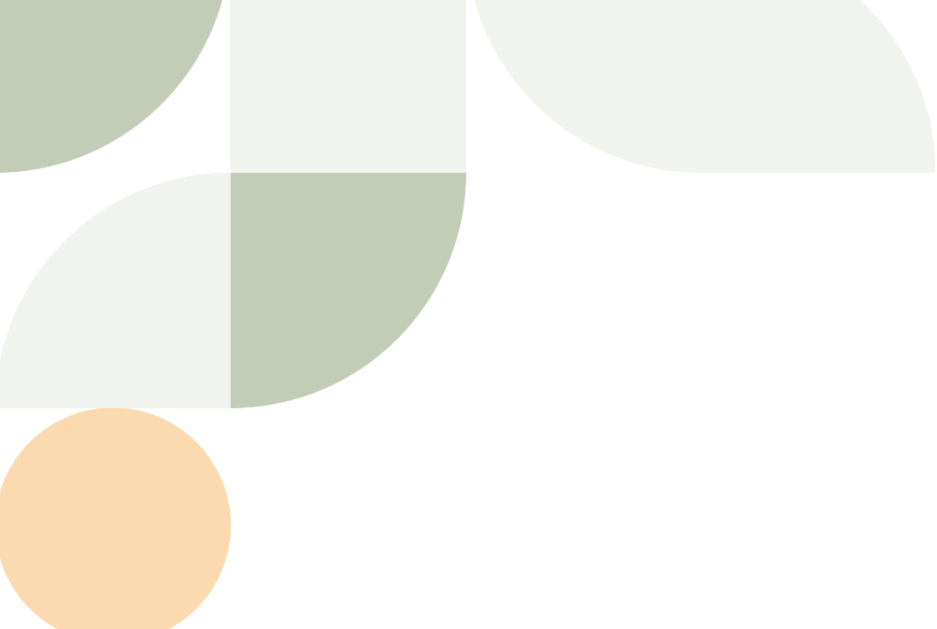




Lime Down

Solar Park

Applicant's Closing Statement

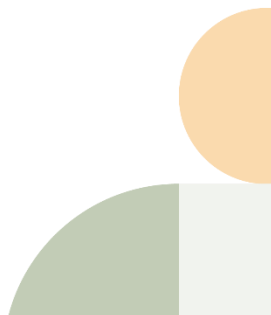
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The Infrastructure Planning (Examination Procedure) Rules 2010



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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Closing Statement has been prepared by Lime Down Solar Park Limited (the Applicant) to summarise the Applicant's final position on key matters that remain outstanding at the conclusion of the Examination of the application for a Development Consent Order (DCO) to construct, operate, maintain and decommission Lime Down Solar Park (the Scheme).
- 1.1.2 The matters included under Section 3 have been identified as key matters that have been the subject of comments from Interested Parties, written questions from the Examining Authority and discussion at Issue Specific Hearings. There remains some areas of disagreement between the Applicant and the local authorities and/or statutory bodies on some matters, and these are set out within this document.
- 1.1.3 This Closing Statement does not set out in full the Applicant's final position; instead, it provides signposting to the Applicant's submissions which have been made over the course of the Examination to assist the Examining Authority and Interested Parties in accessing submissions the Applicant considers relevant to the matters being discussed.
- 1.1.4 This Closing Statement draws upon and refers to submissions made by the Applicant in its application for the DCO for the Scheme (the Application) and throughout the course of the Examination. The signposting is not intended to be exhaustive but highlights those submissions the Applicant considers most directly relevant.

1.2 The Scheme

- 1.2.1 The Scheme constitutes a Nationally Significant Infrastructure Project (NSIP), comprising a solar photovoltaic (PV) electricity generating station of over 100 megawatts (MW) and associated development comprising Battery Energy Storage System (BESS) with an export capacity of approximately 500 MW, substations, grid connection infrastructure, and other infrastructure integral to the construction, operation and maintenance, and decommissioning phases. The National Grid point of connection will be at the Melksham 400kV Substation.
- 1.2.2 The PV electricity generating station and BESS is contained within five land parcels referred to as Lime Down A, B, C, D and E (the 'Solar PV Sites'). The Solar PV Sites are located south of Sherston, southwest of Malmesbury, east of Luckington, north of Hullavington and south west of Rodbourne.
- 1.2.3 The Cable Route Corridor comprises the area within which the cables connecting the Solar PV Sites would be located, and also the export connection cables, which runs for approximately 22 km from Lime Down D to connect the Solar PV Sites to the Melksham Substation.

1.2.4 The Scheme is predominantly located within the administrative area of Wiltshire Council and two small areas of existing highway (being junctions onto the A46), totalling 0.15 ha, are located within the administrative area of South Gloucestershire Council.

1.2.5 The Scheme location and the Order Limits are shown in the **Location Plan [REP5-004]**.

1.3 The Application

1.3.1 An Application for a DCO for the Scheme was submitted by the Applicant on 19 September 2025. The Application was accepted for examination on 17 October 2025.

1.3.2 The Applicant submitted a Change Application on 24 June 2026. The Applicant's Change Application and Consultation Report **[CR1-045]** and **Supporting Environmental Information Report [CR1-046]** explain the rationale and need for the changes. The Examining Authority accepted the Change Application on 6 July 2026.

1.3.3 The likely environmental effects of the Scheme are assessed in the Environmental Statement chapters [APP-052, APP-053, APP-054, APP-055, APP-056, APP-057, APP-058, REP7-019, REP6B-004, REP7-021, APP-062, REP4-012, REP3-017, REP7-013, REP5-024, REP2-008, REP7-017, REP3-021, APP-070, REP5-026, REP5-028, APP-073, APP-074] and accompanying figures and appendices.

1.4 Examination

1.4.1 The Examination of the Scheme opened on 21 April 2026 and is scheduled to close on 21 October 2026. Prior to and during the Examination, the Applicant has worked proactively to address and resolve issues that have been raised by statutory consultees, interested parties and members of the public. The Applicant has prepared Statements of Common Ground with stakeholders and final positions are summarised in the **Statement of Commonality [EN010168/EXAM/8.1]** (Revision 9).

1.4.2 At Deadline 8 the following final and signed Statements of Common Ground are submitted:

- a. **Statement of Common Ground with Wiltshire Council [EN010168/EXAM/8.2]** (Revision 6)
- b. **Statement of Common Ground with Natural England [EN010168/EXAM/8.4]** (Revision 5)
- c. **Statement of Common Ground with Historic England [EN010168/EXAM/8.5]** (Revision 4)
- d. **Statement of Common Ground with the Environment Agency [EN010168/EXAM/8.6]** (Revision 4)

- e. **Statement of Common Ground with the Cotswold National Landscape Board [EN010168/EXAM/8.7]** (Revision 3)
- f. **Statement of Common Ground with National Highways [EN010168/EXAM/8.8]** (Revision 3)
- g. **Statement of Common Ground with Network Rail [EN010168/EXAM/8.9]** (Revision 2)
- h. **Statement of Common Ground with Wessex Water [EN010168/EXAM/8.10]** (Revision 1)
- i. **Statement of Common Ground with the British Horse Society (Wiltshire Access Team) [EN010168/EXAM/8.16]** (Revision 2)
- j. **Statement of Common Ground with the Wiltshire Bridleway Association [EN010168/EXAM/8.17]** (Revision 4)
- k. **Statement of Common Ground with Stop Lime Down [EN010168/EXAM/8.18]** (Revision 3)

1.4.3 Final and signed Statements of Common Ground with Dorset and Wiltshire Fire and Rescue Service **[REP4-069]** and the Defence Infrastructure Organisation **[REP4-071]** were submitted at Deadline 4.

2. Policy Context, Need and Benefits

- 2.1.1 The Policy context, need and benefits of the Scheme are set out in the **Planning Statement [REP7-064]** and the **Statement of Need [REP1-085]**.
- 2.1.2 With regard to policy context for determining the application, section 104(2) of the Planning Act 2008 (Ref 1) provides that, in determining the application for the Scheme, the Secretary of State must have regard to: any relevant National Policy Statements (NPSs); the appropriate marine policy documents (if any); any Local Impact Reports submitted to the Secretary of State; any matters prescribed in relation to development of the description to which the application relates; and any other matters which the Secretary of State thinks are both important and relevant to decision making (which may include other national and local planning policy). Section 104(3) of the Planning Act 2008 provides that *"applications for development consent must be decided by the Secretary of State in accordance with any relevant NPS except to the extent that one of more of subsections 104(4) to 104(8) apply"*.
- 2.1.3 The applicable NPSs (being the NPSs that are captured by section 104(2)(a) of the Planning Act 2008) for the Scheme are the January 2024 versions¹ of the Overarching National Policy Statement for Energy (NPS EN-1) (Ref 6), the National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) (Ref 7) and the National Policy Statement for Electricity Networks Infrastructure (NPS EN-5) (Ref 8) and none of the exceptions in section 104(4) to 104(8) apply to the Scheme (see section 9.3 of the **Planning Statement [REP7-064]**). Any references to the NPSs within the Closing Statement are therefore references to the 2024 versions. The 2025 NPSs may also be taken into account by the Secretary of State as "important and relevant" matters under section 104(2)(d) of the Planning Act 2008. The **Planning Statement [REP7-064]** provides an appraisal the Scheme against the relevant policy context for decision making, including against the key sections of NPS EN-1 and NPS EN-3 in section 8 and full policy accordance tables at annexes A and B for national and local planning policy.
- 2.1.4 The need for renewable energy infrastructure such as the Scheme is well established in NPS EN-1 and development of projects such as the Scheme supports wider government policy and targets in relation to climate change and net zero. The need, and presumption in favour of granting development consent, is set out in Part 3 of NPS EN-1. Paragraph 3.2.1 of NPS EN-1 states that *"the government's objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios"* and that *"we need a range of different types of energy infrastructure to deliver these objectives"* (paragraph 3.2.2) including the infrastructure described in NPS EN-

¹ This is because the transitional provisions require that any application accepted for examination before the final publication of the approved 2025 amendments, the 2024 NPSs have effect in accordance with the terms of those NPSs (see section 1.6 of the 2025 version of NPS EN-1).

1". Paragraph 3.2.6 of NPS EN-1 states that *"the Secretary of State should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure which is urgent, as described for each of them in this Part"*. Paragraph 3.2.7 goes on to state that *"the Secretary of State has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008"*. Further, paragraph 3.2.8 of NPS EN-1 notes that *"the Secretary of State is not required to consider separately the specific contribution of any individual project to satisfying the need established by this NPS"*. These key paragraphs demonstrate the urgent need for nationally significant energy projects such as the Scheme.

- 2.1.5 Further, low carbon infrastructure such as solar power has been identified as critical national priority (CNP) infrastructure (NPS EN-1 paragraph 4.2.5). This means that if residual impacts remain after application of the mitigation hierarchy, the urgent need for solar and other forms of CNP infrastructure is likely to outweigh those residual impacts of development in all but the most exceptional circumstances (NPS EN-1 paragraph 4.1.7). Section 9.5 of the **Planning Statement [REP7-064]** explains why the CNP presumption applies in the case of the Scheme. Section 9.5 also confirms that, even without applying the CNP presumption, the planning case is firmly in favour of development consent being granted.
- 2.1.6 The **Statement of Need [REP1-085]** provides detailed analysis of why the Scheme is urgently needed in the wider context of government policy on climate change and renewable energy, including the contribution that the Scheme would make to meeting the government's targets for solar power as set out in the Clean Power 2030 Action Plan. The Scheme in make a positive contribution to meeting the needs to decarbonise, meet the increasing demand for affordable electricity, and help to maintain security of supply for the country.
- 2.1.7 The benefits of the Scheme are set out in sections 5.3 and section 9.4 of the **Planning Statement [REP7-064]**. The key benefits are set out in the following paragraphs.
- 2.1.8 **Decarbonisation and renewable energy generation:** As set out within **ES Volume 1 Chapter 7: Climate Change [REP7-019]** the Scheme will produce substantial amounts of renewable energy over its lifetime, at around 25.07 TWh and 31.75 TWh over the 60-year Scheme lifespan for either all tracker and all fixed panels respectively (with the ultimate figure depending on the configuration of fixed and tracker panels in the final design). Further, the overall greenhouse gas impact of the Scheme is beneficial and significant, with a net saving in tCO₂e over the Scheme's lifetime in comparison with a scenario where the Scheme does not come into effect and emissions from the grid in the baseline year of operation are used. Further, a conservative approach has been adopted for assessment, with the potential for even more ambitious contributions. As a result, the Scheme would make a significant and timely contribution to meeting the government's targets of Clean Power by 2030 and net zero by 2050.

- 2.1.9 **Low-cost electricity:** The **Statement of Need [REP1-085]** provides that large-scale solar power lowers the price of electricity by generating power so that expensive and more carbon intensive forms of generations do not need to generate as much. The scale of the Scheme means that it is capable of delivering large amounts of low cost and low carbon electricity.
- 2.1.10 **Ecological and landscape enhancements:** the Scheme proposes to deliver substantial new hedgerow and tree planting, reinforcement planting at existing hedgerows and field boundaries, extensive grassland habitat creation and sympathetic management both within buffers and under the Solar PV arrays, as well as discrete, valuable habitat creation away from the Solar PV Panels. This includes connective woodland planting, mixed grassland/wildflower planting; enhanced riparian native planting; reinforced road-side screening; hedgerow reinforcement and enhancements to ponds. Further, the reversion of the arable fields which dominate the Solar PV Sites to grassland (for the lifetime of the Scheme) is considered likely to result in a significant beneficial effect by improving the extent and quality of grassland habitats within the Solar PV Sites which may provide supporting habitat for species. Beneficial effects to the soil may also be derived from the cessation of cultivation, chemical treatments and soil inputs. Whilst some adverse effects on landscape and biodiversity are anticipated, these are outweighed by the substantial enhancements that are proposed.
- 2.1.11 **Biodiversity net gain (BNG):** the Scheme will deliver, as a minimum, 30% BNG in habitat units, 10% BNG in hedgerow units and 10% BNG in river units as secured by Requirement 9 of the **Draft DCO [REP7-007]**. The **BNG Assessment Report [REP7-068]** indicates that BNG in excess of 10% will be achieved, with a total net gain of 65.35% for area habitat units, 19.39% for hedgerow units and 25.30% for watercourse units in relation to the Solar PV Sites. The total net gain for the whole Scheme (i.e. Solar PV Sites and Cable Route Corridor combined) is 37.64% for area habitat units, 12.77% for hedgerow units and 19.89% for watercourse units.
- 2.1.12 **Permissive paths:** The Scheme includes the creation of 12.8 km of new non-vehicular permissive paths on each of the Solar PV Sites for the lifetime of the Scheme to provide pedestrians and horse and bicycle riders improved accessibility to the countryside and improved connectivity of the wider PRow network. The permissive paths will provide a beneficial impact on PRow use for local users and visitors through mitigating adverse impacts on other PRow and providing alternative access routes to the use of the local highway network. These measures, when implemented, will enhance connectivity in the local area for recreation purposes, secondarily benefitting the health and wellbeing of the local population in the long-term.
- 2.1.13 **Employment generation:** It is estimated that the Scheme would generate a peak of 692 construction workers and 305 Full Time Equivalent (FTE) jobs during the construction phase. Employment opportunities are also anticipated during the operation and decommissioning phases of the Scheme, as set out in **ES Volume 1, Chapter 16: Socio Economics, Tourism and Recreation [REP7-017]**.

- 2.1.14 **Economic benefits: ES Volume 1, Chapter 16: Socio Economics, Tourism and Recreation [REP7-017]** sets out the anticipated economic growth in the construction, operation and decommissioning phases of the Scheme. The net direct employment generated by the Scheme during construction is anticipated to induce an uplift of £16.5 million Gross Value Added (GVA) per annum within 20 km of the Scheme. The Scheme is anticipated to induce a further uplift of £10.7 million GVA per annum more generally within 20 km of the Scheme, through indirect and induced economic benefits associated with the Scheme's construction. During operation, the net direct employment generated by the Scheme is anticipated to create an uplift of £2.12 million GVA per annum, of which approximately £564,000 GVA per annum is anticipated to be generated within 20 km of the Scheme. A further uplift of £388,000 per annum is anticipated within 20 km of the Scheme as a result of indirect and induced economic benefits resulting from operation of the Scheme. During the peak replacement scenario, the net direct employment from the Scheme is anticipated to generate an uplift of £8.25 million GVA within 20 km of the Scheme, with an additional £2.39 million GVA elsewhere in the UK and indirect and induced economic benefits of £5.36 million per annum within 20km of the Scheme. During decommissioning, the net direct employment generated is anticipated to induce an estimated uplift of £14.3 million GVA per annum within 20 km of the Scheme. As a result of decommissioning the Scheme, an uplift of £9.31 million per annum is anticipated as a result of indirect and induced economic benefits within 20 km of the Scheme. Therefore, in total, accounting for the number of years at each phase, the Scheme is anticipated to generate an uplift of in excess of £183 million GVA (chained to 2023 value) within 20 km of the Scheme alone (with further benefits nationally).
- 2.1.15 **Skills training:** The Scheme is likely to produce a number of skills and education opportunities during its construction, such as through construction apprenticeships. The **Outline Skills, Supply Chain and Employment Plan [REP3-104]** sets out the proposals to promote apprenticeship and training schemes to enhance local skills and qualification rates and help retrain people in work displaced by the Scheme, and decrease the proportion of workers required to be brought in from further afield. This is intended to enhance local education, skills and attainment during construction and for periods of onsite infrastructure replacement during operation of the Scheme. The **Outline Skills, Supply Chain and Employment Plan [REP3-104]** also provides measures to secure opportunities for re-skilling of employees into new industries, including the energy sector, and include supporting the local agricultural industry in diversified agricultural practices.
- 2.1.16 Separate to the above benefits, the Applicant has also committed to a Community Benefit Fund (CBF). Whilst the CBF is not part of the application and is not relied upon by the Applicant in the planning balance, it will nevertheless be available to fund local projects.

3. The Applicant's Final Position on Key Examination Matters

3.1 Alternatives and Site Selection

- 3.1.1 The Applicant acknowledges that there remains disagreement with Stop Lime Down (SLD) regarding the Applicant's methodology for site selection. As NPS EN-1 does not prescribe a methodology for site selection, it is not uncommon during Examination for the Applicant's approach to site selection to be subject to scrutiny from other parties. SLD's position has been repeated most recently in its Deadline 7 Submission **[REP7-145]**, with additional input on alternative RAG ratings from Marrons for PDA10 and RAG ratings for the clusters previously identified by the Applicant in the **Technical Note on Site Selection Assessment [REP2-043]**.
- 3.1.2 The Applicant's approach to site selection is set out in the **Site Selection Assessment Report [APP-185]**, which provides a comprehensive assessment of potential development areas within a 20km radius of the National Grid Melksham Substation, guided by the relevant policy on site selection and alternatives (as set out further below). As noted in the **Applicant's Response to Stop Lime Down's Deadline 5 Submission Appendix E: Site Selection and Cable Route [REP6-064]**, there are a number of consented solar NSIPs where a less comprehensive approach than that taken by the Applicant has been adopted and this has still been considered to be proportionate and sufficient to meet policy requirements. It is also worth noting that the Applicant's approach is not novel, with a similar approach and methodology having been adopted on a number of consented solar NSIPs that are of a similar size to the Scheme, namely Sunnica Energy Farm, West Burton Solar Project and Cottam Solar Project and the recently consented Green Hill Solar Farm. In all of these projects, the Secretary of State considered the applicant's approach to site selection and alternatives to be appropriate.
- 3.1.3 Notwithstanding the Applicant's primary position that its site selection report is policy compliant, the Applicant has duly considered comments received during Examination and provided further analysis in the **Technical Note on Site Selection Assessment [REP2-043]**. SLD has continued to raise concerns within its submissions throughout the Examination, including regarding the additional analysis carried out by the Applicant. Whilst the Applicant has continued to engage to address concerns, it remains the Applicant's position that its work on site selection as set out in the **Site Selection Assessment Report [APP-185]** complies with the requirement to consider reasonable alternatives.
- 3.1.4 For Nationally Significant Infrastructure Projects such as the Scheme, complete avoidance of adverse effects is not feasible through site selection although the Applicant's position is that it has been able to avoid or reduce a number of significant effects through this process. A methodical site selection process and assessment of alternatives was followed in accordance with the relevant planning policy set out in NPS EN-1 and NPS EN-3 including paragraphs 4.3.9,

4.3.15, 4.3.23, 4.2.24 and 4.3.25 of NPS EN-1, together with specific requirements to consider alternatives in relation to flood risk and agricultural land. The Applicant has set out the relevant policy, and why the Applicant's approach is compliant with it, in its **Site Selection Assessment Report [APP-185]** and further in the **Applicant's Response to Stop Lime Down's Deadline 5 Submission Appendix E: Site Selection and Cable Route [REP6-064]**. In particular, the Applicant is mindful of NPS EN-1 paragraph 4.3.22 which provides:

"Given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives:

- *the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; and*
- *only alternatives that can meet the objectives of the proposed development need to be considered".*

3.1.5 There is no definition of "proportionate manner" provided in NPS EN-1 paragraph 4.3.22. The Applicant considers that sufficient detail must be provided in order for the Secretary of State to form a view on whether any identified alternative sites are important and relevant to their decision. This is reflected in paragraph 4.3.25 of NPS EN-1. The existence of an alternative site in itself does not make it important and relevant. It must be a feasible and viable alternative, which, for the Scheme, means one capable of delivering the necessary capacity to the grid connection by the anticipated grid connection date. This is supported by NPS EN-1 paragraph 4.3.23, which provides that the Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative proposal delivering the same infrastructure capacity in the same timescale as the proposed development. As set out in the **Statement of Need [REP1-085]**, rapid deployment of solar generation is required to meet the target of 45-47GW of solar power by 2030 set out in the Government's Clean Power 2030 Action Plan and is a key driver in the UK meeting its wider Net Zero 2050 commitments. The Statement of Need also explains the importance of utilising existing and available grid connections in order to meet those targets. On that basis, grid availability and connection date are key drivers behind the Scheme and site selection for it. They are equally key in consideration of the suitability of alternative sites.

3.1.6 The Applicant first presented its Site Selection Assessment Report at PEIR stage (which is earlier than some schemes), in recognition of the level of interest within the community regarding the siting of the Scheme. It has adopted a six-stage approach to site selection, by first defining the area of search, prioritising the least constrained land for assessment including non-Best and Most Versatile (BMV) agricultural land and land within Flood Zone 1 (in line with

the policy requirements of NPS EN-1 and NPS EN-3), and assessing identified areas against standardised assessment criteria. The initial 4 potential development areas (PDAs) identified on the least constrained land were found to be unsuitable and therefore the Applicant expanded its search criteria to include land within Flood Zones 2 and 3 and Grade 3 agricultural land. Further PDAs were identified and assessed against the same standardised assessment criteria, including PDA 10, which forms the Solar PV Sites for the Scheme. In addition, for DCO Application submission and in response to consultation feedback, the Applicant considered additional land and a higher topographic gradient (Stage 6). Further, the Applicant carried out two check and balance exercises at stages 5 and 6 of the assessment to consider any other land within the search area that had not been identified as part of a PDA. In total, for its **Site Selection Assessment Report [APP-185]**, the Applicant assessed 12 PDAs within the search area against standardised assessment criteria, together with a high-level assessment of 3 areas identified during the check and balance exercises. The conclusion of the Site Selection Assessment Report is that there are no more suitable and available locations within the search area than the proposed location for the Scheme, based on the criteria identified. The Scheme's location is therefore assessed to be suitable for the scale of the solar development proposed and the basis on which the Applicant has selected the Solar PV Sites is considered to accord with the relevant sections of NPS EN-1 and NPS EN-3.

- 3.1.7 Notwithstanding the Applicant's primary position that its assessment as set out in the **Site Selection Assessment Report [APP-185]** is robust and policy compliant, in response to feedback from Stop Lime Down received during the examination in its relevant representation and written representation, the Applicant has also considered additional areas of land and combinations of land, as set out in its **Technical Note on Site Selection Assessment [REP2-043]**. This includes:
- a. land further away, by expanding the search area to 25km;
 - b. land within the Bath Green Belt;
 - c. combining various parts of the previously identified PDAs together; and
 - d. expanding PDA 2 to include more land around it.
- 3.1.8 That exercise was not considered to reveal any additional areas of land suitable for further consideration as alternative sites for the Scheme and on that basis, the conclusions of the **Site Selection Assessment Report [APP-185]** are unchanged.
- 3.1.9 The Applicant has not sought to assess the additional areas to the same level of detail as the 12 PDAs identified in the **Site Selection Assessment Report [APP-185]**. It is the Applicant's position that the additional analysis carried out in the **Technical Note on Site Selection Assessment [REP2-043]** is proportionate, given that the additional work was carried out during Examination, and the alternatives considered are unlikely to be developable in the same timescales as the Scheme. This approach is considered to accord

with NPS EN-1 paragraph 4.3.22. The Applicant has been clear that, subject to further assessment, it is possible that there is land within the search area that could be suitable for other solar developments working to different timescales, including smaller solar developments. However, these might be developed in addition to, not instead of, the Scheme (in line with NPS EN-1 paragraph 4.3.24). The Applicant has fully explained its position on proportionality in the **Applicant's Response to Stop Lime Down's Deadline 5 Submission Appendix E: Site Selection and Cable Route [REP6-064]**.

- 3.1.10 In addition to the alternatives assessed in the **Site Selection Assessment Report [APP-185]** and **Technical Note on Site Selection Assessment [REP2-043]**, the Applicant has specifically considered alternatives suggested by interested parties through consultation events. These are listed in **ES Volume 1, Chapter 4: Alternatives and Site Selection [APP-056]** with an explanation as to why they are not considered viable alternatives to the Scheme. Whilst Stop Lime Down disagree regarding the Applicant's methodology and conclusions on the sites the Applicant has selected for assessment, the Applicant is mindful that Stop Lime Down has not put forward a genuine alternative site which could deliver the same infrastructure capacity within the same timescales as the Scheme, either during consultation or during the course of examination. The Examining Authority's attention is drawn to NPS EN-1 paragraphs 4.3.28 and 4.3.29 in this regard. Further, as noted above, even if a viable alternative had been suggested, this could be developed in addition to, not instead of, the Scheme, in accordance with NPS EN-1 paragraph 4.3.24 and given the ambitious targets set out in the Government's Clean Power 2030 Action Plan (Ref 2).
- 3.1.11 In conclusion, in the context of the Scheme, where the mitigation hierarchy has been appropriately applied and the impacts of the Scheme have been fully assessed in the Environmental Statement, the Applicant considers its approach to site selection and consideration of alternatives to be reasonable, appropriate and proportionate.

3.2 Landscape and Visual

- 3.2.1 The Applicant has taken the landscape and visual concerns raised by consultees, including Wiltshire Council and the Cotswolds National Landscape (CNL) Board, very seriously throughout the pre-application consultation and Examination. In response to the matters raised, the Applicant has undertaken an iterative, landscape-led design process, resulting in significant refinements to the Scheme to avoid, reduce and mitigate potential landscape and visual effects. These refinements include the removal of solar infrastructure from sensitive locations, the strengthening of landscape mitigation and enhancement measures, and the introduction of measures specifically intended to further the purposes of the CNL. In addition, the Applicant has prepared a number of supplementary assessments and technical notes to address specific matters raised during the Examination, including the **Limestone Lowlands Character Assessment [REP6B-008]**, **ES Volume 3 Appendix 8-6 Assessment of Effects on the Cotswolds National Landscape and its Special Qualities**

[REP6B-006], Technical Note on Intra Project Cumulative Visual Effects [REP1-122], Technical Note on Cumulative Sequential Visual Effects [REP1-123], Sequential Visual Effects on Wiltshire Cycleway [REP4-078], Additional Sequential Visual Assessments [REP6-062] and the Tranquillity Assessment - Effects of Construction Traffic on the Cotswolds National Landscape [REP5-099]. This section sets out the Applicant's position on the landscape and visual effects of the Scheme, the design changes and mitigation measures incorporated in response to consultation and Examination, and the remaining areas of disagreement with consultees. The Applicant maintains that the Landscape and Visual Impact Assessment (LVIA) set out in **ES Volume 1: Chapter 8 Landscape and Visual [REP6B-004]** has been undertaken in accordance with the relevant guidance and provides a robust, proportionate and site-specific assessment of the effects of the Scheme. The Applicant recognises that differences in professional opinion exist between the Applicant and Statutory Consultees on the Landscape and Visual effects resulting from the Scheme. Whilst this has resulted in some differences in conclusions on effects between the Applicant and other parties, no other party has provided a clear position on levels of effects or on what further mitigation would be required. However the Applicant maintains that the LVIA set out in **ES Volume 1: Chapter 8 Landscape and Visual [REP6B-004]**, has been undertaken with consideration of the appropriate and relevant guidance, including Guidelines for Landscape and Visual Impact Assessment Third edition (GLVIA3), (Ref 3) and robustly assesses both the landscape and visual effects of the Scheme independently to ensure both the impacts and effects on the fabric and character of the landscape are taken into account as well as the views and visibility.

