have assessed the value of the mineral as moderate to negligible and therefore have not addressed the need to overcome a major effect on the mineral resource.

Consequently, the case for building the part of the solar farm that would prevent or otherwise hinder future working and possibly sterilise the mineral resource has not been justified.

Page 111- Waste

Discussions have continued between the Applicant and OCC regarding the decommissioning and management of waste arisings from the proposal, and the Council welcomes additional information provided. However, OCCs concern remains as to sufficient evidence/clarity to suitably demonstrate how waste arisings, principally of the PV panels, will be managed.

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OCC continues to support the management of waste in accordance with the waste hierarchy, which the applicant discusses in their response to Secretary of State RFI [CR-087] in Section 10. The Councils also welcome receiving further detail from the Applicant about the estimated PV waste schedule.

The Applicant estimates that over the 38 operational years of the development, a total of 1,854,096 PV modules will require recycling, including 30,096 modules which will require replacement during the operational period due to failure. They have also provided a list of 8 current operators who undertake PV recycling, of which only 3 have indicated what their waste capacity is.

However, the information provided does not give sufficient certainty regarding the management of waste arisings from the development. The Applicant maintains that sufficient capacity is available to accommodate the scale of waste estimated to arise from the project, but OCC is unable to agree with this conclusion as there is insufficient evidence to support this finding.

As a point of clarification, the Applicant states in their response to the SoS, that, *“The Applicant confirms that the decommissioned solar panels will only be processed and recycled through commercial facilities and not facilities managed by the OHA.”*

OCC, as the Waste Planning Authority, does not operate or manage waste management facilities, but has a statutory responsibility plan for the sustainable management of waste arising within its area. This includes assessing future waste management needs and providing an appropriate planning framework for waste infrastructure.

OCC therefore remains of the view that insufficient information has been provided to demonstrate compliance with paragraph 5.15.9 of NPS EN-1. Whilst the commitment to decommissioning and recycling is welcomed; further evidence is required to demonstrate how waste arisings will be managed in practice and whether suitable treatment and recycling capacity will be available when required.

Page 125- Land Agreements

The applicant has indicated correctly that no negotiations have taken place, nor an agreement reached with Oxfordshire County Council as the Highway Authority. OCC raised concerns over the compulsory acquisition of highway land at deadline 6 [REP6-116] and outlined within the OHA closing statement [REP7-191] that these concerns remained. OCC submitted a written statement at

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deadline 8 **[REP8-006]** which outlined that the Council was not content with the caselaw submitted by the applicant to justify the need for the DCO to make provision for the CA of highway land.

It is curious that the Applicant in their response to the SoS has used the reasons OCC has previously put forward against the need for compulsory acquisition to justify why they have not sought to enter into an agreement with OCC over the purchase of the land. This being that the DCO provides all the powers necessary to enter the highway and undertake works and therefore acquisition of rights is not necessary.

Given that the Applicant has themselves acknowledged this in their submission to the SoS, OCC wishes to once again reiterate the position that compulsory acquisition of highway land does not meet the tests outlined within S.122 of the Planning Act 2008 as the CA powers are not required for the development in line with S.122(2)(a) nor are they required to facilitate the development in line with S.122(2)(b) of the Planning Act 2008. Given this, the power to acquire highway land for which OCC is the landowner should be removed from the development consent order.

Pages 141 - 142 – Without Prejudice Offer

The applicant states “the current position of 935 MW represents the maximum extent of panel removal that is compatible with maintaining an economically viable development. Any further reduction in capacity to the array layout would no longer maintain the viability.” The OHA however consider this cannot be correct based on recent discussions and the applicant’s intention to further reduce the proposed development.

Pages 143 - 145 – Viability

There are errors in the table on page 144/145 on the line for the 935MWp proposal. Parts of the numbers are missing.

Regarding the contractual connection capacity, the OHA query why the Applicant has not considered a modification to the contract and whether National Grid been consulted regarding feasibility, cost, and programme of a reduced export capacity.

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It is unclear whether the viability assessment has been based on a secured route to market, an expected CfD award, a corporate PPA, or a merchant revenue assumption. The wording implies the Applicant has not got a secured route. If so, then why is the future CfD strike price assumed to be the appropriate revenue benchmark, and what sensitivity testing has been undertaken around alternative revenue assumptions.

On LCOE, there are so many assumptions attached to it that the OHA consider it is difficult to know whether the analysis is reasonable. Answers to the following questions would be helpful in clarification for the Secretary of State:

- The Applicant has focused on fixed costs but have the variable cost savings been fully captured (i.e. fewer solar panels, fewer inverters, less trenching etc)?
- For the yield assumptions, what annual generation, degradation and operational life have the Applicant assumed?
- The performance of the panels will be different in different areas of the array due to topography and aspect, which will affect the yield on different areas of the site. Is the Applicant removing panels from areas with expected average performance or poor performance based on orientation? If panels are removed from poorer-performing areas, yield would be less impacted. So, what is the marginal generation contribution of the areas proposed for removal?

C1-088 - Response to Secretary of State Consultation 1 - 20.4 Botley West Outline Skylark Compensation Strategy

The OHA do not have any specific comments to make on the Botley West Outline Skylark Compensation Strategy. The OHA continue to engage with the applicant regarding BNG and skylark mitigation, but in general terms, the OHA are satisfied with the outline skylark mitigation strategy that has been submitted, which was based on previous discussions and correspondence between the OHA and the applicant. The skylark mitigation strategy is subject to final analysis of the updated breeding bird survey that has been carried out this summer, which will provide the average number of territories for the site and provide the foundation for calculating any off-site compensation habitat provision. The OHA are conscious that the applicant is proposing further changes to the project design and as such, final skylark and BNG calculations would be dependent on final layout plans.

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Other matters

In respect of cumulative impacts for the southern site, VWHDC draw the Secretary of State’s attention to Planning Application P24/V2489/FUL, Land to the West of Red House Farm, Eynsham Road, Farmoor, OX2 9ND, which was refused on 6 November 2025 and is currently at appeal (**Planning Inspectorate Reference 6009163**). The public inquiry is currently scheduled to take place on 20 October 2026.

Closing Statement

The Oxfordshire Host Authorities maintain that the Applicant has not provided sufficient evidence to demonstrate that significant landscape, visual and residential amenity impacts have been avoided, minimised, or mitigated. While proposed residential buffers and some panel removals are welcomed as modest improvements, the OHA consider that the scheme remains development-led rather than landscape-led, and that the Secretary of State lacks an updated and robust evidence base on the actual landscape and visual effects of the scheme.