- 3.2.2 It should be noted that GLVIA3 is not a prescriptive methodology for undertaking LVIA but rather provides a framework of principles and good practice within which professional judgement is applied.
- 3.2.3 The Landscape Institute's Technical Guidance Note LITGN-2024-01 Published August 2024, Notes and Clarifications on Aspects of GLVIA3 (Ref 4) sets out that the purpose of LVIA is to communicate the landscape professional's judgement about changes to landscape and views, and that achieving that outcome is more fundamental to good LVIA than the detailed mechanics of a particular methodology. It also expressly says that *"variation and debate are to be expected rather than discouraged."* And that whilst *"GLVIA3 provides a structured process for assessing effects on landscape and visual resources. The responsibility of the assessor is to tailor it to the place and project under consideration, supported by an explanation of the rationale behind the approach taken."*
- 3.2.4 The LVIA takes into account the effects on landscape character and visual amenity in detail, and acknowledges that there would be an immediate change to the character of the Solar PV Sites themselves and their immediate surroundings as they change from an area of arable farmland to solar infrastructure. However, the introduction of the solar arrays and other associated infrastructure would not become a defining feature on the landscape

once operational (e.g. at year 1 and year 15). The six primary reasons are set out below:

- a. **Dispersed nature of the Sites:** The Scheme comprises a series of independent Solar PV Sites set across an extensive agricultural landscape, with large areas of land between each of the Solar PV Sites helping assist with assimilation. Each Solar PV Site is set apart by their associated features such as robust hedgerows, woodland and tree cover, intervening settlements, road infrastructure and the changing topography. The discrete areas of land in the Scheme are placed so far apart that the Scheme would not be perceived in its entirety and the solar panels are distributed 'in and amongst' the landscape features to assimilate them into the landscape.
- b. **Nature of Scheme being 'overlaid' and reversible:** For example, developments for mineral extraction fundamentally change the nature of the landscape in which they operate, whereas solar projects, with the exception of the footprint of the buildings, are 'overlaid' on the landscape. This allows the important landscape features such as hedgerows, trees and watercourses to remain and continue to contribute to the landscape character of the receiving area.
- c. **Strong framework of existing vegetation:** The strong framework of existing vegetation means that this would provide the structure for the Scheme to be set comfortably and not become intrusive within the landscape. The intermediary areas between the separate Solar PV Sites boast a strong network of existing vegetation providing structural benefits to the landscape. The existing vegetation also acts as a backdrop for the array and helps integration into the receiving landscape, particularly in views towards the horizon.
- d. **The benefits of mitigation:** By Year 15, new planting would be established and helping mitigate adverse effects.
- e. **Biodiversity Net Gain:** The Scheme would deliver substantial areas of new planting that would strengthen the natural environment by providing net gains for biodiversity. This would deliver additional landscape structure and connections to wider ecological networks as well as contributing positively to the quality of the landscape going well beyond biodiversity net gain.
- f. **Legacy Landscape:** Legacy Landscape is where, because of the development, the landscape would be left in a better condition than current day. This betterment is established as a consequence of the landscape proposals resulting in greater species variety, greater age depth, enhanced structure, resilience to pest and disease and reinforcement of local landscape character across the Solar PV Sites.

- 3.2.5 At decommissioning, agricultural fields would be returned back to landowners. As infrastructure is removed, there would be an overall positive effect to the character of the area with landscape mitigation retained providing long term benefit towards legacy landscape. Following decommissioning, the Solar PV sites would benefit from the substantially strengthened tree and hedgerow planting that has been carried out and has matured to create a much stronger and robust landscape, retaining, and supporting the overall character of the area and providing considerable biodiversity benefits over the years. Due to the development, the landscape would be left in a better condition than current day. This betterment is established as a consequence of the landscape proposals resulting in greater species variety, greater age depth, enhanced structure, resilience to pest and disease and reinforcement of local landscape character across the Solar PV Sites.
- 3.2.6 The defining legacy of the landscape would be the robust framework of features that have improved through the mitigation and landscape interventions. This mitigation in turn would give rise to long-term wider benefits, including supporting an increase to biodiversity and in promoting the resilience of ecosystems.
- 3.2.7 There has been continued and positive consultation and engagement undertaken with Wiltshire Council, the Cotswold National Landscape (CNL) Board and Natural England throughout the entirety of the DCO application process. The final agreed position with regard to **ES Volume 1: Chapter 8 Landscape and Visual [REP6B-004]** and its associated Figures and appendices between the Applicant, Wiltshire Council, Natural England and the CNL Board are set out within the respective Statement of Common Grounds (SoCGs). This confirms to the Examining Authority where agreement has or has not been reached between the parties.
- 3.2.8 The SoCGs set out those matters between the parties in agreement, whilst recognising that there is not agreement on all matters. Throughout the Examination the Applicant has responded to requests for further information and additional assessments and has sought to provide clarification whenever required. Wiltshire Council has expressed concern on various aspects of the Landscape and Visual Chapter including the separate assessments on Landscape Fabric and Landscape Character and Cumulative Effects, particularly sequential visual cumulative effects.
- 3.2.9 Both Wiltshire Council and the CNL Board have agreed that the viewpoints for the Solar PV Sites and the cable route corridor are appropriate and sufficient for the purposes of the Examination. At the request of Wiltshire Council, the Applicant provided additional annotation to the viewpoint photographs to include key features and information to help orientate the reader.
- 3.2.10 The landscape value judgements presented in **ES Volume 1 Chapter 8 Landscape and Visual [REP6B-004]** are agreed with the CNL Board. However, there is some disagreement with Wiltshire Council on landscape value outside of the CNL. The parties agree that the CNL is of High landscape value and that land within Sites A, B and C within the setting of the CNL are of a

'higher' value than Solar PV Sites D and E. At the request of the Examining Authority, the Applicant has provided drawings setting out their position on the extent of the setting of the CNL. Differences in opinion regarding the extent of the setting of the CNL exist between all parties, however despite this, no other party has definitively set out their position on the setting of the CNL in a similar way to the Applicant, making comparisons between the different parties difficult to undertake. The Scheme has been developed to avoid development within what the Applicant considers to be the Setting of the CNL. However, should the extents as set out by the other parties be preferred, it is the Applicant's position that the mitigation and enhancement measures as proposed are appropriate.

- 3.2.11 Wiltshire Council has relied on judgements on value, susceptibility and sensitivity provided in the Wiltshire Council Renewable Energy Study Landscape Sensitivity Assessment 2023 (Ref 9) (refer to REP6-069). As this assessment refers to generic types of the solar development and not the specific development being proposed as part of the Lime Down Solar Project or as assessed, and in this specific location, the Applicant does not consider the assessment to be comparable with the GLVIA3 guidance on assessing value, susceptibility and sensitivity. The Applicant stands by its judgements on landscape value with Solar PV Sites A, B and C assessed as Medium to High Value (recognising that they are not within the designated landscape) and Solar PV Sites D and E being assessed as Medium Value.
- 3.2.12 The Applicant has at the request of the Examining Authority quantified the loss and provision of trees and hedgerows across the Scheme and has defined the extent of proposed planting that would be for enhancement only within the setting of the CNL as set out in Annex C of the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**. The CNL Board has also confirmed that these enhancement measures have sought to further the purposes of the National Landscape as required by section 85 of the Countryside and Rights of Way Act 2000 (Ref 5), and the Board has outlined its position regarding the 'seek to further' duty on pages 8 and 9 of REP3-154 (we note this point in further detail below).
- 3.2.13 Following consultation with the CNL Board, information was received on positive enhancement measures from CNL's Nature Recovery Lead including the provision of wildflower meadows and scrub. Following this and further consultation the Scheme was revised as part of the iterative design process.
- 3.2.14 The following changes were made;
- a. No infrastructure within parcels on the edge of the CNL boundary in Fields A1, A11 and A12, B12, C1, C6, C8, C9 and the majority of C10. Subsequently the CNL Board has requested that panels be removed from all of field C9 and the field used to provide additional positive enhancement measures. These changes form part of an imminent Change Application.
 - b. Fields C1, C6, C8, C9 and C10 have remained within the Scheme and provide opportunities for positive enhancement measures.

- c. Fields C2, C3 and C4 which are not on the edge of the CNL but were considered to be within the setting of the CNL, were removed from the Order Limits.

- 3.2.15 The proposals within Fields C1, C6, C8, C9 and C10 do not include mitigation measures to reduce the effects of the Scheme in adjacent parcels. They are distinct enhancement measures which further the purposes of the CNL.
- 3.2.16 These areas within the setting of the CNL have been specifically targeted for positive enhancement to further the purposes of the CNL.
- 3.2.17 As all existing hedgerows within the Scheme are proposed to be strengthened and allowed to grow out to provide landscape and visual mitigation, it was recognised that a different management regime for hedgerows on the edge of the CNL was required to conserve its character and open views. As mitigation of adverse effects is not required on the edge of the CNL due to the offset to infrastructure, maintaining hedgerows at their current height of c1.5m bordering the CNL within Solar PV Site C was proposed.
- 3.2.18 It is agreed between the Applicant and the CNL Board that this should not be considered to be a positive enhancement measure but rather a specific management objective to maintain open views of the landscape from the CNL. It was important to distinguish this from the proposal to strengthen and allow hedgerows to grow out to 4.5m across the rest of the Scheme where mitigation of adverse effects are required.
- 3.2.19 The creation of wildflower meadows and margins as well as areas of scrub and new hedgerows as set out within the **Outline Landscape and Ecological Management Plan [REP7-079]** are proposed in A1, A11 and A12, B12, C1, C6, C8, C9 and the majority of C10. These features would be visible in Site C where hedgerows are to be managed at their current height of c1.5m. These measures are distinct enhancement measures which have been informed by consultation with the CNL Board, the CNL Management Plan and Nature Recovery Strategy and are considered to be beneficial landscape improvements which further the purposes of the CNL designation.
- 3.2.20 These measures have been included to provide opportunities for positive enhancement within the setting of the CNL. This enhancement has been confirmed by the CNL Board in their Comments on any other submissions received at deadline 2 **[REP3-154]**.
- 3.2.21 Relevant Representations made by the CNL Board outlined that eight Potential Main Issues for Examination (PMIEs) had been identified by the Board following Statutory Consultation on the Project and ongoing liaison with the Applicant. These eight PMIEs have formed the ongoing subject of discussion between the Applicant and the CNL Board.
- 3.2.22 During the Examination period and as a result of ongoing engagement, there have been a number of changes to the Scheme including the removal of solar infrastructure within the southern part of Field A1 and the remainder of Field C9. These changes removed adverse visual effects on users of Alderton Road and

the Footpath alongside the eastern edge of Field A1. These changes resolved PMIE 3 and 6. However, despite these changes, and the avoidance of infrastructure immediately alongside the CNL, the CNL Board still consider that there is harm to the character of the CNL. The Applicant maintains its conclusions that were robustly assessed in the LVIA and **ES Volume 3 Appendix 8-6 Assessment of Effects on the Cotswolds National Landscape and its Special Qualities [REP6B-006]** that due to the avoidance measures on the edge of the CNL which forms a buffer between the development and the CNL, that the change in land use from agriculture to the solar farm does not directly affect the character of the CNL itself, but does recognise the direct change in character to those fields proposed for the array and associated infrastructure and the indirect effects these changes have to landscape character. This is also the conclusion made by the Applicant in the **Limestone Lowlands Character Assessment [REP6B-008]** requested by the Examining Authority and submitted at Deadline 5 which considered the effects of the Scheme on the Sherston Dipslope Lowland and the Upper Avon Valley Landscape Character Areas, both wholly within the CNL, concluding that due to the avoidance measures within the setting of the CNL and embedded mitigation throughout that there would only be Negligible effects at Construction and Year 1, with no effects during Year 15 and Decommissioning on the character of the landscape within the CNL itself.

- 3.2.23 Across the Scheme, the following approximate areas will be planted for habitat creation, landscaping and visual screening:
- a. Proposed Ground Cover: 702.8097 ha
 - b. Green Corridor & Woodland Planting: 11.4513 ha
 - c. Enhanced Riparian Native Planting: 7.78 ha
 - d. Hedgerow Reinforcement & Reinforced Roadside Reinforcement: 54.9451 km
 - e. Proposed Hedgerows: 15.4957 km
 - f. Reintroduction of Historic Ponds and New Ponds: 14No.
- 3.2.24 These measures have been informed by the local Landscape Character Assessment Strategies and Guidelines, and the Nature Recovery Strategies. The benefits to the landscape fabric of the Solar PV Sites shown above are referred to as the legacy landscape benefits of the Scheme. Despite recognising these benefits, Wiltshire Council has expressed concern that management of existing and proposed new hedgerows of up to 4.5m would be uncharacteristic of the landscape and this prompted discussion on the future baseline at decommissioning of the Scheme and the mechanisms for securing these benefits post decommissioning.
- 3.2.25 Prior to the establishment of the mitigation proposals, effects on landscape character associated with Solar PV Sites A-E individually within the 1km Local Study Area (but not extending into the CNL) during construction and at Year 1

would be Significant, and during examination in response to matters raised by Wiltshire Council and the Examining Authority, the Applicant has strengthened its commitments to ensure robust measures are in place for such planting to successfully establish, including during drought conditions.

- 3.2.26 The Scheme would deliver landscape and ecological improvements through mitigation areas and through new planting which would add a positive element to this landscape. The necessary provisions are in place to secure these mitigation proposals associated with the Scheme in Requirement 7 of Schedule 2 to the **Draft DCO [REP7-007]**.
- 3.2.27 The Applicant has sought to undertake a constructive and proactive approach to consultation with Wiltshire Council and their landscape officer but despite this there has been disagreement between the parties. One of the fundamental issues has been the Applicant's separate assessment on Landscape Fabric. The Applicant provided the **Technical Note on Landscape Fabric and Landscape Character [REP1-121]** to address the issue and to clarify that the assessment on landscape fabric being *"the individual tangible elements or features of the landscape, such as landform, woodland, hedges, tree cover, vegetation within the development area or site, for example which can usually be described and quantified"* is separate and independent to the assessment on Landscape Character (which includes the specific aesthetic or perceptual qualities and the character of the landscape as a whole).
- 3.2.28 To date Wiltshire Council has not acknowledged the Applicant's Assessment on Landscape Character undertaken on the 1km, 2km and 5km Study Areas in **ES Volume 3, Appendix 8-3-2-2 Landscape and Visual Assessment Sheets (Significant) [REP6-020]** which assesses the effects on landscape character including the perceptual and aesthetic aspects of the landscape and concluded that there are Moderate Adverse(significant) effects on landscape character within the 1km Study Area of Sites A-E during construction and Year 1, reducing to Moderate / Minor Adverse and Minor Adverse at Year 15 and decommissioning respectively.
- 3.2.29 Further to this, the Applicant undertook a separate assessment on the **Limestone Lowlands Character Area [REP6B-008]** at the request of the Examining Authority. This was submitted at Deadline 5 and again at Deadline 6B and concluded that in assessing the individual Landscape Types and Character Areas instead of Study Areas, as was undertaken in the LVIA, the outcomes of the two assessments are different with non-significant effects being recorded on the Host LCA – the Hullavington Rolling Lowland Character Area. This is due to the greater geographical extents of the LCA where the effects of the Scheme are found to be diluted, as the level of effects were found to be lower than those assessed in the LVIA. The Applicant maintains its view that the LVIA represents a robust assessment of effects which considers both the benefits to the fabric of the Solar PV Sites and the significant adverse effects of landscape character as a result of a large-scale solar scheme.
- 3.2.30 Wiltshire Council's comments on the Limestone Lowland Assessment in **[REP6-069]** maintains its stance that the value, susceptibility and sensitivity

judgements made by the Applicant have been consistently downplayed, leading to a general under-assessment of the level of effect. However, as noted previously, Wiltshire Council has relied on judgements on value, susceptibility and sensitivity provided in the Wiltshire Council Renewable Energy Study Landscape Sensitivity Assessment 2023 (refer to REP6-069) which is not comparable with the GLVIA3 guidance on assessing value, susceptibility and sensitivity of the specific proposed development and site-specific considerations. At no point has Wiltshire Council provided any additional assessment or evidence to support its position on these matters. The Applicant has consistently assessed the CNL as a Highly Valued Landscape which is Highly Susceptible to any development and hence of High Sensitivity, as is appropriate to its designation. Given that there is a clear difference in character between the landscape within the CNL, and of that outside of it (the land where the Lime Down Scheme is proposed), as demonstrated by the Wiltshire Landscape Character Assessment whereby the boundary of the host character area (the Hullavington Rolling Lowland) is contiguous with the CNL boundary. The Applicant maintains that the quality of the landscape within the Hullavington Rolling Lowland and its intactness is different to that of the CNL, for example, the notable absence of dry stone walls across the Scheme. It is the Applicants position therefore that the value of the landscape within the Hullavington Rolling Lowland cannot be of the same high value of that of the National Landscape but is rather of Medium Value.

- 3.2.31 The Applicant maintains that the sensitivity judgments in the LVIA are robust and accurately account for the variations in character, condition, value and susceptibility across the Study Area.
- 3.2.32 As such, there is disagreement between Wiltshire Council, SLD and the Applicant that the landscape character assessment for the Solar PV Sites A-E is acceptable. These areas of disagreement come down to professional judgement on the sensitivity of the receiving landscape and the magnitude of change as set out in the Statements of Common Ground.
- 3.2.33 Another area of dispute with Wiltshire Council and SLD relates to cumulative effects, particularly sequential visual effects.
- 3.2.34 The Applicant has prepared a number of additional Technical Notes and further assessment work relating to cumulative effects, particularly sequential visual effects to specific routes throughout the examination period. These include:
 - a. **Technical Note on Intra Project Cumulative Visual Effects [REP1-122]** which demonstrated that the Cumulative Site (Scheme) effects had been assessed in the LVIA.
 - b. **Technical Note on Cumulative Sequential Visual Effects [REP1-123]** which includes an assessment on Sequential Visual Assessment for users of the Fosse Way and users of the A429 / A350.
 - c. **Sequential Visual Effects on Wiltshire Cycleway [REP4-078].**

d. **Additional Sequential Visual Assessments [REP6-062]** on a number of routes requested by Wiltshire Council and SLD.

- 3.2.35 The above sequential visual assessments consider both the intra and inter project effects on the identified routes. As noted in **Technical Note on Intra Project Cumulative Visual Effects [REP1-122]** there are only 22 receptors where there is intervisibility to more than one Solar PV Site and only 6 receptors experiencing significant effects. This demonstrates the limited visibility of the Scheme within the rolling landscape as recognised by Wiltshire Council who notes: *"despite its very large size in a generally small-scale and intimate landscape, much of the proposed development is relatively well-contained visually from the wider landscape"* (refer to row 3.4.2 in the **Statement of Common Ground with Wiltshire Council [EN010168/EXAM/8.2]** (Revision 6)). This, combined with the distances between the Lime Down Scheme and the identified Cumulative Development Sites along the sequential routes, demonstrates the low levels of potential cumulative visual effects. On all the routes assessed, given the substantial distances between the Solar PV Sites and the Cumulative Development Sites the effects were as identified for the Lime Down Scheme itself.
- 3.2.36 Throughout the examination there has been concern expressed on the effects of construction traffic though the CNL and the effects on the CNL's Special Quality 9 - Tranquillity. The Applicant submitted a **Tranquillity Assessment – Effects of Construction Traffic on the Cotswolds National Landscape [REP5-099]** at Deadline 5 that considers the effects of construction traffic on the tranquillity of the Cotswolds National Landscape. The assessment found that the effects of the construction route on the CNL and its setting are limited and would not result in a significant change to the tranquillity of the CNL given the current aural and visual baseline and predicted vehicle movements.
- 3.2.37 The CNL Board comments on the Tranquillity Assessment provided at Deadline 7 equate any effects as being a constant across the CNL as a result of construction traffic, which is not the case. Effects are experienced by receptors, and how receptors experience those effects is the key impact upon tranquillity. Therefore, whilst tranquillity of the CNL landscape may be affected such as landscape character, noise, visibility the way those receptors using the CNL and how they are affected is the important consideration. The Applicant maintains that such effects from construction traffic are fleeting and similar to those already experienced across the CNL, and the **Tranquillity Assessment – Effects of Construction Traffic on the Cotswolds National Landscape [REP5-099]** has acknowledged the scale of effects of construction traffic and activities during construction alongside the way in which the effects would be experienced by receptors.
- 3.2.38 The CNL Board consider that the temporary construction activities within the CNL effects tranquillity and that PMIE 5 cannot be resolved unless construction traffic is removed from the CNL. PMIE 5 is the only PMIE which has not been resolved and remains the only outstanding matter between the Applicant and the CNL Board, and as such the overarching PMIE 1 can also not be resolved.

- 3.2.39 Wiltshire Council accepts that with successful establishment and good management of planting including retention by landowners following decommissioning, then the legacy landscape could look similar to the representative legacy landscape photomontages, as shown in the **Imagery of Legacy Landscape [REP5-100]**. Wiltshire Council considers effective monitoring with adaptive management measures could help to increase levels of certainty to help achieve a beneficial legacy landscape.
- 3.2.40 Following further development of the design of the Scheme post consent, more detailed planting plans including details of areas of landscape mitigation, location and types of planting (species), as well as number, density and specification would be submitted for approval prior to any works commencing. The Applicant maintains that through the avoidance measures embedded into the Scheme design as part of the Mitigation Hierarchy as set out in Section 8.9 of **ES Volume 1, Chapter 8: Landscape and Visual [REP6B-004]** and the standalone assessment on the CNL in **ES Volume 3, Appendix 8-6 Assessment of Effects on the Cotswolds National Landscape and it's Special Qualities [REP6B-006]**, which includes the avoidance of panels within Fields A1, A11, A12, B12, C1, C6, C8, C9 and C10 that the landscape and visual effects of the Scheme on the CNL and its Special Qualities have been mitigated through the landscape led, iterative design process and have been informed by the Cotswold Nature Recovery Plan in conjunction with liaison with the project Ecologist and consultation with officers at the CNL Board and Wiltshire Council.
- 3.2.41 The Applicants position is that for the duration of the Scheme, the enhancement measures would seek to further the purposes of the CNL. The measures identified by the Cotswold National Landscape Board (CNL Board) as 'furthering the purposes' and as set out in the Examining Authority's question are dependent upon the continuation of the Scheme. The Applicant cannot control what is done with these elements on decommissioning of the Scheme and return of the land to the original landowner. It would be open to the landowner to retain them.
- 3.2.42 The Applicants position is that a time-limited enhancement can be relied upon to seek to further the purpose of conserving and enhancing the natural beauty of the CNL under section 85 of the Countryside and Rights of Way Act 2000 (CRoW Act). This position aligns with that of the CNL Board. The Applicant notes that that there is no specific requirement within the wording of the CRoW Act or supporting DEFRA guidance for enhancements to be permanent, and that the Applicant has received confirmation from the CNL Board in their Deadline 2 submission 'Comments on any other submissions received at deadline 2' **[REP3-154]** acknowledge that the Applicant has sought to further the purposes of the CNL:
- "...the Applicant has sought to further its natural beauty through the proposed enhancement measures located in the setting of the CNL, including some of those outlined at Table 19 of ES Appendix 8-6 such as 60 hectares of wildflower meadow and 63 hectares of set aside for ground nesting birds. These would comprise enhancements to the CNL's setting*

above and beyond the current baseline condition on land which is visually connected to, and has a complementary landscape character to, the adjacent CNL."

- 3.2.43 With regard to the removal of enhancement measures at decommissioning, the Applicant's position is that rather than the removal of the enhancements being harmful to the setting of the CNL, the removal of the enhancements would constitute a return to the current baseline position.
- 3.2.44 The Applicant notes the recent appeal decision for land south of Ramsden (West Oxfordshire Ref. 25/00234/FUL and Appeal Ref. 6004776, 13 October 2026), which is at Annex A of this Closing Statement. The Appeal Decision provides a relevant example of the approach to landscape mitigation and enhancement within the setting of the CNL. The Inspector recognised that, although the development would result in localised landscape harm, the proposed planting and landscape measures went beyond like-for-like mitigation and would deliver longer-term beneficial elements, contributing to the conservation and enhancement of the natural beauty and special qualities of the CNL.
- 3.2.45 Importantly, the Inspector concluded that the statutory duty under section 85 of the CRow Act to seek to further the purposes of the CNL designation did not require all adverse effects to be avoided, and noted the CNL Board's view that the duty would be fulfilled were the development to be approved.
- 3.2.46 This approach is consistent with the Applicant's position that the Scheme has been subject to an iterative, landscape-led design process, incorporating avoidance measures, mitigation and targeted enhancement to address landscape and visual effects while seeking to further the purposes of the CNL.
- 3.2.47 The Applicant considers that the Ramsden decision also supports the principle that the statutory duty should be considered in the round, having regard to the nature and extent of residual harm and the contribution of secured mitigation and enhancement measures to the conservation and enhancement of the designated landscape.
- 3.2.48 Overall, the Applicant's position is that the Scheme has sought to avoid and minimise adverse landscape and visual effects while delivering substantial landscape proposals and ecological enhancements. The Scheme would result in a direct change in character within the Solar PV Sites, particularly during construction and the early operational period, with significant adverse effects identified on landscape character within the 1 km study area before the proposed mitigation has fully established. However, the Applicant maintains that through the avoidance of infrastructure alongside the CNL, significant adverse effects on the National Landscape have been avoided. The Applicant's position is that the CRow Act duty has therefore been discharged.
- 3.2.49 The Applicant considers that the dispersed arrangement of the Solar PV Sites, the intervening topography and existing vegetation, the retention and reinforcement of landscape features, and the establishment of new planting would help integrate the Scheme into the wider landscape over time. The

proposed measures include extensive ground cover and habitat creation, woodland and green corridor planting, riparian planting, hedgerow reinforcement, new hedgerows and ponds, with the intention of delivering long-term landscape and biodiversity benefits. Further design refinements and additional assessments undertaken during the Examination have addressed specific concerns regarding the setting and Special Qualities of the CNL, cumulative and sequential visual effects, and tranquillity associated with construction traffic. While agreement has been reached on a number of matters, differences of professional judgement remain, particularly with Wiltshire Council regarding landscape sensitivity and character, and with the CNL Board regarding the effects of construction traffic on tranquillity.

- 3.2.50 The Applicant maintains that the Scheme's embedded mitigation, additional enhancement measures within the setting of the CNL and proposed landscape management arrangements appropriately address the identified effects, and that the landscape would benefit from a strengthened and more resilient framework of landscape features in the longer term. The Applicant therefore considers that the LVIA and supporting assessments provide a robust basis for understanding the Scheme's effects and the mitigation proposed, while recognising the outstanding matters identified during the Examination.

3.3 Transport

- 3.3.1 Throughout Examination, traffic and transport has been a key matter of interest for the Examining Authority, Wiltshire Council and interested parties and the Applicant has refined its position on the assessment of these effects.
- 3.3.2 The assessments have been undertaken using clearly defined realistic worst-case scenarios and the Rochdale Envelope, retaining design flexibility without understating effects. Parameters reflect the maximum reasonably foreseeable scale, location or intensity for each topic, rather than an unrealistic combination of extremes. Baseline surveys, desk studies, site-specific modelling, calculations, professional judgement, guidance and consultee input support the assessment. The Environmental Statement and Examination transport submissions explain assumptions, receptor sensitivity, effect magnitude and significance, and mitigation. Where evidence or design evolved, the Applicant reviewed whether conclusions remained valid, providing a transparent and precautionary basis for identifying likely significant effects.
- 3.3.3 Key matters of interest have included construction traffic forecasts; route and access suitability and safety; interactions between HGVs and non-motorised users; abnormal indivisible load routes; highway improvements; and measures secured through both the Outline Construction Traffic Management Plan and protective provisions for the benefit of Wiltshire Council as the local highway authority. These were examined through Written Questions, Issue Specific Hearings and written submissions. The assessment undertaken followed ISEP guidance including the exercise of professional judgement where applicable.
- 3.3.4 The following section sets out the key outstanding issues and how the Applicant considers that it has addressed them.

Construction Routes and Carriageway Widths

- 3.3.5 At the scoping stage Wiltshire Council requested the Applicant to show at least a car passing HGVs along the proposed construction routes. As requested, this is demonstrated in drawings included in Annex M of **ES Volume 3, Appendix 13-1: Transport Assessment (Part 2) [REP7-060]** using industry standard swept-path analysis and topographical survey data. In addition, drawings included in Annex N of **ES Volume 3, Appendix 13-1: Transport Assessment (Part 2) [REP7-060]** show the frequency of opportunity for two HGVs to pass, taking account of the proposed highway mitigation works shown in Annex L of **ES Volume 3, Appendix 13-1: Transport Assessment (Part 2) [REP7-060]**. While the Applicant considered this mitigation to be acceptable, there were still outstanding concerns from Wiltshire Council and some interested parties regarding the suitability of road widths on some sections of the construction routes. To address this concern, the Applicant has included further highway mitigation works, as requested by Wiltshire Council, in Annex O of **ES Volume 3, Appendix 13-1: Transport Assessment (Part 2) [REP7-060]**. These can be delivered via Article 10 of the DCO.
- 3.3.6 **ES Volume 3, Appendix 13-1: Transport Assessment [REP7-058 and REP7-060]** was updated to clarify the construction access strategy, road widths, passing opportunities, intervisibility and swept paths. It shows that proposed routes and accesses can accommodate construction vehicles. Identified local works would be delivered through detailed design and highway authority approval. Further swept-path analysis also confirms that abnormal indivisible loads are deliverable, with temporary traffic management, overrun protection and special-order arrangements secured through established approvals.
- 3.3.7 As confirmed within the Statement of Common Ground with Wiltshire Council submitted at Deadline 8, Wiltshire Council agree with the proposed HGV passing place mitigation works and the suitability of the proposed construction routes.
- 3.3.8 While some interested parties have raised concerns regarding the transport impact on the Cotswold National Landscape (CNL), all links on the proposed construction routes have been assessed following ISEP guidance, including the exercise of professional judgement where applicable. These included links through the CNL, which were classified and assessed as a medium sensitivity in transport terms in ES Volume 1 Chapter 13 Transport and Access. This classification of the CNL links was agreed by Wiltshire Council in paragraph 20 of Appendix A of Wiltshire Council's Relevant Representation **[RR-4934]**.

Trip Generation

- 3.3.9 Throughout the Examination, the Applicant has worked with Wiltshire Council, National Highways and interested parties to address construction trip generation and HGV flows. The information used in the original **ES Volume 3, Appendix 13-1 Transport Assessment [APP-233]** submitted by the Applicant as part of the DCO application was based on information provided by

contractors and was typical of the figures being used on other schemes of this nature.

- 3.3.10 At the time the Transport Assessment was prepared, less information was available regarding the build out of solar NSIPs. The Applicant has sought to validate its assessment against that information as it came to market. The position for the Scheme was therefore further refined during Examination based on that information. Comments made by Wiltshire Council and Stop Lime Down were taken into consideration. To ensure the Applicant was not underestimating the potential movements for the Scheme, the Applicant undertook an exercise to review all figures and determine what could be the maximum number of components that could be accommodated within the Site.
- 3.3.11 Since the DCO Application was submitted, new forms of panel array layouts have become available on the market with 2-panel and 3-panel system fixed layouts now feasible. Taking this into consideration, alongside comments from other parties, the Applicant sought to establish the maximum number of components. When reviewing these numbers, the Applicant considered the footprint of the development and how many panels could potentially be located within that footprint to provide a reasonable worst case.
- 3.3.12 The Applicant updated the construction trip calculations and submitted a **Highways Technical Note [REP5-107]** addressing Stop Lime Down's assessment. The revised figures use updated assumptions and show total and peak daily HGV movements. This included a more conservative assumption for higher total movements, although daily flows remain within or broadly comparable to those assessed in **ES Volume 1, Chapter 13 Transport and Access [APP-065]** provided at submission of the DCO Application. Changes on routes to Lime Down A–C and D (West) were negligible; additional traffic on routes to D (East) and E would use the A429, which can accommodate the increase identified. No new or materially different significant transport effects were identified and the suite of transport assessment documents within the ES were all updated at Deadline 7 to reflect the updated figures.
- 3.3.13 As set out in within the Statement of Common Ground with Wiltshire Council submitted at Deadline 8, the parties have reached agreement on the Applicants revised construction trip generation figures for waste packaging, general access tracks, 33kV conversion units and foundations, 132kV substations, 400kV substation, BESS foundations, other BESS components, cabling, landscaping, cable trips, panel numbers, BESS/400kV substation access tracks, 132kV access tracks, compound surfacing, other compound trips, BESS units and BESS power conversion units and loading per HGV possible with 'High Cube' containers (PV Modules).
- 3.3.14 Stop Lime Down and Wiltshire Council do not agree that 720 PV Modules per HGV represents a worst case, have concerns over the number of HGVs needed to transport mounting structures and that a 10% allowance for the off-site disposal of excavated soil is not a worst case.
- 3.3.15 In addition, Stop Lime Down has set out further disagreements regarding the Applicants trip generation calculations in its Additional Transport Submission

[REP7-165] submitted at Deadline 7. This includes disagreement with the Applicant's maximum estimated number of panels, and movements associated with BESS/substation access tracks, compound surfacing and concrete footings.

- 3.3.16 In response to these concerns, the Applicant has verified the number of deliveries required for mounting structure with the supplier and included a specific measure in the **Outline Construction Traffic Management Plan (CTMP) [REP7-087]** at Section 6.17 requiring deliveries of solar PV modules to be made by high cube containers with a capacity of at least 720 modules per HGV. This will allow the total number of solar modules deliveries not to exceed 1,200 HGVs even if the final Scheme layout incorporates the theoretical maximum of 842,500 solar modules.
- 3.3.17 Regarding the off-site disposal of soil, the Applicant assumed 10% of all excavated soil is taken off site, using the total soil excavated from access tracks, compounds, foundations of substations and BESS. Access tracks excavation will be spread either side of the tracks, excavated compounds will be refilled from stockpiles. foundations of substations and the BESS will either be used for the bund or stored on site in stockpiles as specified in the **Outline Soil Resources Management Plan [REP7-079]**.
- 3.3.18 In terms of the total number of solar PV panels, the Applicant has identified the maximum number of components. When reviewing these numbers, the Applicant considered the footprint of the development and how many panels could potentially be located within that footprint to provide a reasonable worst case. The figure of 917,381 panels put forward by Stop Lime Down, is based on a mathematical calculation of large square or rectangular area(s). The Applicant's figure of 842,500 panels was developed using the Applicant's established design tool, which is used routinely across its portfolio, including for the detailed design of consented solar NSIPs, which accounts for the Scheme's irregular shape of works areas, on-site constraints and the fact that there are separate individual works areas.
- 3.3.19 Regarding the BESS/substation access tracks, the illustrative design in **ES Volume 3, Appendix 3-3 Illustrative Drawings [REP5-065]** shows drainage ditches that could be rock-filled or cemented to avoid collapse if the longitudinal gradient is more than 5%. No allowance has been made for this, as the BESS/400kV access track gradient has less than a 5% gradient along its length.
- 3.3.20 For compound surfacing, the aggregate is being reused to make good access tracks towards the end of the construction phase. It will be sieved with a digger, and specialised digger basket so doesn't need to be taken off site. In Lime Down A, D (East) and E, compounds will be reused for 132kv substations. Any remaining aggregate can be stored onsite for use at replacement and decommissioning.
- 3.3.21 For concrete footings, these are only required in archaeologically sensitive areas, with each front upright weighing 500 kg and each rear upright weighing 1,000 kg. The total archaeologically sensitive area is 16.03 ha, although some of this area falls outside the Work No 1 areas. Within the panelled parts of the

archaeological protection areas, 2,776 concrete footings would be required, if they are deemed to be the appropriate form of archaeological mitigation, and the Applicant's trip calculation is therefore accurate and provides a reasonable worst case scenario.

- 3.3.22 Even if the trips presented by Stop Lime Down in its Additional Transport Submission **[REP7-165]** submitted at Deadline 7 were taken forward for assessment, it is considered that sufficient mitigation and highway widening works are secured as part of the DCO to ensure that sufficient frequency of opportunity for two HGVs to pass along proposed construction routes is available. It would also not change the Applicant's conclusions on significant effects.
- 3.3.23 It is also noted that Table 5 (revised) of Stop Lime Down's Additional Transport Submission **[REP7-165]** submitted at Deadline 7 does not include an hourly breakdown of the HGV movements on the identified links for its own numbers. If this was undertaken, it would show a maximum increase of less than two movements per hour in comparison to the Applicant's calculations for the peak and average scenarios for each link. This increase is not considered to be material, particularly as it also assumes that all sites will be built concurrently, when it is anticipated that they will be built at different times in accordance with the construction programme.
- 3.3.24 In summary, the trip generation calculations can be considered robust because they are based on a detailed, evidence-led assessment of the construction requirements, while consistently adopting reasonable worst-case assumptions.

Impact on NMUs and Construction Traffic Management

- 3.3.25 The Applicant assessed HGV encounters on constrained local roads and undertook further surveys of pedestrians, cyclists and equestrians on key construction routes as set out in the **Highways Technical Note - Non-Motorised User Surveys [REP6-061]**. The results did not alter the conclusions of the Environmental Statement. Route controls, delivery management, warning signage, highway improvements and traffic management provide an appropriate framework for managing interactions between construction vehicles and other road users.
- 3.3.26 The **Outline CTMP [REP7-087]** was refined during the Examination. It defines approved routes and accesses and controls delivery scheduling, holding areas, temporary traffic management, signage, wheel washing, road cleanliness, highway condition surveys, monitoring, complaints and corrective action. A Traffic Safety Control Officer would implement and monitor the final plan, pausing or re-timing deliveries where constraints or non-compliance arise. This adaptive approach suits a large, multi-access project and is secured by the DCO, subject to Wiltshire Council's approval.
- 3.3.27 The Outline Construction Worker Travel Plan (Appendix C of the **Outline CTMP [REP7-087]**) provides for shuttle buses, car sharing, controlled contractor parking and travel monitoring. Supported by expected workforce distribution and comparable solar projects, targeted pick-up points and on-site parking limits,

overseen by the Traffic Safety Control Officer, provide a practical means of reducing single-occupancy worker trips.

- 3.3.28 Whilst Wiltshire Council has shown an in-principle opposition to the widely accepted approach of managing some of these matters through an outline CTMP process, the Applicant has now agreed separate protective provisions for Wiltshire as LHA to provide an additional layer of oversight. The **Statement of Common Ground with Wiltshire Council [EN010168/EXAM/8.2]** (Revision 6) identifies the matters the parties agree have been addressed by the **Outline CTMP [REP7-087]**, protective provisions, or both.
- 3.3.29 The Applicant also engaged with National Highways on the strategic road network and M4 cable crossing. Relevant protective provisions, technical approvals, licences, condition surveys and traffic management requirements have been agreed with National Highways through the protective provisions that have been incorporated into the draft DCO at Deadline 8.

Reported effects

- 3.3.30 In summary, the Examination evidence demonstrates that the construction traffic forecasts, routes, accesses and abnormal load arrangements are robust and deliverable, with no new or materially different significant transport effects identified. The refined Construction Traffic Management Plan, Worker Travel Plan, highway approvals and wider control documents, combined with the protective provisions for the benefit of Wiltshire Council and National Highways, provide a comprehensive, enforceable framework for managing deliveries, road-user interactions, worker travel, monitoring and corrective action. Overall, the assessment is precautionary, the mitigation is secured, and the remaining detailed matters can be appropriately controlled through the DCO and established approval processes.

3.4 Hydrology and Flood Risk

- 3.4.1 The Applicant has undertaken a comprehensive and proportionate assessment of hydrology, flood risk, drainage and the water environment across the Scheme. The assessment is presented principally in **ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP4-012]**, the site-specific Flood Risk Assessment and Drainage Strategy suite and the **Water Framework Directive Assessment [REP1-094]**. The evidence base has been developed throughout the Examination through engagement with the Environment Agency and Wiltshire Council as Lead Local Flood Authority, targeted hydraulic modelling, further assessment of floodplain interaction and Natural Flood Management, and refinement of the construction and operational management measures. The **Statement of Common Ground with Wiltshire Council [EN010168/EXAM/8.2]** (Revision 6) records agreement on the overall proportionate and risk-based approach to flood-risk assessment, including the use of current Environment Agency datasets, site-specific assessment and targeted hydraulic modelling where warranted rather than blanket hydraulic modelling across the Scheme.

Fluvial Flood Risk and Infrastructure Siting

- 3.4.2 The majority of the Scheme is located in Flood Zone 1 and a sequential approach has been applied to the siting of flood-sensitive infrastructure. BESS and substation infrastructure is located in Flood Zone 1. Following ISH5, the **Design Principles and Parameters [REP7-066]** have been updated to expressly require the BESS and substations to be located within Flood Zone 1 at detailed design, securing this sequential approach throughout the design process. The detailed design of the Lime Down C1 substation must also consider the mapped local surface water flow routes. The detailed design will first seek to avoid those flow routes and, should interaction be unavoidable, a site-specific assessment and any necessary mitigation will be developed through the detailed design and drainage approval process. The limited areas where Solar PV Panels interact with fluvial flood extents have been assessed separately because the panels comprise open structures on discrete supports rather than extensive impermeable development.
- 3.4.3 Particular scrutiny during the Examination has focused on Lime Down D and Lime Down E2, where site-specific hydraulic modelling has been undertaken to provide a more detailed understanding of fluvial flood risk. At Lime Down D, the **Lime Down D Hydraulic Modelling Report [REP7-105]** provides detailed modelling of Gauze Brook, supported by site-specific channel survey and FEH/ReFH hydrology. The model assesses flood extents, levels, depths and velocities across the relevant range of events, including the 3.3% AEP event used to inform the functional floodplain and the design event incorporating climate change. The modelling demonstrates that the BESS and substation areas remain outside the modelled fluvial flood extents and that interaction with Solar PV Panels is principally associated with shallow flooding in lower-lying areas adjacent to Gauze Brook. The model and associated **ES Volume 3 Appendix 11-6 Flood Risk Assessment and Outline Drainage Strategy Lime Down D BESS [REP7-050]** have been progressively updated during the Examination to respond to Environment Agency comments and to ensure the flood mapping and assessment reflect the latest hydraulic modelling. The further consideration of the Rodbourne Gauge undertaken following ISH5 explains its value as contextual evidence while recognising the limitations of the gauge record for verification of design flood hydrology. The Environment Agency has confirmed that the Gauze Brook model schematisation is reasonable.
- 3.4.4 Equivalent site-specific assessment has been undertaken for Gabriel's Well / Rodbourne Brook at Lime Down E2. The **Lime Down E2 Hydraulic Modelling Report [REP7-107]** includes modelling of the 3.3% AEP event to inform the functional floodplain and has been incorporated into the **ES Volume 3 Appendix 11-8 Flood Risk Assessment and Outline Drainage Strategy Lime Down E2 [REP7-054]**. The assessment has addressed the extent used for floodplain analysis, flood depths and velocities, the interaction of Solar PV Panel supports with flood conveyance and the appropriate resilience of infrastructure. The Environment Agency has agreed the analysis-extent issue and the assessment of panel supports and conveyance.

- 3.4.5 Where Solar PV Panels are located within the design flood extent at Lime Down D or Lime Down E2, the lowest leading edge will be set no less than 600 mm above the design flood level including the appropriate climate change allowance, with sensitive electrical equipment similarly protected. The final panel arrangement can respond through panel tilt, tracker range and micrositeing while remaining within the maximum parameters secured through the **Design Principles and Parameters [REP7-066]**. The open form of the panels and their discrete, widely spaced supports allow floodwater to pass through the development without materially impeding flood conveyance. These principles have been accepted by the Environment Agency.
- 3.4.6 Floodplain displacement has also been considered explicitly. For both Lime Down D and Lime Down E2, the calculated displacement arising from Solar PV Panel supports is de minimis when compared with the available hydraulically connected floodplain. The Environment Agency has confirmed that sufficient evidence has been provided to demonstrate that the associated loss of floodplain storage would be negligible in the context of both Gauze Brook and Gabriel's Well / Rodbourne Brook. Wiltshire Council has similarly confirmed that the floodplain compensation position for these areas has been adequately explained and documented.

Surface Water Runoff and Drainage

- 3.4.7 The Examination has also considered the potential effect of the Solar PV development on surface water runoff in considerable detail. The Applicant's assessment distinguishes between the positively drained BESS, substations and other hardstanding areas, and the much wider permeable Solar PV Sites. The Solar PV Panels do not themselves convert the underlying land into an impermeable drainage catchment. The important controls on hydrological response are the condition and structure of the soil, compaction, vegetation establishment and maintenance, erosion, drainage connectivity and the preservation of existing diffuse runoff pathways. Wiltshire Council's latest position recognises the hydrological importance of vegetation cover, soil structure, compaction management, infiltration, erosion resistance and drainage connectivity and records the management of those matters through the secured plans as agreed.
- 3.4.8 The Applicant has considered alternative runoff analysis advanced during the Examination, including the PV-SMaRT work submitted by Stop Lime Down. That work does not alter the Applicant's conclusion that the principal risk to runoff response is deterioration of the underlying land condition rather than the presence of panel surfaces in isolation. The Scheme therefore focuses mitigation on the mechanisms that can materially affect hydrological performance, including avoidance and remediation of soil compaction, establishment and maintenance of vegetation, retention of diffuse runoff pathways, prevention of localised erosion and channelisation, and use of temporary drainage controls during construction where required.
- 3.4.9 A different and more conventional drainage approach applies to positively drained infrastructure. The site-specific Drainage Strategies provide attenuation

and controlled discharge for the BESS, substations and other relevant hardstanding. In accordance with the Wiltshire LLFA approach, controlled drainage areas provide a minimum 30% betterment against the equivalent greenfield discharge rate, with attenuation provided for the 1% AEP rainfall event including the relevant climate change allowance. The approach preserves existing runoff routes and manages exceedance flows without treating the wider vegetated Solar PV Sites as positively drained catchments. Wiltshire Council recognises the distinction between this formal drainage betterment and wider strategic flood-risk betterment.

Firewater Containment and Groundwater Protection

- 3.4.10 Drainage associated with the BESS and substations also incorporates water-quality and firewater containment requirements. The **Firewater Containment and Drainage Strategy – Lime Down D Battery Energy Storage System [REP7-097]** and **Firewater Containment and Drainage Strategy – Lime Down Substation [REP7-099]** establish the principles of sealed or lined drainage, containment and isolation. The management framework provides for retained water to be isolated and, following an incident, inspected, sampled and appropriately treated, removed or disposed of before the drainage system is returned to normal operation. The Environment Agency's concerns regarding the drainage and post-incident management principles have been addressed through the relevant drainage and operational management documents.
- 3.4.11 The **Statement of Common Ground with Wessex Water [EN010168/EXAM/8.10]** records matters concerning the hydrogeological assessment, Great Oolite Principal Aquifer and potentially PFAS-containing materials as under discussion. The Applicant considers that potential impacts on groundwater resources have been appropriately assessed in **ES Volume 1, Chapter 19: Ground Conditions [REP5-026]** and the **Water Framework Directive Assessment [REP1-094]**. The proposed mitigation includes ground investigation to inform detailed hydrogeological and foundation risk assessments, pollution prevention and appropriate cable installation measures, together with lined drainage, firewater containment, isolation and post-incident management for the BESS and substations. These measures are addressed through the **Outline Construction Environmental Management Plan [REP7-073]**, **Firewater Containment and Drainage Strategy – Lime Down D Battery Energy Storage System [REP7-097]** and **Outline Battery Safety Management Plan [REP7-085]**. The Applicant has also committed to avoiding PFAS where technically feasible and reasonable alternatives are available, with supplier information used to identify any remaining PFAS-containing materials. While Wessex Water's position remains under discussion, the Applicant considers that the submitted assessments and DCO-secured mitigation provide an appropriate basis for managing the identified groundwater risks.

Natural Flood Management and Construction Controls

- 3.4.12 The potential to provide wider catchment-scale flood-risk benefit was specifically examined through the **Lime Down D Natural Flood Management**

Viability Report [REP7-117]. The assessment considered both non-structural measures, including soil management and riparian measures, and more substantial storage interventions within Lime Down D. The work demonstrates that measures available within the Scheme boundary can provide local runoff, soil, water-quality and ecological benefits but would not materially alter downstream fluvial flood risk at Corston. The assessment has also been developed to consider more frequent flood events and to present the spatial changes in water level more clearly. Wiltshire Council accepts that the measures tested would not provide a material downstream flood-risk benefit at Corston and that a further Scheme-wide strategic NFM assessment is not necessary. The wider Scheme nevertheless incorporates soil protection, vegetation management, watercourse buffers, riparian enhancement, maintenance of drainage pathways and runoff-management measures which provide complementary hydrological benefits.

- 3.4.13 Construction-phase effects are managed principally through the **Outline Construction Environmental Management Plan [REP7-073]** and the associated detailed Water Management Plan. These require site-specific controls for temporary drainage, erosion and sediment, water quality, dewatering, pollution prevention and protection of existing watercourses and drainage pathways. The Cable Route Corridor has similarly been assessed on a risk-based basis, with trenchless construction used at the more sensitive crossings and construction methods, drilling-fluid controls and watercourse protection measures secured through the CEMP and the Watercourse Crossing Schedule. The ordinary watercourse between fields D22 and D1 at Lime Down D will remain as an open conveyance feature, with no proposal to culvert, divert or obstruct the existing channel.
- 3.4.14 The **Water Framework Directive Assessment [REP1-094]** considers surface water and groundwater bodies, construction pathways associated with the Cable Route Corridor, Groundwater Dependent Terrestrial Ecosystems and the Scheme's embedded pollution-prevention and drainage measures. It concludes that the Scheme would not cause deterioration in the status of a WFD water body or prevent the achievement of its objectives. The WFD matters raised by the Environment Agency during the Examination, including consideration of potential GWDTE receptors and the Cable Route Corridor, have been addressed and recorded as agreed.

Hydrological Monitoring, Management and Verification

- 3.4.15 A substantial focus of the later Examination was how the hydrological performance relied upon by the assessment would be maintained through construction, establishment and operation, including Wiltshire Council's request for a standalone Hydrological Verification Framework. The management framework has consequently been strengthened through the **Outline Construction Environmental Management Plan [REP7-073], Outline Operational Environmental Management Plan [REP7-075], Outline Soil Resources Management Plan [REP7-079], Outline Landscape and Ecological Management Plan [REP7-081] and Outline Ecological**

Protection and Mitigation Strategy [REP7-083]. These documents provide the framework for inspection and monitoring of the physical conditions relevant to hydrological performance, including temporary drainage, soil condition and compaction, vegetation establishment, erosion, rilling, channelisation, persistent ponding, drainage condition, water quality and changes to runoff pathways. Where deterioration or ineffective performance is identified, the detailed management plans provide for investigation, maintenance, remediation and adaptive management. The Applicant considers that the secured documents already address the matters that Wiltshire Council anticipated would be captured through a standalone Hydrological Verification Framework and understands Wiltshire Council, upon reviewing the relevant material has now accepted this position.

- 3.4.16 The relationship between the identified hydrological risks, mitigation measures, monitoring requirements and their securing mechanisms is brought together in the **Mitigation Route Map [REP7-109]**. Importantly, the latest position reached with Wiltshire Council is that it does not seek a separate standalone Hydrological Verification Framework or empirical re-validation of the assumptions within the Flood Risk Assessment and Drainage Strategy suite. The Council recognises that the functions previously envisaged through such a framework will be delivered through the detailed management plans approved under the DCO, using the controls already established within the submitted outline plans. The monitoring, governance, performance-trigger and corrective-action arrangements are recorded as agreed, with the detailed plans to translate those controls into site-specific arrangements once the final layout, construction phasing and land-management details are known.
- 3.4.17 The resulting approach is deliberately focused on matters which can be meaningfully observed, attributed to the Scheme and acted upon. This provides direct verification that the physical measures and land conditions upon which the drainage and runoff assessment relies are being appropriately implemented and maintained. It also provides clear routes for intervention where matters such as compaction, vegetation failure, erosion, channelised runoff, persistent ponding, sediment mobilisation or drainage defects are identified. This is more effective than seeking to infer Scheme performance from downstream river level or flow monitoring, where the effects of the Scheme could not reliably be separated from rainfall variability, antecedent catchment conditions, wider land use and other catchment influences.
- 3.4.18 Taken together, the Applicant considers that the Examination has demonstrated that the Scheme can be constructed, operated and ultimately decommissioned without increasing flood risk elsewhere or causing unacceptable effects on water quality or the water environment. Flood-sensitive infrastructure has been sequentially located and protected; the principal fluvial interactions at Gauze Brook and Gabriel's Well / Rodbourne Brook have been subject to detailed hydraulic modelling; functional floodplain and floodplain displacement have been addressed; formal drainage and firewater containment are provided for positively drained infrastructure; runoff from the wider Solar PV Sites is managed through soil, vegetation and drainage-pathway controls; NFM

opportunities have been proportionately investigated; and the long-term implementation, monitoring, maintenance and corrective-action regime is secured through the **Draft DCO [REP7-007]** and the associated management plans. On that basis, the Applicant considers the Scheme to be acceptable in hydrology, flood risk and drainage terms and consistent with the relevant requirements of NPS EN-1, national flood-risk policy and the applicable local drainage requirements.

3.5 Ecology

- 3.5.1 The Applicant has undertaken a comprehensive assessment of the Scheme's effects on ecological features. The assessment is presented principally in **ES Volume 1, Chapter 9: Ecology and Biodiversity [REP7-021]**.
- 3.5.2 A key matter of discussion during the Examination has been the extent of species-specific surveys that should be undertaken by the Applicant within the Cable Route Corridor.
- 3.5.3 The Applicant has consistently maintained that the survey strategy adopted for the Cable Route Corridor is appropriate and proportionate to the nature and scale of the Scheme's likely effects. This differs from the approach taken at the Solar PV Sites, where detailed species-specific surveys have been undertaken. The distinction reflects the differing nature of the proposed works: while habitat changes within the Solar PV Sites will persist for the operational lifetime of the Scheme, works within the Cable Route Corridor will be temporary and localised, with affected habitats reinstated following a relatively short construction period. In addition, flexibility remains at the detailed design stage to micro-site the final route of cable installation works in order to avoid certain identified impacts associated with this element of the Scheme in accordance with the mitigation hierarchy.
- 3.5.4 Where species-specific surveys have not been undertaken, the Applicant has adopted a precautionary approach by assuming the presence of protected and notable species within all suitable habitats. This approach is consistent with that adopted for several consented solar NSIP schemes incorporating substantial cable routes, including Cottam Solar Farm [EN010133], West Burton Solar Farm [EN010132] and Green Hill Solar Farm [EN010170]. This precautionary assessment is informed by a robust evidence base, including existing biological records, professional expertise regarding local species distributions, and comprehensive habitat surveys undertaken to establish baseline conditions and assess the suitability of habitats for protected and notable species. While the Applicant acknowledges Wiltshire Council's preference that detailed surveys of the whole of the Cable Route Corridor should occur, that is not considered proportionate nor necessary given the precautionary approach of assumed presence where surveys have not been undertaken.
- 3.5.5 Due to the anticipated temporary and localised nature of effects within the Cable Route Corridor, the Applicant has committed to managing construction-phase impacts on ecological features through a comprehensive package of avoidance, mitigation and control measures, including where species have been

assumed to be present on a precautionary basis. These measures are principally secured through the **Outline Ecological Protection and Mitigation Strategy (EPMS) [REP7-083]** and include protective fencing and buffers around retained habitats; pre-construction surveys and inspections; micro-siting of the final cable route; sensitive timing of works and established good-practice construction methods; lighting controls; and the appointment of an Ecological Clerk of Works (EcoCoW) to oversee relevant construction activities. In locations identified as particularly sensitive to cable installation works, including key watercourses suitable for aquatic and riparian species, trenchless crossing techniques will be employed to avoid direct impacts, as set out in the **Watercourse Crossing Schedule [REP3-122]**. Additional measures to manage the potential risks associated with trenchless techniques are also secured through the **Outline EPMS [REP7-083]**. The implementation of the Outline EPMS is secured through Requirement 8 of the **Draft DCO [REP7-007]**.

- 3.5.6 The **Outline EPMS [REP7-083]** has been refined through an iterative process during the Examination, informed by ongoing engagement with Wiltshire Council and other Interested Parties, including the Environment Agency, Natural England and Stop Lime Down. As a result of this process, additional avoidance, mitigation and protection measures have been incorporated for a range of ecological features, including riparian mammals, dormice, white-clawed crayfish and fish species. The Applicant notes Wiltshire Council has made a further submission relating to Method Statement 13 of **Outline EPMS [REP7-083]** regarding the approach to dormice at Deadline 7. To address this the Applicant refers to the response provided for Action Point 26 within the Written Summary of the **Applicant's Oral Submissions and Responses at Issue Specific Hearing 8 and Responses to Action Points [REP7-125]**.
- 3.5.7 Additional environmental protection measures relevant to ecology, including controls on noise, lighting, pollution, run-off, soil management and arboricultural protection, are set out in the **Outline Construction Environmental Management Plan [REP7-073]**, which will be secured through Requirement 13 of the **Draft DCO [REP7-007]**. The relationship between identified ecological risks, avoidance and mitigation measures, monitoring requirements, and their securing mechanisms is summarised in the **Mitigation Route Map [REP7-109]**.
- 3.5.8 Agreement has been reached with Natural England and the Environment Agency on the approach to ecological avoidance and mitigation measures within their respective remits, as recorded in the Statements of Common Ground. The Applicant notes that throughout the Examination, Wiltshire Council have not identified additional mitigation measures that it considers necessary to address the potential environmental effects of the Scheme in relation to the majority of ecological features. It is the Applicant's position that the avoidance and mitigation measures secured through the relevant management plans and Requirements in Schedule 2 of the **Draft DCO [REP7-007]** are sufficient to avoid significant adverse effects on ecological features within the Cable Route Corridor, as assessed in **ES Volume 1, Chapter 9: Ecology and Biodiversity [REP7-021]**.

- 3.5.9 As the Scheme's DCO application was submitted before November 2026, it is not subject to the statutory BNG requirements or associated approval process. However, the Scheme has sought to adhere to good practice and demonstrate delivery of a net gain for biodiversity nonetheless. A comprehensive assessment of the Scheme's baseline and post-development BNG values has been provided within the **BNG Assessment Report [REP7-068]** and through completion of the **Statutory Biodiversity Metric Calculation [REP7-070]**. The Scheme presents a comprehensive BNG package that goes beyond what will become the minimum statutory requirement that will take effect in November 2026.
- 3.5.10 The Council has raised concerns regarding the level of detail and presentation of the BNG information set out within the Applicant's documents, including the presentation of condition assessment data and the inclusion of application-specific habitat parcel references within the Metric to enable the Council to verify and corroborate the BNG assessment. The Applicant's position is that the inclusion of this information is neither mandatory nor necessary, and its reasoning for this approach has been set out in the Statement of Common Ground. Nevertheless, through ongoing consultation with the Council, the Applicant has provided some of the additional information requested, including botanical quadrat survey data and the separation of individual irreplaceable habitats (ancient and veteran trees) within the **BNG Assessment Report [REP7-068]** and **Statutory Biodiversity Metric Calculation [REP7-070]**. During the Examination, the Applicant agreed to provide Wiltshire Council with the BNG Geographic Information System (GIS) dataset underpinning the Applicant's BNG assessment. The dataset was issued to the Council on 18 June 2026 to assist in verifying and corroborating the Applicant's approach and assessment; however, it is understood that the data was not subsequently used to undertake any further review or analysis.
- 3.5.11 The Applicant's position is that the level of detail and presentation of BNG information provided within the **BNG Assessment Report [REP7-068]** and **Statutory Biodiversity Metric Calculation [REP7-070]** is consistent with the approach adopted for other solar NSIP projects that have not, to date, been subject to the statutory mandatory BNG regime, including the recently consented Green Hill Solar Farm [EN010170], and is sufficient to demonstrate the delivery of a substantial biodiversity net gain. The Applicant reiterates that the approach adopted goes beyond the mandatory requirements applicable to the Scheme. The Applicant also highlights that the Scheme exceeds the expectations set out in the recently published Government guidance on BNG for NSIP projects (NSIPs: Biodiversity Gain Statement for Energy) in terms of the extent of the Order Limits included within the BNG assessment. This guidance, which will apply to all NSIP applications submitted from November 2026, makes clear that a BNG assessment boundary smaller than the full Order Limits should be used for NSIP projects. By contrast, the Scheme's BNG assessment has considered the entirety of the Order Limits. These matters were discussed at ISH8 and subsequently explained in the **Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 8 and**

Responses to Action Points [REP7-125], which should be read alongside the Applicant's Closing Statement.

- 3.5.12 In respect of the removal of Access 14 near Bincombe Wood as agreed with Wiltshire Council, this means that hedgerow removal at SH141 as identified in the **TPO and Hedgerow Plan [REP7-006]** is no longer required. Corresponding updates have been made to Schedule 7 and 12 of the **Draft DCO [EN010168/APP/3.1]** (Revision 8) at Deadline 8 to reflect these changes. The Applicant notes that, on the basis that hedgerow removal at SH141 is no longer proposed, it expects this would result in nominal improvements to its BNG calculations, however these calculations have not been updated at Deadline 8.

3.6 Cultural Heritage

- 3.6.1 The assessment of designated heritage assets as detailed in **ES Volume 3, Appendix 12.1: Heritage Statement [APP-219]**, which was used to inform **ES Volume 1, Chapter 12 Cultural Heritage [REP3-017]**, is considered by Historic England to be proportionate. The Applicant has agreed with Wiltshire Council and Historic England that the overall conclusions within the ES are correct and that there would be no significant residual effects on any designated or built heritage assets.
- 3.6.2 The Applicant understands that there is a variation in assessment with Wiltshire Council regarding the potential for adverse heritage-based effects to the Grade II* Listed Grittleton House (NHLE 1022310). The Applicant has identified that there would be no harm to the significance of the asset resulting from local and temporary changes to use of agricultural land within the wider setting of the asset caused by the use of a compound area and the installation of cabling. The Applicant understands that Wiltshire Council has, however, raised concerns regarding the potential loss of income to local business during the construction phase of the Scheme, including Grittleton House. The Applicant understands Wiltshire Council consider that if there was a substantive adverse effect to the business revenue that operates within Grittleton House, this would have the potential for a secondary heritage-based impact arising from associated long-term adverse effects on the conservation of the building. The Applicant considers this to be principally a socio-economic issue rather than a heritage effect arising from the Scheme (please see Section 3.7 below on Social-Economics). The Applicant does not concur with Wiltshire Council's assertion that the construction phase of the Scheme has the potential to cause a loss of income of a scale or nature that would adversely affect the conservation of the asset. As stated in the **Statement of Common Ground with Wiltshire Council [EN010168/EXAM/8.2]** (Revision 6), while Wiltshire Council has identified a potential for harm to the significance of the asset, they agree that this would not result in a significant heritage-based adverse effect.
- 3.6.3 The Applicant understands that there is one outstanding archaeological disagreement, which primarily relates to the process and timing for securing archaeological mitigation and the nature of the documentation provided to achieve this, rather than the proposed mitigation itself being inadequate.

- 3.6.4 The Applicant understands that both Wiltshire Council and Historic England are in agreement with the Applicant that the archaeological assessment provided in **ES Volume 1, Chapter 12 Cultural Heritage [REP3-017]**, supported by the results of the archaeological desk-based assessment and evaluation works **[APP-220 to APP-229, REP5-104 and REP6-063]**, is proportionate and in line with appropriate policy and guidance. The Applicant also understands that both parties are in agreement with the identification of areas requiring archaeological mitigation and the mitigation hierarchy that has been used in order to ensure appropriate mitigation is secured for archaeological remains. For example see Historic England's response to the Examining Authorities Second Written Questions, where Historic England state *"The applicant has shown that they applied the mitigation hierarchy across the whole site by identifying areas for preserving the archaeology in grassland where there will be no panels. Where this cannot be achieved, they are seeking to reduce the harm by looking at alternative foundation designs and micro-siting panels to avoid some of the archaeology. Where they cannot do this excavation areas have been identified. The final location and extent of these are still to be agreed and finalised through the oAMS (Overarching Archaeological Mitigation Strategy)" [REP6-075]*. The Applicant would also highlight that it understood until only near the end of the Examination period that Historic England were in agreement that the **Outline Archaeological Mitigation Strategy (AMS) [REP7-056]** provided a sufficient mechanism to secure mitigation, as highlighted in their response to the Second Written Questions. The Applicant understands that Historic England's request for a DAMS occurred following Issue Specific Hearing 5, which they were unable to attend, to align with the request from Wiltshire Council. The Applicant has undertaken extensive consultation with both Historic England and Wiltshire Council from the pre-application period through to the examination period. All feedback provided during examination period related to the contents of the Outline AMS has been used to produce the final version of the document **[REP7-056]**. The Applicant understands that while both stakeholders have approved the contents of the **Outline AMS [REP7-056]** (see paragraph 1.47 of Wiltshire Council Responses to Action Points Arising from the Hearings, which states *"To date the Applicant's consultants have prepared an Outline Archaeological Mitigation Strategy (oAMS), which has been approved by WCAS."* **[REP7-135]**), their preference would be for the production of a Detailed Archaeological Mitigation Strategy (DAMS), as, in their view, a DAMS follows the standard process of documentation for DCO development schemes in Wiltshire.
- 3.6.5 The **Outline AMS [REP7-056]** has used baseline information to identify areas of archaeological remains which require mitigation. It has proposed appropriate mitigation measures with consideration to the character of archaeological remains and the potential impacts caused by the different forms of infrastructure associated with the Scheme. This includes consideration to areas of high impact (for example as a result of BESS, substation and the cable route corridor) and those where there is likely to be a low impact (i.e. resulting from piling from solar PV panels). The **Outline AMS [REP7-056]** details the roles and responsibilities of stakeholders (for example Historic England, Wiltshire Council, the developer and archaeological contractors). It also includes

sufficient scope for the management of any unexpected finds, commits to the appropriate management of areas of preservation in situ, and details the measures required for the post excavation, archiving and dissemination stages of the works.

- 3.6.6 The Applicant requested that Wiltshire Council and Historic England provided examples of DAMS that have been produced to inform archaeological mitigation works in Wiltshire. The two examples provided related to the A303 Amesbury to Berwick Down, which is a road scheme through the Stonehenge World Heritage Site, and the A417 Missing Link, which is a road scheme in Gloucestershire. While the Applicant notes that both stakeholders have stated that the production of a DAMS is part of their local process, we are only aware of one DCO Scheme in Wiltshire where a DAMS has been produced, which the Applicant does not consider comparable to the Scheme. The Applicant would further highlight that neither Wiltshire Council or Historic England have been able to detail what additional control, information or decision-making process a DAMS would provide on a solar scheme that is not already secured through the process laid out by the Applicant. Requirement 12 ensures adequate provision is secured for archaeological mitigation prior to any impacts as a result of the Scheme as it requires SSWSIs, which are substantially in accordance with the Outline AMS, to be submitted and approved by the relevant planning authority prior to the commencement of that part of the authorised development.
- 3.6.7 It should be noted that there is a substantial difference in the level and nature of impact to archaeological remains caused by solar and other DCO schemes, such as road schemes. For example as stated in paragraph 2.10.101 of NPS EN3 the below ground impacts of solar schemes are generally limited, and as detailed in the Archaeology and Solar Farms Good Practice Guide (Ref 10), prepared by the Association of Local Government Archaeological Officers, Chartered Institute for Archaeologists, the Federation of Archaeological Managers and Employers (FAME), Historic England and Solar Energy UK, there are a variety of design solutions that can be deployed on solar schemes to secure the best mitigation solution for archaeological remains (see Appendix E of **Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 5 and Responses to Action Points [REP7-122]**). It should also be noted that while an outline design has been provided as part of the DCO application, the detailed design for the Scheme will be developed post consent of the DCO application.
- 3.6.8 While the Applicant acknowledges regional differences in the character, nature and form of such remains, baseline information has not identified any archaeological remains that would require a substantively different approach in process with consideration to other consented solar DCO schemes. As demonstrated in the Table 3-1 there is only one consented solar DCO scheme where a DAMS is required as part of the approach to mitigating archaeological remains. The industry standard approach comprises Overarching/Outline WSIs or AMSs supported by WSI produced post-determination of the DCO application. It should be noted that Overarching/ Outline WSI and AMS are equivalent approaches, albeit with different naming conventions.

Table 1 Archaeological Mitigation Approach of Consented Solar DCO Schemes

Project reference	Project name	Region	Archaeological mitigation approach	Link to DCO as made by the Secretary of State
EN010085	Cleve Hill Solar Park	South East	Outline WSI	link
EN010101	Little Crow Solar Park	Yorkshire and the Humber	Archaeological Management Plan supported by WSIs	link
EN010106	Sunnica Energy Farm	Eastern	Detailed Archaeological Mitigation Strategy	link
EN010118	Longfield Solar Farm	Eastern	Overarching WSI supported by WSIs	link
EN010122	Oaklands Farm Solar Park	East Midlands	WSIs	link
EN010123	Heckington Fen Solar Park	East Midlands	Overarching WSI supported by WSIs	link
EN010127	Mallard Pass Solar Project	East Midlands	Outline WSI	link
EN010131	Gate Burton Energy Park	East Midlands	AMS supported by WSIs	link
EN010132	West Burton Solar Project	East Midlands	WSIs	link
EN010133	Cottam Solar Project	East Midlands	WSIs	link
EN010135	Stonestreet Green Solar	South East	AMS supported by WSIs	link
EN010139	Byers Gill Solar	North East	AMS supported by WSIs	link

Project reference	Project name	Region	Archaeological mitigation approach	Link to DCO as made by the Secretary of State
EN010140	Helios Renewable Energy Project	Yorkshire and the Humber	AMS supported by WSIs	link
EN010142	Tillbridge Solar Project	East Midlands	AMS supported by WSIs	link
EN010143	East Yorkshire Solar Farm	Yorkshire and the Humber	Overarching WSI supported by WSIs	link
EN010149	Springwell Solar Farm	East Midlands	AMS supported by WSIs	link
EN010151	Beacon Fen Energy Park	East Midlands	AMS supported by WSIs	link
EN010152	Fenwick Solar Farm	Yorkshire and the Humber	AMS supported by WSIs	link
EN010155	Dean Moor Solar Farm	North West	AMS supported by WSIs	link
EN010157	Peartree Hill Solar Farm	Yorkshire and the Humber	Archaeological Management Strategy supported by WSIs	link
EN010159	One Earth Solar Farm	East Midlands	AMS supported by WSIs	link
EN010170	Green Hill Solar Farm	East Midlands	AMS supported by WSIs	link

3.6.9

The Applicant considers the **Outline AMS [REP7-056]** to form a proportionate, policy-compliant and industry-standard mechanism for securing archaeological mitigation. The **Outline AMS [REP7-056]** has been derived with consideration to the nature of archaeological remains that could be impacted by the Scheme and the form of potential impact caused by the Scheme. It provides a scheme-wide framework for mitigating archaeological remains with sufficient technical detail to ensure the optimal approach is taken. Sufficient mechanisms are in place to ensure any detail not included within the **Outline AMS [REP7-056]** will be included within SSWSIs following detailed design of the Scheme. The

Outline AMS [REP7-056] prescribes the level of detail that the SSWSIs need to contain, including the production of a site wide sampling strategy in line with Historic England advice. Requirement 12 specifies that these SSWSIs must be submitted to and agreed by the local planning authority, and must be substantially accordance with the AMS prior to the commencement of that part of the authorised development.

- 3.6.10 As such the process set out by the Applicant is considered to provide sufficient control mechanisms to ensure a robust approach is taken to mitigating impacts to archaeological remains. Should the Examining Authority and Secretary of State form a different view however, the Applicant has provided alternative drafting for Requirement 12, on a without prejudice basis, at section 3.8.16 below to reflect the provision of a DAMS.

3.7 Socio-Economics

- 3.7.1 Principal matters discussed throughout the Examination with respect to socio-economics have largely surrounded impacts to local businesses, including equine facilities, as a result of the Scheme. The Applicant has sought to address comments raised by Interested Parties and Wiltshire Council through written responses, refinement of mitigation measures, provision of additional information supporting its assessment work, and engagement with key stakeholders. The Applicant has sought to provide additional assurances to the Examining Authority, Wiltshire Council, and affected Interested Parties that the Applicant has assessed business impacts sufficiently, and potential effects are appropriately managed through secured design or mitigation measures.
- 3.7.2 The Applicant has sought to proactively engage with the Council as recorded through the **Statement of Common Ground with Wiltshire Council [EN010168/EXAM/8.2]** (Revision 6) by responding to concerns raised and actioning requests for additional mitigation measures or targeted information.
- 3.7.3 The Council's request for additional business surveys or financial compensation to businesses indirectly affected by the Scheme has not been supported by the Applicant. This is due to the Applicant's position being that mitigation measures secured through the relevant management plans by the Requirements in Schedule 2 of the **Draft DCO [REP7-007]** are sufficient to avoid significant adverse effects to businesses, and that the implementation of those additional compensatory requirements would be disproportionate and unimplementable. These matters therefore have not been able to be agreed.
- 3.7.4 The assessment of socio-economic impacts undertaken in **ES Volume 1, Chapter 16: Socio-Economics, Tourism and Recreation [REP7-017]** identified no significant effect to business sectors within the assessed areas, subject to implementation of mitigation measures to reduce impacts on the visual environment, transport, public rights of way, and amenity. The application of these mitigation measures is either universal to the Scheme, or tailored to immediate context (such as residential dwellings, neighbouring facilities, or the alignment of public rights of way) such that the Applicant is confident that no

additional business-specific assessment was necessary to identify the likelihood of significant effects arising.

- 3.7.5 Concerns were raised by Wiltshire Council and Interested Parties that mitigation measures would be insufficient to substantially reduce impacts on perception of the surrounding environment in which local businesses operate. Part of this critique has been that the Applicant's assessment has not specifically considered the sensitivity of individual businesses (both equine and not). This was considered in the context of client confidence in equine facilities being able to maintain a suitable environment for high-value horses, that tourists or day-trippers would not be deterred from visiting the area and spending in local hospitality, or that people hiring venues for events such as weddings or recreational clubs would be deterred from booking. The primary concern was that these impacts to clients or user preference or visitation would substantially decrease business turnover and therefore viability. Requests for greater information on these were made by the Examining Authority through their Written Questions **[PD-010, PD-014]**. In response, the Applicant has committed to further bespoke mitigation measures being applied where appropriate, to ensure client confidence would be retained.
- 3.7.6 The Applicant provided two technical notes to provide more detail on effects to local businesses; the **Equine Business Report [REP7-111]**, and **Technical Note on Impacts to Non-Equine Businesses [REP5-111]**.
- 3.7.7 The **Equine Business Report [REP7-111]** identified an extended baseline understanding of equine businesses, and supplying or supporting services in the local (5 km) area, the likely impacts of the Scheme on those businesses and direct impacts to horses at those facilities or on surrounding hacking routes. This document was supported by specialist veterinary knowledge to identify impacts to horse health, behaviour and handling capabilities, and identify opportunities for additional mitigation measures to be implemented. Resultantly, the Applicant found there were no significant adverse effects to equine businesses, meaning that there would not be material long-term impacts to turnover, employment or viability.
- 3.7.8 Similarly, the **Technical Note on Impacts to Non-Equine Businesses [REP5-111]** provided a summary of baseline conditions in the local (5 km) area, the likely impacts of the Scheme on those businesses, the extent of commentary and responses presented during examination, and where the Applicant had committed to further mitigation measures or communication channels with business owners (such as Grittleton House which was explicitly identified during the examination). Resultantly, the Applicant found there were no significant adverse effects to any businesses, meaning that there would not be material long-term impacts to turnover, employment or viability.
- 3.7.9 Through the Examination, the Applicant has sought to strengthen commitments to mitigate impacts on socio-economic conditions in response to the concerns raised by Interested Parties.
- 3.7.10 Within Table 3 of the **Equine Business Report [REP7-111]** 'Additional Committed Measures' have been identified and committed to by the Applicant to

improve conditions for equine businesses. This includes commitment to an independent equestrian expert being appointed to the Community Liaison Group, temporary noise screening between noisy onsite works and neighbouring equine facilities, implementation of stop protocols for workers in the event of horses being distressed or endangered by onsite activity, and additional HGV driver training to respond to meeting equestrian road users. These are secured through the **Outline Terms of Reference for the Community Liaison Group [REP7-133]** for the Community Liaison Group, the **Outline Construction Environmental Management Plan [REP7-073]**, **Outline CTMP [REP7-087]**, and **Outline Public Right of Way and Permissive Paths Management Plan [REP1-104]**, pursuant to Requirements 4, 13, 15, and 16 respectively in Schedule 2 of the **Draft DCO [REP7-007]**. The Applicant has provided these measures to give equine business owners confidence that their operational environment for keeping and breeding horses would not be significantly adversely affected by the Scheme. The Scheme will deliver mitigation that will appropriately manage any environmental effects of the Scheme on equine businesses.

- 3.7.11 The Applicant has committed to the provision of a Stakeholder Communication Plan, secured via the **Outline Construction Environmental Management Plan [REP7-073]** by Requirement 13 of the **Draft DCO [REP7-007]**, drafted in consultation with the Community Liaison Group. However, as part of engagement with Affected Persons and some Interested Parties, particularly those with businesses closely located to elements of the Scheme, the Applicant has committed to ensuring those business owners and operators are included in all post-consent communications. The Applicant has furthermore committed to ensuring each of these parties is invited to be part of the Community Liaison Group. The **Outline Terms of Reference for the Community Liaison Group [REP7-133]** for the Community Liaison Group were provided on request at Deadline 7, and drafted in consultation with Wiltshire Council and Stop Lime Down. The Applicant confirms these are in outline only, and finalisation of details for the Terms of Reference for the Community Liaison Group are subject to agreement by Wiltshire Council pursuant to Requirement 4 of Schedule 2 of the **Draft DCO [REP7-007]**. This is intended to allow greater engagement between business owners, members of the public, and the Applicant post-consent, in an effort to mitigate concerns and anxieties around unknown elements of the construction and operational phase of the Scheme. This communication channel is also to be used for business owners to inform the Applicant of any operational sensitivities that the Applicant should be aware of so that, where practicable, construction work can be altered to minimise effects.
- 3.7.12 The Applicant furthermore confirms that the provision of the Community Liaison Group at construction, peak replacement events, and at decommissioning, along with the long-term provision of a dedicated community liaison contact point during the Scheme's operation, are provided to address mental health concerns around the Scheme. This has been considered in coordination with Wiltshire Council's Public Health team, recognising that access to suitable information, opportunities to influence the Scheme where appropriate, and

having defined lines for complaints handling will aid the reduction of community concerns and anxiety surrounding the Scheme.

- 3.7.13 The Applicant has committed to iterative updates to the **Outline Skills, Supply Chain and Employment Plan [REP3-104]** throughout the examination in response to discussions with Wiltshire Council and as requested by the Examining Authority. These have been to: include explicit reference to stakeholders to be engaged with pursuant to the development of the full Skills, Supply Chain and Employment Plan post DCO-consent; provide greater commitments to apprenticeship, STEM education and career advice, and local recruitment at each major phase (construction, peak replacement, and decommissioning) of the Scheme; and commit to greater monitoring and enhanced safeguarding procedures. As such, these are now secured through Requirement 18 of Schedule 2 to the **Draft DCO [REP7-007]**.

Equine Submissions at Deadline 7

- 3.7.14 The Applicant notes that further submissions regarding Equine Health were made at Deadline 7. To address the points raised, the Applicant has further considered the research paper (Henke-von der Malsburg and König von Borstel, 2026) referenced by Dr Anne-Marie Farrington **[REP7-153]**, particularly the suggestion that exposure to noise could adversely affect feeding behaviour in horses, with consequential implications for the growth and welfare of foals. The Applicant's response in this Closing Statement should be read together with the matters discussed in ISH8 as detailed in **Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 8 and Responses to Action Points [REP7-125]** and responses to points raised at Deadline 6 & 6B by Interested Parties at 3.4, 6.2, 6.3 in **The Applicant's Response to Outstanding Matters from Deadline 6 and the Submission Received at Deadline 6B [REP7-121]**.
- 3.7.15 The Applicant considers that caution is required when interpreting the findings of this study and applying them to the circumstances of the Scheme. The research examined short-term behavioural and physiological responses to recorded traffic noise played through speakers, rather than exposure to actual traffic or construction activities. The study itself acknowledges the limitations of using reproduced sound as a representation of real-world conditions. There are also methodological limitations that affect the weight which can reasonably be attributed to its conclusions. These include the absence of a control involving alternative noise sources, uncertainty regarding the horses' prior habituation to the experimental equipment and observers, and the potential influence of individual characteristics, existing health conditions and management arrangements on the observed responses. Furthermore, the study relied on intermittent behavioural observations rather than continuous monitoring of feeding activity, limiting the extent to which conclusions can be drawn regarding actual food consumption.
- 3.7.16 The Applicant also notes that changes in heart rate, when considered in isolation, cannot reliably establish the presence or severity of stress, particularly where other physiological and behavioural indicators have not been

comprehensively assessed. Importantly, the study did not examine chronic or long-term effects, nor did it establish any relationship between exposure to noise and adverse outcomes for foal development or growth. Of particular relevance, the research identified an initial increase in heart rate following exposure to unfamiliar noise, whilst the reported changes in feeding behaviour between successive observations may indicate an element of habituation. The findings therefore do not establish that exposure to noise would result in sustained disruption to feeding behaviour. Accordingly, whilst the Applicant recognises the importance of managing potential disturbance to horses during construction, it does not consider that this research provides a robust evidential basis for concluding that the Scheme would result in prolonged feeding disruption, compromised foal growth or equine welfare effects.

- 3.7.17 In respect of potential risks related to BESS fires, the Applicant maintains the conclusions of its Air Quality Assessment set out in **ES Volume 1 Chapter 15: Air Quality [REP2-008]** and its position set out at Issue Specific Hearing 8 regarding dispersal and distances of exposure for particulates from a BESS fire.
- 3.7.18 The Applicant maintains that potential impacts should be considered in the context of the actual nature, duration and location of construction activities. While construction activities may result in localised short-term disruption and temporary management adjustments, the project-specific mitigation and management measures secured through the relevant outline management plans and subsequently approved detailed plans, alongside communication channels established through the Community Liaison Group, are sufficient to ensure that equine business owners' concerns during the Scheme's construction can be suitably addressed.
- 3.7.19 The Applicant confirms that whilst further information has been submitted through the Examination period and the presentation of the Equine Business Report, alongside further discussion points in hearings, fundamentally the conclusions of **ES Volume 1, Chapter 16: Socio Economics, Tourism and Recreation [REP7-107]** as submitted have not changed, and the mitigation measures specific to Equine facilities as set out in Table 3 of the **Equine Business Report [REP7-111]** provide robust controls to ensure any effects are not significant, temporary and appropriately mitigated during the construction, operation, and decommissioning of the Scheme.

3.8 Draft Development Consent Order

Definition of "maintain"

- 3.8.1 The definition of "maintain" in Article 2 of the **Draft DCO [REP7-007]** has been a matter of discussion throughout the Examination, most recently at ISH9. Wiltshire Council, in its comments on any submissions received at Deadline 6 **[REP7-134]** has suggested that the definition should be amended to read as follows:

"maintain" includes inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace (including scheduled replacement within the parameters assessed in

the environmental statement and secured by the documents certified under article 42 and the requirements) and improve any part of the authorised development and 'maintenance' and 'maintaining' are to be construed accordingly".

3.8.2 The Applicant's position is that no such amendment is necessary or appropriate. The current definition must be read together with Article 5(3), which limits maintenance activities to those not likely to give rise to any materially new or materially different effects from those assessed in the Environmental Statement, and which therefore provides the appropriate substantive control. The additional wording proposed by Wiltshire Council is, in substance, a restatement of the constraint already imposed by Article 5(3), and its incorporation into the definition rather than the operative provisions would be contrary to proper drafting practice. This Scheme has specifically assessed the complete replacement of the solar PV panels and BESS in the Environmental Statement, making any additional limitation on the face of the definition disproportionate.

3.8.3 The Applicant notes that the Secretary of State has recently confirmed drafting in the made Green Hill Solar Farm DCO that is consistent with that proposed by the Examining Authority in Second Written Question DCO2.4. On that basis, the Applicant has incorporated amendments to the definition of "maintain" at Deadline 8 to align with this drafting. The definition of maintain now reads as follows:

*"maintain" includes inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace (including scheduled replacement) and improve any part of, **but not remove, reconstruct or replace the whole of,** the authorised development and "maintenance" and "maintaining" are to be construed accordingly;*

3.8.4 The Applicant has informed Wiltshire Council of this change and Wiltshire Council has noted its agreement to this in the Statement of Common Ground.

Article 16 – notice periods and deemed consent

3.8.5 In its comments on any submissions received at Deadline 6 [REP7-134] Wiltshire Council raises two outstanding points in respect of Article 16:

3.8.6 Wiltshire Council maintains that the four-week notice period in Article 16(5)(a) is insufficient to enable it to discharge its traffic authority and network management functions properly, and it has sought an eight-week period with the addition of the words "*unless a shorter period is agreed in writing by the traffic authority*".

3.8.7 The Applicant's position is that the four-week period in Article 16(5)(a) is a notification provision only, and does not require the traffic authority to review or approve the proposed traffic regulation measures within that timeframe. The substantive approval of any traffic regulation measure exercised under Article 16 must first be secured through the Construction Traffic Management Plan (CTMP) approval process under Requirement 15 which provides for a 10-week approval period. The four-week notification period in Article 16(5)(a) therefore

operates after the substantive approval of the relevant measure has already been granted. The Applicant also notes that a traffic regulation measure that had not been approved through the CTMP process would constitute a breach of Requirement 15(4), which requires that works are carried out in accordance with the approved CTMP.

- 3.8.8 Wiltshire Council considers that the deemed consent mechanism in Article 47 should not apply to consents required under Article 16(4)(b), and has requested the insertion of a new Article 16(8) in the following terms:

"Article 47 does not apply to any consent required under article 16(4)(b)."

- 3.8.9 The Applicant does not consider the proposed new Article 16(8) to be necessary or proportionate, given that all traffic regulation measures exercised under Article 16 must first be approved through the CTMP process under Requirement 15, and Article 47 does not therefore operate as the primary consent route for such measures in practice. The Applicant is also not aware of such drafting having precedent in made solar DCOs.

Requirement 2 – written scheme of phasing

- 3.8.10 Requirement 2 of the **Draft DCO [REP7-007]** provides that no part of the Scheme may commence until a written scheme setting out the phase or phases of construction has been submitted to the relevant planning authority. Wiltshire Council has sought an amendment to Requirement 2 to require that the phasing scheme must also be subject to approval by the Council. The Applicant does not consider it necessary or appropriate for the phasing scheme to be approved. The Environmental Statement has assessed, as the worst case scenario, all of the authorised development being built out simultaneously. The Applicant's position is that any sequencing of the construction works is a matter for the Applicant to determine taking into account multiple factors, including ecological seasonal constraints, climatic conditions, supply chain and work force availability. Matters relevant to planning, environmental mitigation and design are already covered by other Requirements and the approval of the various management plans. Therefore the phasing of the works is a matter for the Applicant to determine and there is no planning reason that necessitates an approval mechanism.
- 3.8.11 The purpose of Requirement 2 is to enable Wiltshire Council to understand when it will need to allocate resource to the discharge of other Requirements, and that purpose is fully achieved by the current notification drafting. The Applicant's position is therefore that no amendment to introduce an approval mechanism is necessary or appropriate. The Applicant notes that the Secretary of State has recently confirmed this drafting as appropriate in the made Green Hill Solar Farm Order 2026.

Requirement 4 – Community Liaison Group

- 3.8.12 Requirement 4 of the **Draft DCO [REP7-007]** concerning the establishment and operation of the Community Liaison Group (CLG), was the subject of discussion at ISH9, with Stop Lime Down and Wiltshire Council both raising concerns

regarding the timing of the CLG's establishment, the duration of its operation following commissioning, and the need to secure an outline terms of reference as an approved document. At Deadline 7, the Applicant updated the **Draft DCO [REP7-007]** so that Requirement 4 now provides that the terms of reference submitted to Wiltshire Council for approval must be substantially in accordance with the outline terms of reference. The **Outline Terms of Reference for the Community Liaison Group [REP7-133]** (Outline ToR) were drafted with input from Wiltshire Council and Stop Lime Down and submitted at Deadline 7. The **Outline ToR [REP7-133]** have also been included as a certified document in Schedule 13 as requested. The Applicant notes that Wiltshire Council, in its comments on any submissions received at Deadline 6 **[REP7-134]** and its post hearing submissions **[REP7-135]** has suggested revised drafting for Requirement 4 and the amendment of the **Outline ToR [REP7-133]**.

3.8.13 It is the Applicant's position that these proposed amendments are already substantively addressed. On duration, paragraph 1.2.4 of the **Outline ToR [REP7-133]** is clear that the CLG will remain active from pre-construction mobilisation through to one year following final commissioning of the Scheme, during peak replacement activities and at the decommissioning stage. Paragraph 1.5.2 further provides that prior to the first anniversary of the date of final commissioning, the CLG will discuss and agree whether it is appropriate and proportionate for it to continue in operation for a further period of 12 months. The Applicant submits that this framework is proportionate and workable, and that a fixed five-year post-commissioning period of the kind sought by the Council is not justified. On engagement with management plans and control documents, paragraph 1.1.4 of the **Outline ToR [REP7-133]** expressly provides that the CLG must be established prior to the submission of details for approval pursuant to Requirement 5 of the DCO, enabling the Applicant and the CLG to engage on the design of the Scheme. Paragraph 1.2.3(c) provides that the CLG will review and discuss matters relating to environmental management, traffic and access, farming, equine, business and other community impacts, including community wellbeing, and corresponding mitigation, and other matters identified in the DCO and its management plans and control documents.

3.8.14 The Applicant's position is that the **Outline ToR [REP7-133]** sufficiently captures the CLG's engagement role in relation to the detailed management plans and control documents, and that no further amendment to either Requirement 4 or the **Outline ToR [REP7-133]** is required. The Applicant notes that the provision of **Outline ToR [REP7-133]** and the proposed timeframes goes beyond what the Secretary of State has recently confirmed for Requirement 4 in the made Green Hill Solar Farm Order 2026.

Requirement 12 – the need for a Detailed Archaeological Mitigation Strategy

3.8.15 Requirement 12 of the **Draft DCO [REP7-007]** currently provides that, prior to the commencement of any part of the authorised development, a written scheme of investigation for archaeological mitigation for that part is submitted to

and approved by the relevant planning authority, with any such scheme to be substantially in accordance with the **Outline Archaeological Mitigation Strategy [REP7-056]** (Outline AMS) and to take into account the final design of the authorised development. Wiltshire Council Archaeology Service (WCAS) and Historic England maintain that this mechanism is insufficient, suggesting that a Detailed Archaeological Mitigation Strategy (DAMS) covering the whole scheme area including the cable route, setting out the methodology for each form of mitigation field by field, defining the roles and responsibilities of all stakeholders, and establishing a timetable for the production and approval of site-specific written schemes of investigation (SSWSIs) must be approved before any part of the authorised development commences.

- 3.8.16 The Applicant's position, as set out above from paragraph 3.6.3 is that a separate DAMS is not required as the matters that have been raised by WCAS and Historic England are sufficiently addressed in the **Outline AMS [REP7-056]**. However, should the Secretary of State disagree, the Applicant has provided the following drafting below for Requirement 12 on a without prejudice basis, which would replace Requirement 12 of the Draft DCO as follows:

Archaeology

12.—(1) No part of the authorised development may be commenced until a detailed archaeological mitigation strategy for that part has been submitted to and approved by the relevant planning authority.

(2) The detailed archaeological mitigation strategy must be substantially in accordance with the outline archaeological mitigation strategy.

(3) The detailed archaeological mitigation strategy must be implemented as approved.

Requirement 13 – Permitted Preliminary Works Environmental Management Plan

- 3.8.17 Wiltshire Council maintains that the **Permitted Preliminary Works Environmental Management Plan (PPWEMP) [REP7-113]** should be treated as an outline document only, with a detailed plan submitted to and approved by the local planning authority prior to any permitted preliminary works being undertaken. Wiltshire Council has also requested that the PPWEMP should be a standalone Requirement. The Applicant's position is that the **PPWEMP [REP7-113]** is submitted as a final, detailed management plan providing the environmental controls necessary to govern permitted preliminary works from the point those works commence. Requirement 13(1) requires all permitted preliminary works to be carried out in accordance with the **PPWEMP [REP7-113]**. As the proposed controls and mitigation measures required for the permitted preliminary works are already detailed and secured through the **PPWEMP [REP7-113]**, there is no further detail outstanding that necessitates an outline and detailed approval process. An approval process is not considered to be proportionate before carrying out any permitted preliminary

works given the nature of the permitted preliminary works, which include activities such as non-intrusive site surveys.

- 3.8.18 The Applicant therefore maintains that Requirement 13(1) is appropriate as currently drafted, that no amendment to the PPWEMP's status in Schedule 13 is warranted, and that the introduction of a standalone Requirement to this effect is unnecessary.

Requirement 20 – confirmation of decommissioning completion

- 3.8.19 Wiltshire Council contends that a provision must be included within Requirement 20 requiring the undertaker formally to submit to the local planning authority confirmation that all decommissioning activities have been completed, for the Council's approval and formal confirmation. The Applicant maintains its position that the existing controls within Requirement 20 are sufficient for this purpose. Requirement 20(4) already requires the final decommissioning plan to include a timetable for implementation and Requirement 20(6) requires that the plan must be implemented as approved; accordingly, the Applicant does not consider that a backstop date on the face of the DCO is necessary given this control mechanism.
- 3.8.20 Furthermore, paragraph 6.2.3 of the **Outline Decommissioning Strategy [REP7-077]** already provides for quarterly monitoring reports to be submitted to Wiltshire Council and a further report following the completion of decommissioning works, which the Applicant considers together to be equivalent to a formal completion mechanism. Any failure to decommission in accordance with the approved timetable would be enforceable under the Planning Act 2008, and a separate formal completion submission requiring the Council's approval and confirmation is therefore not considered necessary. In response to the Examining Authority's Action Point 7 from Issue Specific Hearing 9, the Applicant has included updated wording at paragraph 2.2.1 of the **Outline Decommissioning Strategy [REP7-077]** submitted at Deadline 7 to clarify that decommissioning is expected to take between 12 and 24 months as assessed in the Environmental Statement, and that any change to this time period that would result in materially new or materially different environmental effects would need to be identified when the detailed Decommissioning Strategy is prepared.
- 3.8.21 It is therefore the Applicant's position that no amendment to Requirement 20 is required in this regard.

Schedule 16

- 3.8.22 Wiltshire Council suggests that Schedule 16 should be amended in three respects:
- a. that the period for the determination of discharge applications should be extended from ten weeks to twelve weeks in paragraph 2(2);

- b. that the period for requesting further information should be extended from 15 working days to 20 working days in paragraph 3(2); and
- c. that each charge within paragraph 5 should be supplemented with the words "or the fees applicable at the time of application by the Applicant."

3.8.23 The Applicant does not agree with these proposed amendments and responded to each of those proposed amendments in detail in its responses to WCD1-032, WCD1-033 and WCD1-034 in its response to comments received at Deadline 2 **[REP3-129]**. The Applicant considers that ten weeks is an appropriate and sufficient period for the Council to determine a discharge application, and that 15 working days is an appropriate timescale within which to request further information; the Applicant notes in this regard that it is in its own interests to collaborate closely with Wiltshire Council before formally submitting an application to discharge a Requirement, so as to maximise the prospects of approval, and that the 15-working-day period should therefore be read in that collaborative context rather than as a rigid procedural constraint. In respect of the fees provision, the Applicant does not consider that a rolling fees mechanism of the kind proposed by the Council is necessary or appropriate, and no amendment to Schedule 16 is proposed. The Applicant notes that the Secretary of State included a 10 week/15 working days process in the recently consented Green Hill Solar Farm Order 2026.

Use of "substantially in accordance"

- 3.8.24 The Environment Agency contends that the use of the phrase "substantially in accordance with" in the Requirements undermines the enforceability of the consented proposals and risks eroding the environmental protections put in place, on the basis that the overarching outline plans leave significant scope for detail to be resolved at a later stage. The Environment Agency has accordingly requested that the word "substantially" be removed from those Requirements where it appears. The Applicant does not agree that any such amendment is required or appropriate. The use of "substantially in accordance with" is a standard and well-precedented approach (again affirmed in the recently made Green Hill Solar Farm Order 2026), and is the appropriate mechanism through which the Rochdale Envelope principle is given effect. It provides the flexibility necessary to tailor the final, detailed management plans to the detailed design of the Scheme without undermining the controls applicable to that process. The detailed management plans must in each case be submitted to and approved by the relevant planning authority, with consultation with the Environment Agency where applicable, before the relevant works commence, and must thereafter be implemented as approved. The phrase "substantially in accordance with" does not permit the approved framework to be weakened but rather allows the detail required for the approved plan to be developed and agreed post-consent in a proportionate and practical manner.
- 3.8.25 Furthermore, Requirement 3 provides an additional and important safeguard: any amendment to a certified or approved document must demonstrate that it would not give rise to materially new or materially different environmental effects compared with those assessed in the Environmental Statement, which

prevents environmental protection being eroded through detailed design or changes to construction methodology. The Applicant therefore considers that the existing drafting strikes the appropriate balance between design flexibility and enforceability, and no amendment to remove "substantially" from the Requirements is necessary or justified.

New Flood Risk Requirement

- 3.8.26 The Environment Agency has requested that a separate, standalone flood mitigation Requirement should be included in the **Draft DCO [REP7-007]** in respect of Lime Down C1, specifically to address the location of the substation within Field C33 and its relationship with mapped surface water flow routes. The Applicant's position, as set out in its response to FHW2.5 in the **Applicant's Response to the Examining Authority's Second Written Questions [REP5-097]** is that an additional standalone flood mitigation Requirement is not necessary.
- 3.8.27 **ES Volume 3, Appendix 11-4 Flood Risk Assessment and Drainage Strategy for Lime Down C1 [REP7-046]** confirms that the approach at detailed design is to locate the substation outside the mapped surface water flow routes within Field C33 and the **Design Principles and Parameters [REP7-066]** were updated at Deadline 7 to require the substation to be located in Flood Zone 1. Where necessary, proportionate hydraulic modelling will be undertaken at the detailed design stage to demonstrate that flood conveyance and storage are maintained and that flood risk is not increased elsewhere, with any mitigation identified incorporated into the detailed design.
- 3.8.28 The detailed design is also subject to approval under Requirement 5 of the **Draft DCO [REP7-007]**, which requires the Applicant to demonstrate that the detailed design would not give rise to materially new or materially different environmental effects from those reported in the Environmental Statement, in accordance with Schedule 16. This provides the controlling mechanism through which the flood risk assessment and any necessary mitigation will be considered and approved before development in Lime Down C1 may commence. The Applicant therefore considers that the substantive flood risk controls sought by the Environment Agency are already secured through the existing DCO framework, and that a separate flood mitigation Requirement would duplicate those controls unnecessarily. On that basis, no amendment to the DCO in this regard is considered necessary or appropriate.

National Highways as consultee

- 3.8.29 National Highways requested that it be named as a consultee on the discharge of a number of Requirements, including Requirements 3, 7, 8, 10, 11, 13 and 14, and that amendments be made to Requirement 5 to include the cable crossing works across the M4 and to require compliance with DMRB standards. The Applicant added a definition of 'relevant highway authority' to the Draft DCO at Deadline 3. National Highways, as 'relevant highway authority', is already named as a consultee on the discharge of Requirements 15 (construction traffic management plan), 16 (public rights of way and permissive paths management

plan) and 20 (decommissioning and restoration strategy), being the Requirements directly relevant to National Highways' statutory functions and its interests in the Strategic Road Network. In addition, the **Outline Construction Environmental Management Plan [REP7-073]** and the **Outline Operational Environmental Management Plan [REP7-075]** each include specific provisions requiring consultation with National Highways in respect of measures in the vicinity of the Strategic Road Network, and a requirement to consult National Highways in respect of the **Outline Ecological Protection and Mitigation Strategy [REP7-083]** was added at Deadline 5.

- 3.8.30 The Schedule 16 procedure for the discharge of requirements further provides that, on any application to amend an approved document under Requirement 3, all named consultees must be re-consulted; National Highways will accordingly be consulted on any amendments to the CTMP, public rights of way and permissive paths management plan and decommissioning strategy pursuant to Requirements 15, 16 and 20 respectively. The updated **Outline CTMP [REP7-087]** submitted at Deadline 7 provides that a Road Safety Audit will be undertaken prior to commencement of construction in accordance with DMRB requirements, and that any required traffic management will be agreed with National Highways in advance. The Applicant also notes that, in respect of the recently made Green Hill Solar Farm Order 2026, the Secretary of State did not consider it proportionate to include National Highways as a named consultee on Requirements 3 and 5 and considered the amendments made to Schedule 16 to be sufficient. In these circumstances, the Applicant does not consider it necessary or appropriate for National Highways to be named as a consultee in respect of Requirements 3 and 5, and no amendment to those Requirements is required. The Applicant considers that National Highways should have sufficient comfort that it will have oversight over matters relating to the Strategic Road Network in accordance with the now agreed protective provisions, the final version of which has been incorporated into the **Draft DCO [EN010168/APP/3.1]** (Revision 8) submitted at Deadline 8.

Disapplication of the Environmental Impact Assessment (Agriculture) (England) (No. 2) Regulations 2006

- 3.8.31 The Applicant notes that Natural England objects to the inclusion of Article 6(4) of the Draft DCO, which modifies the Environmental Impact Assessment (Agriculture) (England) (No. 2) Regulations 2006 so as to disapply the requirement for an EIA screening decision in circumstances where an environmental statement has already been prepared pursuant to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
- 3.8.32 The Applicant's position is that Natural England's objection is based on a misunderstanding that the disapplication would remove the assessment mechanism in respect of the potential loss of the wildflower meadow habitats at the point of decommissioning of the Scheme. The Applicant does not accept that characterisation. The purpose of Article 6(4) is narrow and technical: it addresses a legislative gap in the Environmental Impact Assessment (Agriculture) (England) (No. 2) Regulations 2006, which already disapplies the

EIA screening requirement where an environmental statement has been prepared in respect of a planning application under the Town and Country Planning Act 1990, but which does not expressly address the equivalent under the DCO regime.

- 3.8.33 The Applicant has already undertaken an Environmental Impact Assessment which addresses decommissioning, and which includes an assessment of the return of the land to agricultural use. When the Applicant submits the Decommissioning Strategy for approval under Requirement 20, the Applicant will need to identify whether there are any new or materially different environmental effects from those identified in the Environmental Statement. If there are any new or different effects then these will need to be assessed at that point in time. The provisions in the draft DCO therefore already provide the protections afforded by the Environmental Impact Assessment (Agriculture) (England) (No. 2) Regulations 2006.
- 3.8.34 The disapplication does not override, disapply or circumvent any other legislation, including any future legislative protections that may attach to wildflower meadow habitat of sufficient ecological value at the time of decommissioning. The **Outline Decommissioning Strategy [REP7-077]** was updated at Deadline 7 to make clear that any management, alteration or removal of mitigation and enhancement features established as part of the Scheme will be subject to, and undertaken in accordance with, the relevant environmental legislation and regulatory requirements in force at that time.
- 3.8.35 The Applicant notes that Natural England agreed to an equivalent disapplication provision in the Green Hill Solar Farm, and the Secretary of State included the disapplication in the Green Hill Solar Farm Order 2026. Further to the Green Hill Solar Farm Order 2026, Natural England has maintained its objection to the disapplication in the **Statement of Common Ground with Natural England [EN010168/EXAM/8.4]** (Revision 5) and now seeks to distinguish the Scheme from Green Hill Solar Farm. The Applicant considers that effect of the disapplication is the same for Green Hill Solar Farm and the Scheme and therefore considers that the disapplication at Article 6(4) is necessary and appropriate.

Other amendments to the DCO following the Green Hill Solar Farm DCO Decision

- 3.8.36 The Applicant has incorporated a number of other amendments into the Draft DCO at Deadline 8 in response to the Secretary of State's drafting included in the Green Hill Solar Farm Order 2026. Where such amendments have been made these have been noted in the **Schedule of Changes to the Draft Development Consent Order [EN010168/EXAM/9.16]** (Revision 7).

3.9 Compulsory Acquisition

Legal Test

- 3.9.1 The Applicant's justification for the compulsory acquisition of land, including the proposed exercise of temporary possession powers, is set out in the **Statement of Reasons [CR1-021]**. The purpose of this document is to set out the legal tests under section 122 and 123 and how they apply to the Scheme and the associated plots in the **Book of Reference [EN010168/APP/4.3]** (Revision 6), submitted at Deadline 8. The arrangements proposed for funding the Scheme, including the provision made to meet compensation liabilities arising from the exercise of compulsory acquisition powers, are set out in the Funding Statement **[REP5-016]**.

Crown Land

- 3.9.2 In respect of the remaining identified potential Crown Land interest in plot 09-012, the **Land Rights and Negotiations Tracker [REP7-013]** submitted at Deadline 7 provided an update on the status of engagement with the Department for Environment, Food and Rural Affairs ("**DEFRA**") in respect of this plot. Since Deadline 7, the Applicant has continued to seek confirmation of DEFRA's interest and awaits that confirmation. The Applicant will either write to the Examining Authority (if confirmation is received before the end of Examination) or the Secretary of State (if confirmation is reached after the end of Examination) confirming the position once it has received a response from DEFRA. The Applicant is confident that, should any Crown interest be confirmed, the relevant consent under section 135 will be obtained prior to the Secretary of State making a decision on the DCO.

Land Interests

- 3.9.3 The Applicant remains engaged in negotiations with all land interests affected by the Scheme, with a view to securing voluntary agreements wherever reasonably practicable. Updates concerning the progress of those negotiations are set out in the **Land and Rights Negotiations Tracker [REP7-013]**, with further detail regarding their substance and context provided in the **Land and Rights Communications Log [REP7-103]**.
- 3.9.4 At the date of this Closing Statement, the Applicant has secured voluntary agreements in respect of all land required for the Solar PV Sites. The Applicant has also secured voluntary agreements in respect of 11% of the cable route corridor. Negotiations have not progressed in certain instances, representing 4% of the cable route corridor, where Affected Parties have elected not to engage with the Applicant at this time. The remaining interests are subject to active negotiation.
- 3.9.5 Since Compulsory Acquisition Hearing 1, the Applicant has implemented a comprehensive engagement strategy. This resulted in meetings being held with land interests representing 42% of the cable route corridor. Although heads of terms have not yet been agreed, meaningful and demonstrable progress has

nevertheless been achieved. The Applicant remains hopeful that voluntary agreements can be reached with the majority of landowners.

- 3.9.6 Taken together, the evidence contained with the **Land and Rights Negotiations Tracker [REP7-013]**, the **Land and Rights Communications Log [REP7-103]**, and through oral submissions, the Applicant has demonstrated that it has made reasonable attempts to enter into voluntary agreements to try to avoid the use of compulsory acquisition powers. However, the compulsory acquisition and temporary possession powers remain necessary to provide certainty that the Scheme can be delivered.
- 3.9.7 The Applicant has also demonstrated that there is a compelling case in the public interest for the Scheme and for the grant of the powers sought. The powers sought are proportionate to the objectives of the Scheme and ensure that the Scheme can proceed without undue impediment.

Ongoing Engagement

- 3.9.8 The Applicant will continue to engage in active negotiations with all land interests and maintains is committed to ongoing engagement with affected and interested parties.
- 3.9.9 Furthermore, the Applicant remains cognisant of the strength of local feeling surrounding the Scheme and acknowledges the importance of the Examination process in providing an independent forum through which interested or affected parties can raise concerns and have their representations considered by the Examining Authority. The Applicant also recognises that the formal nature of this process, and the differing positions advanced by parties, can present challenges to wider constructive engagement. With this in mind, the Applicant remains open to maintaining dialogue with local communities, businesses and other affected parties beyond the close of the Examination.
- 3.9.10 Looking ahead, and without prejudice to the outcome of the Examination or any subsequent decision of the Secretary of State, the Applicant would be receptive to opportunities for further dialogue with interested parties outside of formal procedure with a view to holding discussions in a practical and collaborative manner.
- 3.9.11 Should the Scheme receive consent, there would be opportunities for early discussions with local businesses and affected parties, separate from and in advance of the establishment of the community liaison group. Such discussions could provide an opportunity to share information and specific concerns as well as enabling the Applicant to have the benefit of local knowledge as the Scheme progresses towards implementation.

4. Update on Protective Provisions

4.1.1 Since Deadline 7, the Applicant has continued discussions with the statutory undertakes for whom Protective Provisions are provided in Schedule 15 of the draft DCO and where agreement had not yet been reached. The below table summarises the current status, and where relevant, next steps in respect of each set of protective provisions.

Table 2 Update on Protective Provisions

Party	Schedule 15 Reference	Status	Next steps/comments
National Grid Electricity Transmission	Part 3	Not yet agreed	Discussions are ongoing with NGET in respect of the protective provisions and side agreement across Island Green Power's portfolio of DCO applications. The Applicant is in advanced negotiations with NGET in respect of the Green Hill Solar Farm and anticipates that agreement will be reached soon. Once agreed, it is anticipated that similar provisions will be agreed in respect of the Scheme. While the Applicant will continue to engage with NGET on protective provisions, should agreement not be reached, the Applicant considers that the protective provisions for the benefit of NGET included within the DCO are appropriate and ensure that the Scheme will not result in serious detriment to the carrying on of NGET's undertaking.
National Gas Transmission PLC	Part 4	Not yet agreed	Following Issue Specific Hearing 9, the Applicant has been in discussions with National Gas regarding protective provisions and the

Party	Schedule 15 Reference	Status	Next steps/comments
			insurance requirements. Discussions remain ongoing, with the parties not yet agreed in respect of the scope and nature of the dispute resolution mechanisms. The Applicant notes that it is typical for Statutory Undertakers to be subject to the arbitration provisions within the DCO in respect of any disputes relating to the protective provisions and this was affirmed by the Secretary of State in their decision on VPI Immingham Power Station (see paragraph 6.7 of the Decision Letter – PINS Reference [EN010097]). Whilst the Applicant will continue to engage with National Gas on protective provisions, should agreement not be reached, the Applicant considers that the protective provisions for the benefit of National Gas included within the DCO are appropriate and ensure that the Scheme will not result in serious detriment to the carrying on of National Gas' undertaking.
National Highways	Part 5	Agreed	Protective provisions have now been agreed and a side agreement is in circulation for engrossment. The Applicant has incorporated the agreed protective provisions in the draft DCO submitted at Deadline 8.

Party	Schedule 15 Reference	Status	Next steps/comments
Network Rail	Part 6	Not yet agreed	The Applicant has been progressing a Framework Agreement and Heads of Terms with Network Rail, which once finalised will enable the Applicant to incorporate updated protective provisions into the Draft DCO. The Applicant received comments from Network Rail on the Heads of Terms on 14 October 2026 and will respond to Network Rail as soon as possible. The Heads of Terms will be appended to the Framework Agreement, so once the Heads of Terms are agreed it is anticipated that the Framework Agreement will be agreed shortly thereafter. The Applicant will either write to the Examining Authority (if agreement is reached before the end of Examination) or the Secretary of State (if agreement is reached after the end of Examination) confirming this, together with the agreed protective provisions. Until the Heads of Terms for the voluntary property agreement are agreed, the Applicant cannot agree to any restrictions on the use of its compulsory acquisition powers as this would result in an unacceptable impediment to the delivery of the Scheme. The use of compulsory acquisition powers does not remove the requirement in the protective

Party	Schedule 15 Reference	Status	Next steps/comments
			provisions for the Applicant to seek approval from Network Rail before carrying out any works that may affect the railway or any interests belonging to Network Rail. The protective provisions as currently drafted ensure that there will be no serious detriment to Network Rail's undertaking.
Environment Agency	Part 7	Agreed	Protective provisions for the Environment Agency have been agreed and are incorporated into the Draft DCO.
Exolum Pipeline System Ltd	Part 8	Agreed	Protective provisions have now been agreed with Exolum and incorporated into the Draft DCO [EN010168/APP/3.1] (Revision 8) at Deadline 8. The Applicant acknowledges comments made by Exolum in its closing statement [REP7-163] . The Applicant had sought further amendments to its side agreement with Exolum as these were requested by the Applicant's insurer. Notwithstanding the concerns raised by Exolum in its closing statement these matters have now been resolved between Exolum and the Applicant, and the Applicant understands that Exolum has provided a separate submission confirming that position.
National Grid Electricity Distribution	Part 10	Agreed	Protective provisions with NGED are incorporated into the Draft DCO and NGED withdrew its objection to the

Party	Schedule 15 Reference	Status	Next steps/comments
			Scheme on 17 August 2026 [REP6-076] .
Local Highway Authority (Wiltshire Council and South Gloucestershire Council)	Part 11	Agreed with Wiltshire Council, not yet agreed with South Gloucestershire Council	The Applicant has agreed protective provisions with Wiltshire Council as local highway authority, and has shared a copy of the agreed draft with South Gloucestershire Council for comment. This is on the basis that South Gloucestershire Council will be the local highway authority for some of the highway works. The Applicant awaits comments from South Gloucestershire Council and will provide a further update to either the Examining Authority or Secretary of State once these are agreed.

- 4.1.2 For the reasons set out in the **Statement of Reasons [CR1-021]**, the Applicant considers that the protective provisions in Schedule 15 are sufficient to ensure that the tests set out in s127 and s138 of the Planning Act 2008 are satisfied and therefore the Scheme will not result in any serious detriment to the carrying on of the statutory undertakers' undertakings.
- 4.1.3 The Secretary of State has previously determined that the use of compulsory acquisition powers in respect of statutory undertakers' land and rights can be acceptable to ensure the deliverability of a NSIP where it has not been possible to reach agreement on the terms of a voluntary property agreement provided that the technical details of any works are approved by the statutory undertaker. This principle was established in the Secretary of State's decision letter for the National Grid (Hinkley Point C Connection Project) Order 2016 (see paragraph 95 of the decision letter) (Ref 11) and reiterated in Secretary of State's decision letter for the Immingham Open Cycle Gas Turbine Order 2020 (see paragraphs 6.6 to 6.23 of the decision letter) (Ref 12).
- 4.1.4 The Applicant's position is that the protective provisions contained within Schedule 15 of the **Draft DCO [EN010168/APP/3.1]** (Revision 8) submitted at Deadline 8 are sufficient, contain an approval mechanism for undertaking any works and will ensure there will be no serious detriment to the carrying out of the statutory undertaker's undertaking.

5. Conclusion

- 5.1.1 As set out in the DCO Application, there is a clear and compelling need for the Scheme which substantially outweighs its limited residual adverse effects. The Scheme will contribute to meeting the urgent need for renewable energy identified in the energy NPSs, and is delivering significant benefits. In summary, these include:
- a. The production of substantial amounts of renewable, low-cost energy over the lifetime of the Scheme making a significant and timely contribution to meeting the government's targets of Clean Power by 2030 and net zero by 2050.
 - b. The delivery of ecological and landscape enhancements through substantial new hedgerow and tree planting and extensive grassland habitat creation. Further, the change from arable fields to grassland is considered likely to result in a significant beneficial effect by improving the extent and quality of grassland habitats and beneficial effects to the soil may also be derived from the cessation of cultivation, chemical treatments and soil inputs.
 - c. The delivery of a net gain in biodiversity beyond what will become the statutory requirement, with as a minimum, 30% gain in habitat units, 10% gain in hedgerow units and 10% gain in river units.
 - d. The creation of 12.8 km of new non-vehicular permissive paths for the lifetime of the Scheme to provide pedestrians and horse and bicycle riders improved accessibility to the countryside and improved connectivity of the wider PRoW network.
 - e. The creation of employment opportunities, economic benefits and skills training to enhance local education, skills and attainment during construction and for periods of onsite infrastructure replacement during operation of the Scheme.
- 5.1.2 The Applicant considers that suitable protective provisions have been included in Schedule 15 to the **Draft DCO [EN010168/APP/3.1]** (Revision 8) to address the outstanding concerns raised by statutory undertakers and ensure there will be no serious detriment to their respective undertakings.
- 5.1.3 During the pre-application and examination stages, the Applicant has sought to undertake a high level of engagement with statutory bodies, Wiltshire Council, landowners, interested parties and communities affected by the Scheme, and as a result has made further amendments to the design of the Scheme and outline management documents.
- 5.1.4 In conclusion, the benefits provided by the Scheme are significant, clear and compelling, outweighing the identified and limited residual adverse effects. The Applicant has provided all necessary information to inform the Examining Authority's Recommendation Report and the Secretary of State's decision making. Accordingly, for the reasons set out in the DCO Application, documents submitted during Examination and in this Closing Statement, the Applicant

considers that the Examining Authority should have comfort to recommend that the DCO be made and for the Secretary of State to make the DCO in the form submitted by the Applicant at Deadline 8.

- 5.1.5 The Applicant would like to thank the Examining Authority and the Planning Inspectorate case team, as well as those individuals and organisations who have provided input and contributed to the examination process.

6. References

- Ref 1 Planning Act (2008) (as amended). Available at:
<https://www.legislation.gov.uk/ukpga/2008/29/contents>
- Ref 2 HM Government (2024) Clean Power 2030 Action Plan. Available at:
<https://www.gov.uk/government/publications/clean-power-2030-action-plan>
- Ref 3 Landscape Institute and Institute of Environmental Management and Assessment, 2013, Guidelines for Landscape and Visual Impact Assessment, 3rd Edition, Routledge, London.
- Ref 4 Landscape Institute (2024) Technical Guidance Note LITGN-2024-01: Notes and Clarifications on aspects of the 3rd Edition Guidelines on Landscape and Visual Impact Assessment (GLVIA3). August. Available at:
<https://www.landscapeinstitute.org/technical-resource/notes-and-clarifications-on-aspects-of-the-3rd-edition-guidelines-on-landscape-and-visual-impact-assessment-glvia3-litgn-2024-01/>
- Ref 5 Countryside Rights of Way Act 2000. Available at:
[https://www.legislation.gov.uk/ukpga/2000/37/section/85#:~:text=\(1\)In%20exercising%20or%20performing,area%20of%20outstanding%20natural%20beauty.](https://www.legislation.gov.uk/ukpga/2000/37/section/85#:~:text=(1)In%20exercising%20or%20performing,area%20of%20outstanding%20natural%20beauty.)
- Ref 6 Overarching National Policy Statement for Energy (EN-1). Available at:
<https://www.gov.uk/government/publications/overarching-national-policy-statement-for-energy-en-1>
- Ref 7 National Policy Statement for Renewable Energy Infrastructure (EN-3). Available at: <https://www.gov.uk/government/publications/national-policy-statement-for-renewable-energy-infrastructure-en-3>
- Ref 8 National Policy Statement for electricity networks infrastructure (EN-5). Available at: <https://www.gov.uk/government/publications/national-policy-statement-for-renewable-energy-infrastructure-en-3>
- Ref 9 Wiltshire Council Renewable Energy Study Landscape Sensitivity Assessment (2023) Available at:
https://www.wiltshire.gov.uk/media/11990/Wiltshire-Renewable-Energy-Study-Landscape-Sensitivity-Assessment/pdf/wlpr_Renewable-Energy-Study_Landscape-Sensitivity-Assessment.pdf?m=1695737859917
- Ref 10 Archaeology and Solar Farms Good Practice Guide (2026) Available at:
[REDACTED]
- Ref 11 Secretary of State's decision letter for the National Grid (Hinkley Point C Connection Project) Order 2016. Available at:
<https://www.legislation.gov.uk/uksi/2016/49>

- Ref 12 Secretary of State's decision letter for the Immingham Open Cycle Gas Turbine Order 2020. Available at:
<https://www.legislation.gov.uk/uksi/2020/847>

**Annex A Appeal Decision (Ref: 6004776) Land South of
Ramsden, Akeman Street, Ramsden, OX7 3AY**



Appeal Decision

Inquiry opened on 30 June 2026

Site visits made on 26 June 2026; 2 July 2026; and 3 July 2026

by

an Inspector appointed by the Secretary of State

Decision date: 13th October 2026

Appeal Ref: 6004776

Land South of Ramsden, Akeman Street, Ramsden, OX7 3AY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by BSR Energy Limited against the decision of West Oxfordshire District Council.
 - The application Ref is 25/00234/FUL.
 - The development proposed is the installation of a ground mounted solar PV, battery energy storage system (BESS), together with associated infrastructure, security fencing, CCTV, access track, associated cable route, landscaping and onsite biodiversity net gain (Re-submission).
-

Decision

1. The appeal is allowed and planning permission is granted for proposed ground mounted solar PV, battery energy storage system (BESS), together with associated infrastructure, security fencing, CCTV, access track, associated cable route, landscaping and onsite biodiversity net gain (Re-submission), at land south of Ramsden, Ramsden, OX7 3AY in accordance with the terms of the application, Ref 25/00234/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Applications for costs

2. An application for costs was made by BSR Energy Limited against West Oxfordshire District Council, which is the subject of a separate Decision.

Preliminary Matters

3. The planning application to which this appeal relates, reference 25/00234/FUL and dated 28 January 2025, has evolved through a number of planning applications including 21/02473/FUL which was withdrawn and 23/02917/FUL which was refused on 5 February 2024.
4. The revisions made to application 25/00234/FUL include:
 - Development eased eastwards (north eastern area of the site) to provide a buffer between the proposed development and the Cotswolds 'Natural Landscape' (CNL).
 - The layout of panels revised to retain the expansive views experienced along Wychwood Way / Akeman Street and nearby Ramsden Fields recreation ground along the north western edge of the site. Additional buffers

restored historic hedgerows and mitigation planting proposed to soften the appearance of panels in these views whilst ensuring deer 'push throughs' are kept.

- St John's Lane in Singe Wood boundary: The development, security fencing and solar PV panels along this edge have been offset from the path to provide a wide buffer to Singe Wood. This buffer will be enhanced through introduction of native planting, variation in seed mixes together with a vegetated swale and small attenuation basin;
 - The access track associated with the proposed development has been positioned away from the edge of Singe Wood;
 - Retention and enhancement of the existing vegetation on the site's boundaries and allowance for buffers off existing vegetated edges;
 - Strategic copse and shelter belt planting is proposed in specific locations;
 - Proposed inverters and storage features (ESS) are positioned to make use of existing screening;
 - Retention of rough grassland within the site and the seeding of species rich grass in verges and beneath solar PV panels, where appropriate. Provision for Skylarks in the form of specific grassland/crops is proposed in fields with no panels;
 - Northern extent of development has been considered to mitigate against any perceived effects on the Ramsden Conservation area; and
 - Site wide specific ecological interventions such as bird and bat boxes positioned on mature trees.
5. The Inquiry sat in person for 8 days between 30 June and 27 July 2026 and sat virtually on 4 September 2026. I carried out an unaccompanied visit to the site and the surrounding area on the 26 June 2026 and accompanied site visits on the 2 and 3 July 2026.
6. The Solar Park Action Group (SPAG) participated in the Inquiry as a Rule 6 Party under Rule 6(6) of the Inquiries Procedure Rules.
7. A Case Management Conference (CMC) was held with all parties on 19 May 2026 to discuss the procedural management of the Inquiry. The site address on the Council's decision notice differs from that on the application form. At the CMC it was agreed that the correct address is that cited in the decision notice. I have used that address in the heading above.
8. A new National Planning Policy Framework (the Framework) was issued on 17 August 2026, following the submission of the appeal. My reference to the Framework throughout this decision, unless otherwise specified, will be in relation to the new August 2026 version. The main parties have had the opportunity to comment on the Framework and I have taken these into account.
9. The proposal is not determined under the Planning Act 2008, as a nationally significant infrastructure project. Despite this, the Department for Energy Security & Net Zero *Overarching National Policy Statement for Energy* (EN-1) is clear that it

may be a material consideration in decision making on applications falling under the Town and Country Planning Act 1990 (as amended). I have considered the *National Policy Statement for Renewable Energy Infrastructure* (EN-3) in the same way.

10. The proposal was screened under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 by the Planning Inspectorate and was not found to warrant an Environmental Impact Assessment.
11. A completed Unilateral Undertaking (UU) dated 16 September 2026 has been submitted to ensure that the off-site skylark mitigation land is managed and monitored through an agreed Skylark Mitigation Strategy and remains as such for the lifetime of the development and to secure Biodiversity Net Gain monitoring fees. I deal with the issue of skylark mitigation and the UU later in this decision.
12. There were three reasons for refusal in the Council's decision notice relating to heritage, landscape and biodiversity (relating to skylark habitat). Following the submission of the UU, the Council concluded that they had withdrawn their objections to the proposal in this regard and confirmed that they did not intend to defend their third reason for refusal at the Inquiry.
13. This decision letter refers to a number of documents which were either submitted as part of the planning application or appeal, or as part of the Inquiry process as Core Documents (CD) or Inquiry Documents (ID). CD or ID references throughout this decision are provided in brackets [] and are available on the [Council's website](#).
14. The appeal site was divided into individually numbered field parcels, which are referred to in this decision. For ease of reference a diagram showing these field parcels is provided at Annex B.

Main Issues

15. Given the preliminary matters set out above, the main issues are:

- The effects of the proposed development on the landscape character and visual amenity of the surrounding countryside;
- The impact of the proposal on the setting and thereby the significance of nearby heritage assets; and
- Whether the benefits of the appeal scheme would outweigh any harm.

Planning Policy and Guidance / Context

16. The development plan for the area includes the West Oxfordshire Local Plan (the Local Plan) adopted in 2018. The most important policies for determining the application are set out in the Overarching Statement of Common Ground (SoCG) [CD 10.7A]. These are LP Policies OS2, OS4, EH2, EH3, EH6, EH9, EH10, EH13. Of those EH6 deals specifically with decentralised and renewable or low carbon energy development. The Overarching SoCG established that these policies were up to date and accorded with the National Planning Policy Framework, dated December 2024. However, at the Inquiry the parties also confirmed that the WOLP policies referred to are also broadly up to date and accord with the extant Framework.

17. The Council has produced a 'Renewable Energy and Low Carbon Energy Assessment and Strategy for West Oxfordshire', dated October 2016 [CD 6.2]; a 'West Oxfordshire Landscape Assessment', dated 1998 (WOLA) [CD 11.4]; and an 'Oxfordshire Wildlife and Landscape Study', dated 2004 (OWLS) [CD 6.3].
18. West Oxfordshire District Council declared a climate emergency in June 2019 and approved a Climate Change Strategy in 2021 [CD 6.9]. It is committed to achieving carbon neutrality by 2030 and to progressing towards districtwide net zero before 2050. As part of this ambition the Council adopted in February 2026 an Area Action Plan for the Salt Cross Garden Village [CD 6.11] as part of a strategic site allocation for 2,200 homes, a science park and other services and facilities. The village proposes to be an exemplar net zero carbon, energy positive development which meets the challenges of climate change head on. Therefore, I acknowledge the Council's continued commitment to tackling climate change.
19. Countywide the 'Pathway to a Zero Carbon Oxfordshire' (2021) [CD 6.9] sets out that solar energy is Oxfordshire's greatest low carbon energy generation resource with the county already contributing more than 3% of the total UK solar photovoltaic capacity, more than double its share of population and land area. As of 2018, there were more than 10,000 registered installations, ranging in size from <10kW domestic rooftop solar to large 35 MW ground mounted installations. However, for Oxfordshire to lead the way, the report recommends that the annual rate of solar installation needs to increase by 5–10 times compared with the previous five years and then sustain this for the next three decades.
20. Nationally, the UK Parliament has declared a climate emergency and set a statutory target of achieving net zero emissions by 2050. Clean Power 2030 Action Plan (2024) [CD 5.20] explains that the Government's aim to deliver a clean power system by 2030, and to keep the power system clean thereafter, is of national importance. It also establishes that low-cost renewable generation will be the foundation of the electricity system and will play a key role in delivering amongst the cheapest wholesale electricity in Europe.
21. The Solar Roadmap (June 2025) [CD 5.16A] states the urgent need and sets out a strategy for achieving the significant increase in solar deployment needed to ensure affordable and secure energy as well as tackling the climate crisis. To reinforce this approach the 'Progress in reducing emissions 2025 report to Parliament' [5.39], produced by the Climate Change Committee states that *"To achieve the Government's ambition in the Clean Power 2030 Action Plan, total operational capacity of renewables will need to more than double by 2030. This will require a tripling in annual installations of both offshore and onshore wind and a four-fold increase in solar compared to the average rate seen since the start of this decade."* Whilst the report goes on to state that offshore and onshore wind is judged to be on track, solar capacity is not.
22. The objective of chapter 10 of the Framework is to support the development and operation of energy and water infrastructure in ways which align with wider development, clean power and net zero objectives (including the delivery of clean power by 2030). Moreover, the Framework at Policy W3a provides that substantial weight should be given to the benefits for improving energy security, supporting economic development and/or the transition to a net zero future from proposals for renewable and low carbon energy development.

23. Chapter 19 of the Framework indicates that planning decisions should contribute to and support nature's recovery and in terms of protected landscapes proposals should be sensitively located and designed to avoid or minimise adverse impacts. The Framework at chapter 20 relates to the conservation and enhancement of the historic environment and that heritage assets should be conserved in a manner appropriate to their significance. These are important material considerations.
24. The Planning Practice Guidance (PPG) on renewable and low carbon energy states that the need for renewable or low carbon energy does not automatically override environmental protections, that cumulative impacts require particular attention, that local topography is an important factor in assessing whether large scale solar farms could have a damaging effect on landscapes and that renewable energy developments should be acceptable for their proposed location. In terms of ground mounted solar photovoltaic farms, the PPG recognises that the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, it sets out that the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.
25. The National Policy Statements for Energy (EN-1) [CD 5.6] and Renewable Energy Infrastructure (EN-3) [CD 5.7], whilst focussed on nationally significant infrastructure projects (NSIP), are nonetheless material considerations in appeals such as this. Of particular note is that EN-1 establishes that solar farm developments fall within the category of Critical National Priority (CNP) infrastructure when considered under the NSIP regime. EN-3 identifies solar as a key part of the Government's strategy for low-cost decarbonisation of the energy sector, having an important role for energy independence.
26. A number of other documents, not explicitly referred to at the Inquiry, have been put before me and provided in the Inquiry Core Documents library. These contain the background to the various current objectives and obligations for supporting low carbon energy development in order to seek to reduce the impact of climate change.

Reasons

Landscape Character and Visual Amenity

The proposal

27. The appeal site would cover in total an area of approximately 45.3 hectares. However, the fenced area containing the solar panels and additional electricity generating infrastructure would be some 21 hectares. Additional infrastructure would include internal access track, Distribution Network Operator (DNO) access track, construction of a site access, security / deer fencing, CCTV cameras, security lighting, battery energy storage system (BESS), inverters and landscaping, which would also include Skylark mitigation habitat.
28. The BESS will be located towards the southeastern corner of the site and will comprise two battery storage units (approximately 2.9 metres high (3.5 metres high including plinth), 6 metres in length and 2.44 metres wide). The BESS will be supported by one battery inverter (approximately 2.9 metres high, 6 metres in length and 2.43 metres wide). Overall, the scheme would produce up to 20 megawatts (MW) and the BESS would store up to 1.5MW.

29. The construction and operational access to the site will be taken from Akeman Street to the east of the junction with the B4022 Witney Road. The access tracks will be constructed from compacted recycled stone and set away from the field boundaries.
30. The grid connection would be to the east of the appeal site, on neighbouring agricultural land. The cabling would be laid underground and the existing mast replaced by a 'H' style mast.
31. The site area includes the provision for: a wide buffer to the existing field boundaries; to ensure there is sufficient separation between the rows themselves to avoid shadowing from panel to panel; and to enhance and incorporate additional landscape mitigation planting which will also assist with providing biodiversity net gain.
32. The appeal scheme seeks a temporary planning permission, albeit 40 years, and at the end of this period the energy infrastructure would be removed and the site restored. However, the mitigation and enhancement planting such as the hedgerows, trees and shrubs, would remain in place.
33. The Council cite conflict with Local Plan Policy OS2, which relates to locating development in the right places. In this respect the Policy sets out that development in the countryside will be limited to that which requires and is appropriate for a rural location. Large scale solar proposals often require substantial areas of land and access to the electricity grid. Whilst I accept that solar panels can be mounted on rooftops and on brownfield land, evidence of such locations of a suitable scale and grid connection have not been convincingly demonstrated.

Valued Landscape

34. Whilst not set out in the Reasons for Refusal, the Council have argued at appeal that the site lies within a 'valued landscape' in terms of paragraph 187a of the National Planning Policy Framework, December 2024 version. This terminology no longer forms part of the extant Framework, nevertheless, the Framework still requires that development proposals should contribute positively to the natural environment and consider the environmental qualities of land proposed for development, including landscape character and the natural beauty of the countryside. Therefore, whilst I no longer need to make a judgement on whether the site is/forms part of a 'valued landscape', I have considered the evidence presented within my findings on landscape character and visual amenity.

The site and the surrounding area

35. The appeal site is gently undulating land, classified as Agricultural Grade 3b and is therefore not 'Best and Most Versatile Land' as described in the Agricultural Land Classification Index. Whilst the land has been in arable production in the past, at the time of my site visits it was fallow and laid to a wildflower mix.
36. The appeal site itself has historically been subject to some hedgerow removal and field amalgamation, resulting in a more open site character, particularly in the eastern part of the site. Furthermore, the B4022, which is a relatively heavily trafficked road, and other man-made features inevitably impact upon, and reduces, the sense of tranquillity which is otherwise experienced hereabouts.

37. The boundary of the National Landscape (formally designated AONB) runs concurrently with the B4022, immediately to the west of the site boundary. As I heard at the Inquiry Ramsden Parish Council would clearly wish to see the local area included in any future revision of the Cotswold National Landscape (CNL) boundary [ID 05]. However, I have no evidence before me that any boundary revision is under consideration. Nonetheless, I do acknowledge that the appeal site and the surrounding area was formally designated as an Area of High Landscape Value, which was established in the former Local Plan [ID 16].
38. It is common ground that the appeal site forms part of the setting of the CNL. In this respect the Framework Policy N4 (4) states that *“Development proposals within the setting of Protected Landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the Protected Landscape.”*
39. Furthermore, section 85 of the Countryside and Rights of Way Act 2000 (as amended) (the CRoW Act) required decision makers to have regard to the purpose of conserving and enhancing the natural beauty of the area. Nonetheless, Section 245 of the Levelling-Up and Regeneration Act (LURA) amended this duty to now require decision makers *“in exercising or performing any functions in relation to, or so as to affect land in a National Landscape...must seek to further the purpose of conserving and enhancing the natural beauty of the National Landscape”*. The PPG (Paragraph: 039 Reference ID: 8-039-20250129) clarifies that this duty is also relevant in considering development proposals that are situated outside National Park or National Landscape boundaries, but which might have an impact on their setting or protection.
40. The CNL Management Plan (2025-2030) [CD 11.5] describes the special qualities of the CNL as, in essence: the unifying character of the limestone geology; the Cotswold escarpment, including views from and to the National Landscape; the high wolds; river valleys; distinctive dry stone walls; flower-rich grasslands including floodplain meadows and neutral grasslands and particularly limestone grasslands; ancient broadleaved woodland particularly along the crest of the escarpment; variations in the colour of the stone from one part of the National Landscape to another which add a vital element of local distinctiveness; the tranquillity of the area, away from major sources of inappropriate noise, development, visual clutter and pollution; extensive dark sky areas; distinctive settlements, developed in the Cotswold vernacular with high architectural quality and integrity; an accessible landscape for quiet recreation for both rural and urban users, with numerous walking and riding routes, including the Cotswold Way National Trail; significant archaeological, prehistoric and historic associations dating back 6,000 years; a vibrant heritage of cultural associations.
41. Key Issue 1 of the CNL Management Plan relates to the climate emergency and the priority of mitigating and adapting to climate change whilst conserving and enhancing the natural beauty of the National Landscape. Furthermore, Management Plan Policy CC1.6. states that climate action should be undertaken in a way that is compatible with and seeks to further the conservation and enhancement of the natural beauty of the Cotswolds National Landscape.
42. Management Plan Policies CE1.2 and CE13.1 require in essence that proposals should be delivered in a way that seeks to further the conservation and enhancement of the scenic quality of the location and its setting, views, including those into and out of the National Landscape and visual amenity. Whereas Policy

CE13.6 provides a number of criteria considerations so that a landscape-led approach can be applied to the planning, design and implementation of development and infrastructure proposals in the CNL and its setting, proportionate to the type and scale of development being proposed.

43. The CNL have also produced a number of Position Statements. One of these is entitled 'Renewable Energy', dated June 2023 [CD 11.6], which provides guidance on renewable energy provision in the CNL and its setting. Paragraph A1.2.5.1 states "*Renewable energy development in the setting of the CNL has the potential to adversely affect the natural beauty of the CNL, particularly with regards to impacts on views from and to the CNL.*" A further Position Statement 'Development in the setting of the Cotswold AONB', dated June 2016 [CD 11.3], states in its introduction that the Board is aware of pressures for major development (for example housing, employment and renewable energy schemes) outside but in the setting of the AONB and in section four provides examples of adverse impacts, including, amongst other matters, significant impact on views, loss of tranquillity, abrupt change or harm to landscape character and inappropriate use of external materials.
44. Historically, the appeal site formed part of the Royal Hunting Forest of Wychwood. The Wychwood covered 120 square miles from the Cotswolds to the floodplains of the Thames. Remnants of the wood are found in the area surrounding the appeal site, including the Singe Wood, which is considered to be ancient woodland and is managed as a nature reserve. The Singe Wood abuts the southern site boundary. A promoted 37-mile circular 'Wychwood Way' walking route, also passes the site along Akeman Street. In this respect, Local Plan Policy EH2 refers to the Wychwood Project Area and that special attention and protection will be given to its landscape and biodiversity.
45. As set out in 'Overarching SoCG' and as I observed on my site visits, "*Parts of the Site are bounded by historic hedgerows, many of which contain mature trees, with agricultural land to the west, northwest, north, east and southeast. The boundaries of the main part of the site are not defined by any physical features but run through fields. To the north-west, there are clipped hedgerows with occasional hedgerow trees and a small woodland block adjacent to Akeman Street. To the north-east, there are clipped hedgerows with a mature tree belt. To the south-east, there are clipped hedgerows with a small copse. To the south-west, there are mature trees along St Johns Lane, with Singe Wood (an area of ancient woodland also referred to as St John's Wood), some housing in White Oak Green and further fields beyond.*"
46. St John's Lane runs concurrently to the south of the site boundary, which is a Public Right of Way (PRoW), designated as a Restricted Byway. Akeman Street (a public highway) borders the site, running east to west, and is of Roman origin. Akeman Street also forms part of the Wychwood Way, a long-distance footpath and I acknowledge that this route has a greater than local importance.
47. On my unaccompanied site visit I followed the itinerary agreed by the main parties [CD 10.3]. This provided the opportunity to observe the appeal site both in close, medium and long-range views. It was apparent to me that due to the semi-enclosed landscape, views were in the main limited to those at short range. Although I accept that at the time of my visit the trees and hedges were in full leaf. From the higher ground near to the village of Leafield, and thus within the CNL,

wide views towards the appeal site are available, however the appeal site is a very small element of this panorama. From many of the short-range viewpoints the appeal site is never seen in its entirety. Rather separate field parcels are experienced in a sequence of views therefore generally experienced as fleeting glimpses. The exception to this is viewpoint 10, where the site access would be situated. At this point people would be more likely to stop, because of crossing the road and the view into the site would hold attention for a while.

48. At present the PRow and the Wychwood Way, as it travels along Akeman Street, afford their users limited views across the agricultural land and of the wider landscape. This is due in part to the hedgerows and tree cover along these routes, as well as the undulating topography. However, the occasional glimpse of the appeal site and the wider landscape can be sought, which provide a visual breathing space. As I heard from local residents, such views are important, and the view opposite the recreation ground entrance on Akeman Street is particularly valued.
49. The nature of the proposal means it would introduce development into the site, where it does not currently exist. In order to minimise the impact an extensive landscaping strategy has been drawn up. This includes the creation of a bund, planting of native hedgerows and woodland/tree belts, wildflower enhancement and tussock grassland.

Landscape Character

50. Local Plan Policy EH2, in summary, states that new development should conserve and, where possible, enhance the local landscape. It goes on to provide special attention and protection to landscape and biodiversity of the Wychwood Project Area, amongst other areas. Further guidance is provided in the supporting text to Policy EH2, in particular protecting natural features like woodlands, and enhancing these through additional planting of local native species and recognising the importance of tranquillity as part of the landscape character.
51. A landscape's character is made up of a number of elements, including themes such as topographic features, flora and fauna, land use, sights, sounds, touch and smells, and cultural associations, history and memories. Natural England has developed 159 National Character Areas (NCA) across England, alongside profiles to help guide land management and other activities to strengthen character and resilience. The appeal site is located in NCA 107 – Cotswolds, as is more than half of the Cotswold National Landscape area. In summary the overriding pattern of the Cotswold landscape is of a steep scarp topped by a high, open wold; the beginning of a long and rolling dip slope punctured by a series of increasingly wooded valleys.
52. The Cotswold Landscape Character Assessment, dated October 2002 [CD 11.4], establishes 19-character areas. The particular landscape character type that could be affected by intervisibility with the proposed development is LCT9 the 'High Wold Dip-Slope'. In brief this landscape type is transitional, moving from the High Wold Dip-Slope, to the more lowland landscape of rolling, varied countryside. Its gently undulating land is cut by wet and dry valleys, forming a productive rural mix of crop fields, pastures, hedges, and woodlands. Scattered farmsteads and tiny hamlets are visible and the landscape also reveals its history through old quarries, Roman road patterns, designed parks, and occasional former airfields.

53. The characteristics from these high-level CA are described in finer detail in the WOLA. The site is located in the WOLA 7 'Wychwood Uplands' and within this character area as 'type' 'Semi-Enclosed Limestone Wolds (smaller-scale)', described as *"farmed landscapes of the limestone uplands with a more intact structure of hedgerows, trees and woods which interrupt the bare open vistas of the plateau. Two main sub types are identified: predominantly large scale arable farmland with straight boundaries typical of later enclosures; and more mixed land use and smaller-scale pattern of irregular fields with strong hedgerow trees and woodland, typical of fields cut out from former woodland cover."* The appeal site contains many of these characteristics, particularly those in the latter smaller-scale farmland pattern. In terms of development sensitivities, the WOLA advises that the semi-enclosed limestone wolds landscape is visually sensitive and any development would need to be closely and sensitively integrated within a strong landscape structure.
54. These character area assessments also provide guidance on opportunities to help protect and enhance the landscape character, which in essence include maintenance of distinctive farming patterns across the area, in particular grazing; enhancing and restoring drystone walls; small woodlands, windbreaks and copses to retain these 19th-century features as an important part of the landscape; and reinstating hedgerow management.

Renewable Energy and Low Carbon Energy Assessment and Strategy for West Oxfordshire (2016) (RELCEA)

55. The RELCEA was commissioned to assess the capacity of the Council's landscape types, as set out in the WOLA, to accommodate renewable and low carbon energy installations. The 'Semi-enclosed Limestone Wolds (smaller scale)' were found to have a low to medium susceptibility to accommodate the introduction of solar panels into the landscape and the report recommended that solar panels could be positioned to the south-east of the character area where the more highly valued 'National Landscape' can be avoided. The parties agreed that the appeal site is located in this 'recommended' area.
56. The Local Plan also refers to this Assessment at paragraph 8.38, and in essence expects proposals for renewable energy to consider the Assessment in order to avoid significant adverse impact on the intrinsic character of the District. Local Plan Policy EH6 supports, in principle, renewable and low carbon energy development which are designed to minimise any adverse impacts, including, amongst other things, impacts on landscape, biodiversity, historic environment, agricultural land, cumulative and visual impacts; and that they consider the opportunities for environmental enhancement.

Landscape and Visual Assessment

57. A Landscape and Visual Assessment (LVA) dated January 2025, produced by 'The Landmark Practice' supported the planning application [CD 1.31]. This was reviewed on behalf of the Council by 'LDA Design' and their letter dated 6 May 2025 [CD 8.18] confirmed that *"the LVIA undertaken by The Landmark Partnership is comprehensive and reasonably and transparently deduces the effects of the Proposed Development on landscape and visual receptors, including the CNL."*
58. On appeal, the Council, appellant and SPAG provided further landscape analysis, which assessed both landscape and visual aspects of the appeal proposal. Whilst

it is acknowledged that there are some differences in the findings between the LVA and the evidence presented by expert witnesses on appeal, this is not unusual given that LVA's rely on not only professional, but also qualitative judgment. I also note that the landscape evidence presented at the Inquiry references the 'Guidelines for Landscape and Visual Impact Assessment 3' (GLVIA3) published by the Landscape Institute and the Institute of Environmental Management and Assessment (April 2013), which is generally regarded as best practice.

59. Nevertheless, I found that there was a variation in the methodology used, in some cases a lack of transparency in the judgements reached and the descriptors used varied between assessments, which made it difficult to compare the conclusions. Therefore, I have set out below where the main differences lie and my own judgement on the significance of the landscape character and visual impacts.

Landscape Effects – Wider Landscape

60. The appeal site and the wider area form a mosaic of landscape features, and whilst initially viewed as undulating arable farmland interspersed with settlements, on closer inspection the subtleties become more apparent. Notably the shallow folds in the field topography, the irregular woodland interventions and native hedgerows all of which create structure, enclosure and allow limited intervisibility.
61. The parties agree that the site and wider surrounding landscape is representative of the typical characteristics of the landscape character type 'Semi-Enclosed Limestone Wolds (smaller-scale)' and no uncommon elements have been drawn to my attention. In this respect a number of the landscape characteristics found in the LCA are seen in the appeal site and its environs and this also makes a positive contribution to the setting of the CNL. I do however acknowledge that much of the species-rich limestone grassland and strong landscape structure in terms of field patterns and stone walls have been lost or have declined in quality as can be seen in and around the appeal site. However, I agree with the Council that it is an attractive rural landscape, with little in the way of detracting features.
62. I was informed at the Inquiry by the Council that people have influenced the local landscape for hundreds of years. The local landscape has a well-documented association with Neolithic barrows and Roman roads, such as Akeman Street. There are also further access routes through the landscape including footpaths, bridleways and country roads of historic origin. The historic field patterns in part of the appeal site also remain intact. The high quality of the domestic architecture, constructed in Cotswold stone, is particularly notable throughout the Ramsden Conservation Area and in listed buildings in the local area. There is also a World War II military airfield in the area, which is now dismantled and returned to agricultural use. Therefore, it cannot be said that the wider landscape represents wildness or perceived naturalness. However, there are tracts of tranquillity in the wider area where bird song can be heard and peace and quiet can be sought, without intrusive or inharmonious development. Where the appeal site and wider landscape is close to roads and settlements such tranquillity is reduced.
63. The proposal will introduce extensive solar arrays and supporting infrastructure across a number of undulating field parcels. Whilst the panels would be low lying, the associated BESS and CCTV masts would be taller, at a maximum height of 3.5 metres. However, the panels and infrastructure would be arranged within the existing field patterns, and this landscape is relatively enclosed, where far-

reaching views are limited and the topography results in no one single view of the whole appeal site from the wider area.

64. Therefore, I consider that the landscape has a medium sensitivity to accommodate the introduction of solar panels into this wider landscape. Whilst this is lower than the assessment of the Council and SPAG, to my mind the rolling landform, existing vegetation and defined field patterns lead to a landscape with characteristics more tolerant to change. This also reflects the findings of the RELCEA.
65. The introduction of the solar arrays and associated infrastructure would be spatially distinct from the established landscape character. However, the panels would be positioned to avoid the exposed slope along the western boundary, adjacent to the CNL, and would maintain the existing historic field patterns. The hedgerow boundaries would be strengthened which would avoid the panels and fencing being visible along ridgelines and would increase the natural containment of the proposal. This proposed mitigation and enhancement would, once it is established, complement the existing landscape character by reinstating field patterns, increasing woodland cover and connecting shelterbelts. In this regard the appellant has taken active, reasonable, and proportionate steps to improve and protect the landscape, rather than just trying to avoid damage.
66. Whilst the development is across a significant geographical area and long term in its duration, it would be reversible, apart from the landscape planting, following decommissioning. As such, the harm would not be permanent. I disagree with the Council and SPAG that the landscape mitigation planting proposed would be harmful to the landscape because of the loss of intervisibility and that it would increase the sense of enclosure. Setting aside the visual impacts of the landscaping mitigation, to my mind, the planting of hedgerows, trees and shelterbelts go some way to meeting the objectives of the landscape character assessments brought to my attention, which goes beyond mitigation and like for like measures and replacement. Therefore, in the longer term the mitigation will add some beneficial elements. Taking these factors into account my assessment of the magnitude of landscape change, in terms of the wider landscape, is Medium. An assessment value agreed by the main parties.
67. Overall, after considering the sensitivity of the landscape receptors to the development and the magnitude of the effect resulting from the development, I consider that the landscape effect is Moderate adverse.
68. This is lower than the effect stated by the Council and SPAG, however, given their concerns as described above, I consider their assessment overrates the landscape sensitivity to change. In reaching this conclusion I have had regard to the comments made by the CNL Conservation Board, that in terms of the effects on the wider landscape, the development would have a negligible impact upon the landscape character of the National Landscape and its special qualities.

Landscape Effects – Local Landscape

69. The WOLA describes the local landscape character area. In terms of development sensitivities, the WOLA advises that the semi-enclosed limestone wolds landscape type is visually sensitive and any development would need to be closely and sensitively integrated within a strong landscape structure.

70. Taking first the sensitivity, the site and the local area exhibit some of the landscape elements and characteristics of the semi-enclosed limestone wolds. However, the removal of hedges, lack of boundary management and more intense agricultural practices do detract from this. The character is generally tranquil but is disrupted by the local rural roads and other man-made features.
71. Many of the impacts I have described above equally apply here. The introduction of solar panels across a large geographical area could not result in anything other than change and the proposed BESS and connection point to the power grid would further add to this change. The appellant suggested at the Inquiry that solar farms are now an accepted form of development in rural areas. However, whilst I accept solar arrays are becoming increasingly common, this does not result in them being part of the accepted character of the rural landscape.
72. Taking these matters into account, I consider that the landscape has a medium sensitivity to accommodate the introduction of solar panels into this local landscape. Whilst this is lower than the 'Medium-high' assigned by SPAG and the Council, to my mind the local topography and existing vegetation, which provides a structure to this local landscape, lead to a landscape with characteristics more accepting of change.
73. Furthermore, the proposal would include suitable functional design, by working with the existing topography and incorporating new landscaping to help soften and screen the edges of the development. Whilst the Council disagree, because of these factors, it is my judgement that the scheme would include some features that could be regarded as good design with respect to the layout of the scheme and reducing panels in the eastern field parcels which are more sensitive in landscape terms. Accordingly, in this respect, I find no conflict with Local Plan Policy OS4, which requires new development to respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and, where possible, enhance the character and quality of the surroundings.
74. In considering the magnitude of landscape effects on the site and local area, there would be changes to the aesthetic of this localised area, as the introduction of the solar arrays and associated infrastructure would be spatially distinct from the established landscape character. Furthermore, the introduction of increased traffic movements (construction and ongoing maintenance) and construction operations would have a limited impact on the local tranquillity.
75. Farm tracks and accesses are not an unusual feature of the local landscape, and the proposed track would be seen alongside the local highway and nearby lanes and PRoW. Whilst the access would be initially jarring, once the proposed hedgerow is established and the stone track softens the access would blend into the local landscape. Given the existing landform and its features these factors would only influence the immediate landscape character setting of the site.
76. The duration of the development would be long term and generational but temporary in that it would be removed after 40 years of operational life. I accept that the mitigation planting would remain, but as I set out above, I do not find this inherently harmful, and it goes some way to meeting the objectives of landscape character assessments brought to my attention. Moreover, it also provides the integrated strong landscape structure encouraged in the WOLA. Taking these

matters into account to my mind the magnitude of landscape change, in terms of the local landscape is Medium.

77. Overall, after considering the sensitivity of the landscape receptors to the development and the magnitude of the effect resulting from the development, I consider that the landscape effect on the local landscape through both construction and the operational phase is Moderate adverse. This is lower than the assessment provided by the Council and SPAG, however, I consider their scores somewhat overrate the landscape's sensitivity to change and the magnitude of landscape effects due to their concerns as described above.

Visual Effects

78. The visual assessment identifies people within the 4km study area / Zone of Theoretical Visibility, who will be affected by changes to views and visual amenity, referred to as 'visual receptors'. I was told at the Inquiry that visual receptors include residents, visitors, recreational receptors, workers and people travelling through the landscape. I recognise that different receptors would appreciate the landscape in many different ways, depending on whether they live, work, or are on holiday in the area and how they are travelling through it.
79. The presence of the appeal proposal in this rural area would unsurprisingly give rise to visual effects, particularly whilst mitigation planting establishes. Nevertheless, the scheme's visual prominence within both the local and wider area would vary because of the topography of the site and its surroundings, and the presence of existing and proposed planting.
80. The LVA that supported the planning application [CD 1.31] selected 21 publicly accessible viewpoints which provided short/local, medium and distant views. Five of these viewpoints were close to dwellings to provide a representative sample of private views. Accurate Visual Representations (AVRs) were also presented to represent the proposal in context with its surroundings.

Short / Local Views (viewpoints 1- 14)

81. A key concern of the Council and SPAG is that the addition of mitigation planting will result in the foreshortening of views into and across the site, impacting a key landscape characteristic of 'limited intervisibility'. Furthermore, the infrastructure and access arrangements would introduce urbanising influences, which would change the visual experience of receptors which may not be mitigated to the extent identified in the AVRs.
82. Given the existing topography, trees and hedgerows, there are limited places from the surrounding area where open, panoramic views of/or across the appeal site to the wider landscape can be sought. As such, the landscape appears as a series of small field parcels, woodlands, linear belts of trees and hedgerows, which create a sense of enclosure. As set out above, the recreational value of the area is clearly high with many local residents using the local PRoW for walking, cycling and horse riding. In addition, the Cotswolds area attracts high numbers of tourists, who come to appreciate the landscape and its numerous heritage assets. As such, I consider that the receptors have a high sensitivity to the proposed development.
83. Turning to the magnitude of visual effects at construction and year one, as well as at year 15. Whilst the proposed development will cover a large geographical area, only a small proportion of the site area will be visible at any one time. Besides

which many views of the appeal site would be obliquely located as people travel along roads and PRow. Although 40 years is a significant period of time, the proposal is temporary and reversible, except for the screening landscaping, so that after decommissioning it can revert to agricultural use.

84. The proposed panels would be contained within the existing field layout and the existing field boundary hedgerows would be maintained and enhanced. This would assist in softening the linear form of the arrays and the security fencing. The panels would be set away from the existing boundary hedging and trees along Akeman Street and St John's Lane by a wide margin of rough and tussock grassland. New hedgerows and native trees will also be planted along the southern boundaries of field parcels 4 and 5 and once established this would filter the views of the panels from St John's Lane. A low bund, approximately 1.5 metres in height would be created in field parcel 11 as part of the drainage strategy but would also limit views of the access track. Additional scrub and tree planting in field 7, alongside hedgerow enhancement would, in time, limit views of the panels from Akeman Street.
85. I accept that the appeal site has a distinct undulating topography. However, as the panels would sit on top of the land and would not require excessive excavation the proposal would have a negligible impact on this topography, insofar as the undulating landform would still be apparent to receptors in local views. The stockpiling of soils would also be for a relatively short period of time, before it is reused on the site.
86. The WOLA sets out that the landscape character provides for 'moderate intervisibility', which I perceive as a moderate level of visual connection with its surroundings, due to the interruption of wider views from existing trees, hedges and the topography. Akeman Street exhibits this enclosed characteristic due to its tall hedge and tree lined boundaries. However, gaps in the hedging, particularly opposite the entrance to the Ramsden Recreation Ground, allow views over the appeal site and onwards to the wider landscape. This is particularly important to walkers using promoted footpaths, where the experience of moving between areas and experiencing characteristic views forms an important component of visual attractiveness.
87. Much of the boundary hedge with Akeman Street is not within the planning application boundary. Nevertheless, the section of hedge opposite the recreation ground would be managed by the appellant. At this location the Landscape Softworks Plan proposes hedgerow enhancement to contain the appeal site and to strengthen green infrastructure networks. During construction and at year 1, the views from here would be shortened in the foreground, where the proposed panels would occupy some of the field parcels within the view. By year 15 views of the panels would become greatly screened by the proposed mitigation and boundary planting, but the distant views would alter from an open view to a much more enclosed view. Therefore, there is the potential here for a valued local view and the characteristic intervisibility to be reduced or lost altogether.
88. Furthermore, the Council highlight that it considered that the 15-year tree growth projections underestimate the ultimate tree heights, leading to a greater loss of longer landscape views than modelled by the appellant. However, the comparison of tree height from web based Streetview assessments would not be a particularly reliable source of evidence given the cameras used, light levels and image

resolution. Moreover, the review of the LVA undertaken by the Council's Landscape Consultant (LDA Design) states that *"Whilst there will be some localised change to the views experienced at VP07 and VP08 the overall experience of long-distance views to the horizon and wider landscape would be maintained."* I would agree with this assessment.

89. A short length of hedgerow, of approximately 46 metres, on Akeman Street, would need to be removed to create visibility splays for the proposed access. Once the construction of the access is complete a section of hedge would be replanted. The existing hedge here has a gappy appearance, which allows views across the westerly extent of the appeal site and onto the tree cover of Singe Wood. Given the works proposed, undoubtedly the eye would be drawn to the initial construction operations and until the proposed hedgerow had established, moreover, there is the potential for the characteristic intervisibility to be lost at a viewpoint on the boundary of the CNL and along the Wychwood Way. In this respect the CNL Conservation Board has raised no objection and commented that *"the Board's Planning Officer considers that the scheme, through the primary and secondary mitigation measures outlined within the submission, would only give rise to visual effects of a level above negligible significance from a single viewpoint, this being a restricted view of the site's access point experienced in the context of present development and the B4022. The visual effect of the development from this viewpoint would be of a moderate significance for a temporary period, reducing to minor on completion of the development."* Indeed, the CNL Board clarified that they reached their conclusions based on the construction access being temporary and 'completion' would mean the end of the construction period rather than post-decommissioning [CD 8.13B].
90. The site boundary along St John's Lane, a restricted byway, has an enclosed character due to the mature woodland vegetation. Whilst this vegetation is gappy along the boundary with the appeal site and I accept that in the winter months the leaf cover would be less, the resultant views are limited and short range because of the rising ground levels and field hedgerows and trees that already exist in the appeal site. Furthermore, this is a matter that could be addressed to some extent through a condition which requires the submission and implementation of a landscape scheme, which would need to be approved by the Council, and could require the addition of denser planting and/or the addition of a greater proportion of evergreens to the mix.
91. Given the areas of proposed rough grassland and the existing hedges the Singe wood would still be appreciated against an agricultural setting and the feeling of light and shade while travelling along St John's Lane would be maintained. From the southeastern end of St John's Lane and Blackbird Asserts Lane, the BESS facility and associated transformers and CCTV poles would be visible, however these views would be filtered by the existing and proposed landscaping. Furthermore, suitable planning conditions could be used to ensure that the equipment was finished in a sympathetic colour to ensure that it did not overtly draw the eye.
92. Taking all these matters into account, I consider that the magnitude of visual effects on short / local views at: Akeman Street during construction and at year 1 to be high, and medium by year 15; and on St John's Lane during construction and at year 1 to be medium, and low by year 15. I do not consider that the

development would cause a dominant or complete change to the views or substantially alter the appreciation of the views.

93. Similarly, given the landscaping mitigation and enhancement proposed, the visual effect from the CNL in short range views would be negligible, apart from at a single viewpoint [CD 10.3 Viewpoint 10], namely opposite the proposed site access. This viewpoint provides a direct view of the site access, but in the context of existing development, tracks, junction with Akeman Street and the B4022. Therefore, the resultant visual effect would be moderate during the construction period, reducing to minor following the completion of construction and landscaping works.
94. In this respect, the 'Cotswolds AONB Landscape Strategy and Guidelines' relating to Landscape Character Type 9 High Wold Dipslope [CD 11.9] sets out in summary that removal and restoration of temporary construction accesses may help to address /mitigate potential adverse landscape implications from solar farms.
95. Accordingly, whilst I have had regard to the concerns raised by the Council and SPAG, it is my judgement that the overall visual effect on short / local views is Major Adverse at construction and year 1, reducing to Moderate Adverse at year 15.

Medium Distance Views (viewpoints 15 – 19) and Long Distance Views (viewpoints 20 – 21)

96. Due to the undulating topography and parcels of woodland, medium to long distance views across the appeal site are limited and this also includes views towards and out of the CNL. A number of the viewpoints I visited were on or close to seemingly well used PRoW or on public roads and were broadly representative of the views that can be sought in the wider area. The sensitivity of users on the PRoW and highway network I assess to be High as the quality of views contribute to the value of the experience, particularly within the CNL and its setting.
97. Most of the site is screened from view by a combination of the rolling/undulating landscape and by the layering effect of vegetation in the intervening landscape between the observer and the site boundary. On my site visit only viewpoints 19 (on New Yatt Lane) and 20 (off Green Lane) provided the opportunity for receptors to catch sight of the appeal area. In these views parts of the proposed development would be visible, including the solar panels. Whilst the scheme would be visible, this would only be a small part of the overall view, where the panels would likely appear as a dark grey surface, similar to water, rather than being overtly 'reflective' as stated by the Council. Moreover, once established hedgerow and tree planting would filter any direct views and I have no evidence to counter the effectiveness of this mitigation.
98. In terms of views from within or across the CNL I do not consider these would be significantly impacted by the proposal. This is due to the landscape mitigation as stated above, which could be reasonably secured by condition, and that the proposed development would be viewed within the wider landscape. Most receptors would experience the proposal as a small and generally inconspicuous part of the CNL, rather than as a feature that would visually dominate the landscape.

99. In reaching this conclusion I have taken account that local residents may be more sensitive to changes in their local environment.
100. All things considered, the magnitude of visual effects on long and medium distance views during construction and at year 1, I judge to be low, and negligible by year 15. Accordingly, the overall visual effect on long and medium views is moderate at construction and year 1, reducing to negligible adverse at year 15.

Cumulative effects

101. The PPG relating to renewable and low carbon energy identifies cumulative landscape and visual impacts as material considerations in the assessment of solar energy proposals.
102. As I heard at the Inquiry there have been a number of solar farm schemes which have been constructed, granted planning permission or are awaiting a planning decision in the West Oxfordshire area. These include 'University Farm' at Hailey, and the NSIP scheme at Botley West.
103. The development would increase the presence of solar infrastructure in the area and it may be possible to use the network of PRoW or one of the longer distance walks to pass the development site and the other solar farms. However, the strong existing landscape structure and the clear physical separation between all the sites identified would ensure that the cumulative landscape and visual effects would be negligible and would not undermine the rural character of the area or the CNL.

Conclusions on landscape character and visual amenity

104. Bringing these findings together, I consider that the proposal would result in a moderate adverse effect both on the local landscape character and on short distance visual amenity during the lifetime of the development.
105. However, whilst the proposal would noticeably alter the landscape locally, the unique combination of elements and features that make up the wider landscape character and types would not be significantly harmed. The visual impacts would also drastically reduce in medium to long distance views as the landscaping matures. In reaching this conclusion I acknowledge that the proposal has considered the environmental qualities of land proposed for development and identified opportunities for those qualities to be conserved or enhanced, as required by the Framework.
106. I have considered the CNL's Management Plan, which describes the natural beauty, special qualities and key characteristics of and targets, objectives and policies for the CNL area. From the evidence before me I have found that the appeal site makes a positive contribution to the setting of the CNL which would not be diminished by this proposed development.
107. As set out above, measures have been specified on the submitted plans and these could be secured by conditions, which further the statutory purposes of the CNL and meet the requirements set out in the Framework at Policy N4:4. These measures would seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of the CNL.

108. Whilst I have found minor harm to the setting of the CNL, the Framework and duty to seek to further the purpose of conserving and enhancing the natural beauty of the National Landscape, does not indicate that such effects should be avoided completely.
109. This conclusion would chime with that of the CNL Board in their consultation response [CD 8.13] to the planning application that *“we consider that if, without prejudice, the LPA were minded to approve this application, the LPA would have fulfilled its statutory duty to seek to further the purpose of CNL designation...”*.
110. I find that the proposed development would have a localised but moderately harmful effect on landscape character and visual amenity, which would therefore conflict with Policies OS2 and EH2 of the West Oxfordshire Local Plan which expect that new development which requires a rural location to respect the intrinsic landscape character and visual amenity of the area; that the quality, character and distinctiveness of West Oxfordshire’s natural environment will be conserved and enhanced; and that new development does not give rise to harm to the landscape which cannot be adequately mitigated or compensated for.
111. The Overarching SoCG [CD 10.7A] states (at paragraph 4.1b) that *“the policy most directly relevant to the determination of proposals for solar farms such as the Proposed Development is Policy EH6 ‘Decentralised and renewable or low carbon energy development (excepting wind turbines)’*”. Policy EH6 supports renewable energy proposals where they are acceptable in terms of, amongst other things, landscape and visual effects and cumulative impacts. I shall return to this policy in the overall balance below.

Heritage

112. I have a statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Furthermore, section 72(1) of the 1990 Act requires me, with respect to any buildings or other land in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
113. While the setting of a conservation area is not covered by the statutory duty under section 72(1) of the act, the Framework does set out heritage policies that relate to the significance of designated heritage assets and their settings, as does the Planning Practice Guidance (PPG) on the Historic environment.
114. Local Plan Policies OS2, OS4, EH9, EH10 and EH13 also seek to, amongst other matters, ensure that development respects the intrinsic character of the area; conserves or enhances features of historic significance, including the setting of conservation areas and the historic character of the landscape, by avoiding adverse impacts or minimise any unavoidable impacts which would need to be justified by the public benefits that would accrue.

Conservation Area

115. Ramsden Conservation Area lies to the northeast of the appeal site, with the nearest panels some 250 metres from its boundary. As set out in the Ramsden Conservation Area Character Appraisal (RCACA) [CD 6.4], Ramsden is mainly

situated along Akeman Street, the Roman highway linking Cirencester with St. Albans and High Street. It was a self-supporting community which was heavily reliant on agriculture and grew as the Wychwood Forest was cleared. The village lies in a shallow valley, in the main surrounded by mature woodland copses. In this respect the RCACA states *"With its hidden setting it retains a vestigial sense of the isolation and self-containment that has characterised the village for centuries."*

116. Ramsden has a strong linear form established along two axes. The first of these, broadly running east to west (Lower End and High Street) and the second broadly running south to north (Akeman Street to Wilcote Lane). The Conservation Area contains many listed buildings, as does the area surrounding the appeal site. The buildings are generally 17th Century and of a modest and consistent vernacular style constructed of the local limestone, which confirms their roots based in agricultural relative poverty.
117. The appeal scheme would not impact on the physical presence of the Conservation Area and it is common ground that the issue in this case is the effect on its setting. The Framework defines 'setting' in its Glossary as the *"surroundings in which the asset is experienced. Its extent may change as the asset's surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."* Significance is defined in the Framework's Glossary as *"The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."*
118. Whilst the 'significance' of the Conservation Area is not stated within the RCACA, from all that I have seen and read, to my mind, the significance lies in its historic linear settlement pattern, the strong vernacular style of the architecture, which is constructed from a common palette of local limestone denoting Ramsden's agricultural roots. That it retains its sense of isolation and self-containment due to the extensive mature woodland copses on its boundaries and that woodland facilitates limited opportunities for views across agricultural fields. Nevertheless, these limited views allow an understanding of Ramsden's location and historic development as an agricultural settlement.
119. In addition, the approaches towards the village along roads, such as Akeman Street, and the PRoW provide a rural setting with mature trees and limited views across agricultural fields. In this respect Historic England notes in its consultation response [CD 8.4] that *"As one of the fields that lay on the very edge of the village, the application site therefore plays an important [sic] as it helps preserves the close historic relationship between the village of Ramsden and its rural setting. As one travels to and from the historic core of the village along Akeman Street, the fields to the south, which include the application site, offers glimpse views out over Ramsden's gradual sloping landscape, which add to the rural character of the conservation area."*
120. Given the significance of the Conservation Area, as set out above and the comments provided by Historic England, I have no doubt that the rural setting created by the agricultural fields and their boundaries, at the northern extent of the appeal site, make a positive contribution to its significance.

121. It was apparent at my site visit that there were no potential views into the Conservation Area, particularly along Akeman Street, until you are virtually within it. Although I appreciate that an asset's setting involves more than intervisibility.
122. As I heard at the Inquiry there were strong historical links between properties in the Conservation Area and the appeal site as evidenced by tithe maps and the associated apportionments, with over 90% of the appeal site falling into the ownership of twelve listed buildings in the local area. I also heard how the layout of fields and tracks have remained relatively unchanged with extant tithe era field boundaries located to the southwest. I note that the tithe information is useful to show how the pattern of farming developed. In Ramsden the piecemeal tree clearance ultimately led to the development of open-field systems, where the farmhouses were remote from the land and grouped in the heart of the settlement. The farmers would have travelled out from the village to work scattered land strips.
123. Whilst the appellant considers that the historic functional association is no longer extant and can only be appreciated through historic records, I consider that the sites of farmsteads in the landscape can provide an insight into how agriculture has developed in that area and create a sense of local identity.
124. The appeal scheme would introduce modern infrastructure into an area of agricultural land as well as increased landscaping and screening. This would undoubtedly change its character and detract from the agricultural setting of the Conservation Area. I accept that modern agricultural practices have somewhat changed the field patterns and landownership. I also acknowledge that the appeal scheme would retain and enhance the existing hedges as well as reinstate the line of a historic hedge between field parcels seven and eight. These mitigations would ensure that the solar panels would be contained in each field parcel, so that the saw tooth field patterns would still be appreciated and would remain intact after the development has ceased.
125. Historic England does not object in principle, but states that the scheme would be capable of being further refined by removing a number of the panels from the northernmost field, closest to Akeman Street, so that the development would be screened by the existing hedgerow, which would remove the majority of the visual impact on the approach to the Conservation Area. Furthermore, the West Oxfordshire District Council 'Proposals for Preservation & Enhancement – Ramsden', sets that "*Special care must be taken to ensure that views into and out of the Conservation Area, as well as views within the Conservation Area, are not harmed.*"
126. The appeal scheme has relocated and concentrated the panels towards the southern corner of Field one to try and address the concerns of Historic England. I also heard at the Inquiry that further relocation of the panels towards the west of the appeal site was not feasible due to the potential visual impact on the CNL and to reduce the panel numbers would render the proposals unviable. Mr Cussen stated at the Inquiry that removal of panels in the northernmost field would result in a reduction of 3MWp to 17 MWp, in a scheme which was already operating close to viability thresholds. I acknowledge in this respect that whilst the output would reduce, the overhead and operating costs would not. Therefore, as Historic England rightly point out, that if the decision maker is satisfied that the scheme could not be delivered in a less harmful way, the harm would need to be weighed against the public benefits the scheme would deliver.

127. The solar panels closest to the Conservation Area boundary are located in field one. These panels are set back from Akeman Street by a large swathe of grassland which will be used for Skylark mitigation habitat and will be screened from views by a proposed hedgerow. The existing mature hedgerow that borders Akeman Street, along the edge of field seven, would also be strengthened, but breaks maintained for deer push throughs.
128. The introduction of the solar panels and, once established, the mitigation planting would foreshorten views across the agricultural fields. However, the retention of a large area of grassland which would essentially merge into the neighbouring farmland outside of the red line area, would ensure that in filtered views, through existing mature boundary vegetation, people traveling along Akeman Street would still be able to appreciate the agricultural setting of the Conservation Area in the limited views available.
129. I accept that the additional infrastructure such as the security cameras and fence tops would continue to be visible above the mitigation planting, which may indeed break any illusion of rural countryside beyond. However, these would be no more impactful than highway signage and domestic paraphernalia which is also visible in the surrounding area.
130. The Council argue that the mitigation planting would also result in a reduction in the permeability of the perimeter of the development site and a lessening of the understanding of the rural and agricultural context. However, the West Oxfordshire District Council 'Proposals for Preservation & Enhancement – Ramsden, Enhancement priorities for the landscape setting of the Conservation Area [CD 6.6] include, amongst other matters:
- *Retain and replant hedgerows and introduce more native hedgerow varieties typical of the area, such as ash, oak, field maple, blackthorn, hazel, holly and crab apple;*
 - *Plant large blocks and belts of native broadleaf trees to link existing woodlands and restore a mosaic of farmland and woods;*
 - *Encourage conversion from arable to pasture. Discourage field enlargement;*
- This document would therefore seem to encourage the measures provided in the appeal scheme.
131. The Framework recognises that development within the setting of a designated heritage asset could result in harm to the significance of that asset. In this respect the proposal would erode the agricultural setting of Ramsden, by reducing the extent of land being visibly used for agricultural practices and thus lessening the opportunity to appreciate the functional links / historical understanding between Ramsden and the surrounding landscape. These impacts would be tempered by the proposed grassland creation, landscaping and mitigation planting and, to my mind, the appeal scheme would broadly maintain the key elements of this historical understanding from available viewpoints. Nevertheless, the proposal would cause harm to a designated heritage asset, a matter which is not disputed by the Council or the Appellant.
132. The Framework at HE5:2(c) establishes that development proposals that affect heritage assets should be accompanied by an assessment of their significance

(including through effects on their setting), if harm is demonstrated the assessment should identify the degree of harm. In this respect the Council assessed the harm to be moderate / mid-point, whereas the Appellant assessed the harm to be at the lowest end of the scale.

133. Given my findings set out above, that the agricultural setting to the Conservation Area would be eroded but mitigated and enhanced by the proposed landscaping and the removal of physical infrastructure after the development has ceased, I conclude that there would be a low level of harm to the significance of the Conservation Area.

Listed Buildings

134. It is common ground that the Officer Report [CD 4.2] only refers to one Grade II listed building Gigley Farm and associated buildings. However, at appeal stage the Council also stated that the proposal would harm eleven Grade II listed buildings and eight locally listed buildings within the Ramsden Conservation Area, as well as the Grade II listed Lower Farm. I shall consider these in turn.

Grade II listed buildings within the Ramsden Conservation Area

135. The eleven Grade II listed properties within the Conservation Area brought to my attention by the Council include: Dunrobin, Barn adjacent to Dunrobin, Ramsden Farmhouse, Barn adjacent to Ramsden Farmhouse, Handcroft Farmhouse, Greens Toft, Akeman Cottage, Walnut Tree Cottage, Malthouse Farm, Crockwell House and Upper Farmhouse. These are circa 17th century cottages with a coterie of agricultural buildings. They are constructed from coursed and dressed limestone in a vernacular style. Many of the barns have now been converted to living accommodation or separate dwellings. These buildings are listed for their architectural and historical interest. Whilst these matters form part of the significance of these assets, their setting within woodland blocks and fields also complement the justification and therefore the significance for the farmhouses, cottages and barns and their perception as having an inherent connection with the countryside and the settlement's historic development.
136. The dense areas of woodland and the local topography prevent views towards the fields where the solar arrays would be located. The functional links between the appeal site and these heritage assets, as demonstrated in the tithe map and apportionments, have already, to some extent, been lost with the changes of ownership, agricultural practices and conversion of the barns.
137. I accept that the agricultural land would be temporarily used for a modern solar farm and this would erode the agricultural setting and lessen the opportunity to appreciate the significance between the heritage assets and the surrounding landscape. However, subject to the proposed grassland creation, landscaping and mitigation planting, it is my judgement that the appeal scheme would maintain some of this historical agricultural understanding from available viewpoints. It should also be acknowledged that agricultural land surrounds the Conservation Area which, alongside the appeal site, would also provide the context to the buildings within it.
138. The development would therefore cause a very low level of harm to the setting and significance of these heritage assets through development within their setting.

Local listed buildings within the Conservation Area

139. The Council explained at the Inquiry that the RCACA identifies approximately 50 locally listed buildings within the Conservation Area, and of these, eight have a direct historical connection with the land parcels within the proposed development site through ownership and function.
140. I have little evidence as to why these properties appear on the list of 'locally listed buildings', however, from what I observed on my site visit, these are sympathetic to the local vernacular and construction materials seen within the Conservation Area, but don't display the same plot layout or form as the more traditional farmhouses and cottages or they are of more modern construction.
141. Similar to the listed buildings set out above, the dense areas of woodland and the local topography prevent views from these buildings towards the fields where the solar arrays would be located. I accept that the agricultural land would be temporarily used for a modern solar farm and this would erode the agricultural setting and lessen the opportunity to appreciate the significance between these locally listed buildings and the surrounding landscape. However, subject to the proposed grassland creation, landscaping and mitigation planting, it is my judgement that the appeal scheme would maintain some of this historical agricultural understanding from available viewpoints and would not, therefore, adversely affect the significance of these locally listed properties.

Lower Farm

142. Lower Farm sits on 'High Street' but outside of the Ramsden Conservation Area. It is a Grade II listed farmhouse, constructed in the 18th Century of coursed limestone rubble with stone slate roof. The farmhouse forms part of a complete farmstead group, including the adjoining barn, privy and garden wall, which are also Grade II listed. The property itself is listed for the architectural and historical interest of the building.
143. The Council allege a functional tie with the appeal site as an analysis of the tithe map and apportionments show that the owner of Lower Farm, a Mr Henry Hutt, also owned parcels of land within the appeal site. Whilst the historic association between Lower Farm and the appeal site through land ownership is no longer extant, the location of the asset as part of the settlement allows appreciation of the agricultural development of the area. Therefore, I judge that the architectural and historical interest of the asset and its connections with the surrounding agricultural land all add to its significance.
144. As stated above in relation to the listed buildings within the Conservation Area, there is no visibility of the appeal site to or from Lower Farm. It is also common ground that there would be no physical works to the heritage asset. However, the proposed development would result in the temporary loss of agricultural land and thereby the erosion of the physical understanding and experience of Lower Farm's agricultural context. However, subject to the proposed grassland creation, landscaping and mitigation planting, which is located close to public vantage points along Akeman Street, it is my judgement that the appeal scheme would maintain some of this historical agricultural understanding. It should also be acknowledged that agricultural land surrounds the Village of Ramsden which, alongside the appeal site, would also provide the context to Lower Farm.

145. The development would therefore cause a very low level of harm to the setting and significance of this heritage asset through development within its setting.

Gigley Farm and barns

146. The Grade II listing for Gigley Farm covers the farmhouse and the attached farm buildings. The property is listed for the architectural and historical interest of the buildings which may have had historical connections with the surrounding agricultural land. It is from these factors that the asset derives its significance.
147. The connection route of the proposed solar farm runs through a field historically in the ownership of Gigley Farm and there are filtered views of the heritage asset from this location. However, the connection will be, in the main, below ground and the existing pole supporting the overhead electricity line would be replaced by two 'H' style poles of the same height as the existing infrastructure.
148. It is my judgement that the distance between the appeal site, connection infrastructure and the listed buildings, the limited views of the buildings in the context of the appeal site and the presence of intervening vegetation would lead me to conclude that the proposed development would cause a very low level of harm to the setting and significance of this heritage asset through development within its setting.

Other Farmsteads

149. The Council has also brought to my attention 'Turley Farm', Hailey and 'New Found Out Farm' on the B4022 opposite the end of Akeman Street, which are located to the south and west of the appeal site respectively. Whilst they are both historic buildings circa 19th century, I have no evidence before me that either farmstead is registered as a listed building or on any local list.
150. The Council states that these form part of the wider setting of the Ramsden Conservation Area as they evidence the dispersal of outlying historic farms in relation to the nucleated cluster of historic farmsteads within Ramsden. However, neither farmstead can be seen from the Conservation Area, neither do they add to its significance. As such I consider that the Council overstate the contribution these properties make to the setting of the Conservation Area.

Conclusion on Heritage

151. I consider that the proposal would cause harm to the significance of the Conservation Area and harm to the significance of some of the listed buildings brought to my attention, through development affecting their setting. The degree of harm would be at the low end of the scale but is a matter of considerable importance and weight. In such circumstances the Framework states at HE6:4 that where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. This approach also resonates firstly with the consultation response from Historic England, that if harm cannot be avoided, then such harms would need to be weighed against the public benefits, and secondly, with the Local Plan Policies as set out above.
152. Local Plan Policy EH6 also states that planning permission will be granted for renewable energy schemes where they are acceptable in terms of the historic environment.

153. I address the approach of balancing the harm against the public benefits, in accordance with the Local Plan Policies set out above and the Framework, in the overall balance below.

Benefits of the Proposal

154. As set out above, there have been a number of government policy statements and commitments produced in relation to energy and climate change. Accordingly, as a renewable energy project, the proposal benefits from strong national and local policy support aimed at significantly increasing renewable generation, particularly solar power.

155. At a local level, the proposal draws support from the West Oxfordshire District Council Climate Change Strategy 2025-2030 [CD 6.7]. The Strategy presents a set of priority actions to achieve carbon reduction and greater climate resilience which incorporates following the energy hierarchy, including the supply of heat and power demand with renewables. The appeal scheme would make a meaningful contribution towards local targets and the Council's ambition to be carbon neutral by 2030. Moreover, the Council has declared a climate emergency and the contribution of the development towards mitigating that emergency alongside meeting local targets attracts significant weight in favour of the appeal.

156. The development would also assist in enhancing national energy security and affordability, through the provision of a UK based secure, diversified and decentralised source of renewable energy, consistent with national policy objectives. This is of particular importance as the energy sector decarbonises and transitions away from fossil fuels. National policy, including the Framework, at Policy W3, and National Policy Statements (EN-1 and EN-3), makes clear that renewable energy proposals and their associated infrastructure should be afforded substantial weight.

157. The parties agree that substantial weight should be given to the generation of renewable energy following the publication of the Framework, and I agree. Substantial weight should also be given to the contribution the development would make to ensuring low cost and secure energy.

158. The Parties provided arguments as to whether or not the substantial benefits to the provision of solar energy, as set out in the Framework, are combined or treated individually. To my mind, whilst the planning balance may be informed by a consideration of the relative weight to be attributed to different factors it is not a purely quantitative exercise but one that requires careful planning judgment informed by the evidence.

159. The appeal scheme would provide an output capacity of circa 20 MW (AC), which is equivalent to meeting the energy needs of approximately 6,060 homes per year, saving 8,600 tonnes of CO₂. The proposal includes a BESS with a capacity of 1.5 MW. The BESS would increase utilisation of the available grid connection to provide additional security of supply, carbon reduction and affordability benefits to the local and national electricity system. I consider that significant weight in favour of the scheme is derived from its co-location with the BESS facility.

160. The Appellant has confirmed that the proposed development has been prioritised as a Gate 2, Phase 1 connection as part of NESO's Connections Reform process and therefore has a guaranteed connection point, queue position and delivery date

prior to 2030. This strengthens the scheme's ability to contribute to national objectives relating to renewable energy generation, energy security and decarbonisation to support the delivery of the Government's Clean Power 2030 Action Plan. Given the urgency of the need and the difficulties experienced in obtaining grid connections currently, I consider this to be a factor which attracts significant weight in its favour.

Other benefits

161. Policy EH3 of the LP requires, amongst other matters, the biodiversity of the district to be protected and enhanced to achieve an overall net gain in biodiversity. The Framework, N2:1(f) also requires proposals to minimise any adverse impacts on biodiversity and include features that support priority or threatened species.
162. The proposed development will result in the loss of arable land, and a 46-metre section of hedgerow would need to be transplanted to provide visibility splays at the access road to the Solar Park. The access track would result in the small loss of bramble scrub, and the cable route would also necessitate the removal of small sections of hedgerow and bramble scrub.
163. The appeal site does not include any protected wildlife sites. However, it is located within the Wychwood Forest Project Area [ID 17] , and part of the old forest remains in Singe Wood along the site's southern edge. The site mainly consists of agricultural fields formerly used for arable production. Hedgerows and trees bound the site and the individual fields. Other habitats on the site include grassland, woodland, ditches, areas of scrub, and bracken. The proposed cable route would pass through two arable fields and areas of scrub and hedgerow.
164. The Ecological Impact Assessment (January 2025) [CD 1.26] explains that most of the habitats on the site have low ecological value. This is because intensive farming has reduced their diversity, or because they are in poor condition due to a lack of appropriate management. In addition, most of these habitats are common in the surrounding area. The main exceptions are the hedgerows and the ancient woodland, which are more valuable.
165. The development would include habitat creation and enhancement including species-rich grassland, native species-rich hedgerows and hedgerow with trees, native trees and scrub.
166. The appeal scheme has been measured against the statutory Biodiversity Metric calculation. Overall, it would result in a total net change in habitat units of 148.16% and hedgerow units of 49.09%. The measures to achieve these results would be secured through planning conditions and a s106 agreement. The benefit of delivering BNG far in excess of the 10% gain target, attracts significant weight in favour of the development.
167. The majority of employment generation would be during the construction phase when up to 28 workers would be employed. The appellant also states that due to the employment multiplier for large-scale solar PV investments (research published in 2014 by the Centre for Economic & Business Research on solar powered growth in the UK) the proposed development could potentially support up to 65 jobs during the 12-month build programme. I also accept there would be some support for the local economy due to spending in local businesses and in the wider supply chain. This attracts moderate weight in favour of the appeal.

Other Matters

Flooding and Drainage

168. An updated 'Flood Risk and Drainage Assessment' dated 2 July 2025 (FRDS) [CD 2.6] was submitted with the appeal. The site is in Flood Zone 1, which has the lowest risk of flooding.
169. The Framework at Policy F4:2 states, in relevance to this proposal, that "*In Flood Zone 1, a site-specific flood risk assessment should inform and accompany all development proposals involving: Sites of one hectare or more...*" Framework Policy F4:3 goes on to state that "*Site-specific flood risk assessments should be appropriate to the scale, nature, and location of development...*". Framework Policy F7:1 ensures that development should be safe from flooding within the site and should not lead to flooding elsewhere. Framework Policy F8:1 and 2, provide for the incorporation of Sustainable Drainage Systems, their design and maintenance and that such schemes take account of advice from the Lead Local Flood Authority (LLFA).
170. Flood risk and drainage were not reasons for refusal; however, local residents were concerned that the proposed development would increase the risk of flooding elsewhere. I was told at the Inquiry that following a number of flood events in the surrounding area, a 'Section 19 Flood Incident Report – Hailey' (dated 10 July 2023) [ID 21] was issued by Oxfordshire County Council in their capacity as the LLFA. This report identified a number of factors that contributed to these floods, including the land drainage work within the appeal site and land management such as ploughing. Some of the main recommendations from the report included working with landowners to look at opportunities to manage flows upstream of Delly End and look for opportunities through new development to reduce the risk of flooding to Delly End.
171. Following questions at the Inquiry the Appellant and LLFA prepared a SoCG [ID 29]. This confirmed that the LLFA remains satisfied that the principle of an acceptable surface water drainage strategy has been established and that the detailed design and implementation of the drainage proposals can be secured through the proposed condition. Consequently, the LLFA does not object to the proposal on surface water drainage grounds.
172. The site, including that under the solar panels, will be managed as grassland, without any requirement for annual ploughing. However, the FRDA also proposes to manage surface water runoff by installing infiltration swales (shallow drainage channels) at locations identified on the Landscape Soft work Plan. These swales have been designed using a very low assumed infiltration rate, meaning they are based on the idea that water soaks into the ground very slowly. They are large enough to hold water from an extremely severe rainfall event that has a 1% chance of occurring in any year (a "1 in 100 year" storm), plus an additional 50% allowance for climate change. This is greater than the standards set out in the 'Local Standards & Guidance for Major Development with Surface Water Drainage for Oxfordshire County Council (v.2.0 June 2026)' document.
173. As a result, the drainage assessment takes a very cautious approach and provides a significant safety margin, both because it assumes poorer ground conditions than were found on site and because it designs for a more severe rainfall event than is required by the local standards.

174. From all the evidence before me, the proposed development would not increase flood risk either within the site or in surrounding areas and may deliver improvements to existing drainage conditions. The establishment of vegetation beneath the solar panels would help stabilise the soil, reducing the potential for erosion and the transport of sediment during periods of rainfall. The proposed swales would provide temporary attenuation and storage of surface water runoff, helping to manage flows across the site. In addition, the access track would be constructed from permeable materials, allowing rainfall to infiltrate into the ground rather than contributing to surface water runoff.
175. Compared with the site's existing agricultural use, the proposal would provide several benefits. These include the cessation of regular ploughing, the maintenance of year-round vegetative cover and a reduction in the use of heavy agricultural machinery, all of which would lessen soil disturbance and compaction.
176. Taken together, these measures are likely to reduce the volume and rate of surface water runoff and improve the site's capacity to absorb and retain rainfall, thereby contributing positively to local drainage conditions.

I acknowledge that local residents still remain unconvinced that the proposed drainage measures would be effective. Nevertheless, the LLFA raised no objections subject to the imposition of a condition and the Council do not object on these grounds. I am satisfied that the FRDA and additional information provides a robust assessment and that the detailed scheme would be covered by a condition. In this regard, the proposal would accord with the Framework and Local Plan Policy EH7 relating to the management of flood risk.

Soil Health

177. Whilst not a reason for refusal the Council expressed concerns that the Appellant's suggestion that the development would produce a long-term benefit to the site in terms of improved soil structure is not proven. The Council state that recent research by independent scientists has drawn attention to the harmful effects on the structure, productivity and microbial health of the soils across a large number of solar park developments. These studies have concluded that the design of solar parks in the future should be adapted to overcome what could be a very serious issue in forty years' time.
178. I accept that the use of the site as a solar farm for 40 years is a significant period of time. However, it is not permanent, and it does not completely take the land out of agricultural use as sheep would be regularly used for grazing and sheep farming is a traditional agricultural operation in this area.
179. Moreover, as explained at the Inquiry the solar panels would sit lightly on the ground with minimal effect on land/soil quality through compaction. The proposed grassland coverage beneath the panels would also "rest" the soil from the historic arable crop rotations and therefore the soil health and structure would improve for when the application area is restored. A condition to require a Soil Management Plan would ensure that there would be minimal impact on soil quality during construction and operation of the proposal.

Other methods of accommodating Solar Panels

180. The Council and local residents justly stated that domestic, agricultural or commercial roofs can accommodate solar panels in large numbers. However, given the substantial amount of renewable energy required to meet both national and local targets, these methods are not likely to be capable of meeting levels to significantly reduce greenhouse gas emissions and combat climate change. I also acknowledge that brownfield sites could also be used for renewable energy purposes, but it is unlikely that sufficient previously developed land is available at the scale required. Based on the evidence before me, it appears likely that greenfield sites will be needed to support the delivery of the UK's renewable energy targets.

Glint and glare

181. The Glint and Glare Study dated January 2025 [CD 1.28] demonstrates that no significant impact is expected on road safety or residential amenity from solar reflection. The desktop modelling confirms that at two dwellings reflection may be possible from a small visible panel area. However, this is not predicted to exceed three months per year or be over 60 minutes on any given day. Therefore, no mitigation was considered necessary.

182. Moreover, in the absence of substantive evidence that glint and glare would significantly affect horses, I have no reason to conclude that the proposal would result in harm in this regard. In any event, the proposed landscaping should minimise glint and glare on the adjacent PRoW.

Social impacts

183. From the statements made on the first day of the Inquiry I heard local residents voice concerns relating to the impact on the village pub and on local events such as the annual Fete and the Garden Open Day. I was told that many people who attend these events and visit the pub do so because of the surrounding countryside and the opportunity to walk and enjoy it. Furthermore, they were concerned that the proposed development would 'industrialise' the countryside and deter people from visiting Ramsden. The residents assert that this would lead to the loss of these events and the closure of the pub and reduce social cohesion in the village.

184. I understand these very real concerns; however, given my overall findings and the very limited information provided, I do not afford this matter weight in the planning balance.

185. I also note the concerns of some local residents regarding possible precedent for this type of development. However, there is nothing to substantiate this, and there is no indication that the development would lead to other solar farms, particularly given the constraints of grid connections for this type of development.

Other planning decisions and judgements

186. The Parties have all brought to my attention a number of planning appeal decisions. Whilst I note that, in the main, these relate to solar developments, I do not have the full particulars. Moreover, I note that these decisions relate to sites across England and each turns on its own facts. Whilst these decisions are generally relevant to varying degrees, none dissuade me from the assessments and conclusions set out above based upon the particular circumstances of this

appeal. I have also considered these appeal decisions in relation to the planning balances which follow.

Conditions & Unilateral Undertaking

187. I have mentioned throughout my decision that some of the matters can be controlled by condition to ensure that the development is acceptable. A list of draft conditions largely agreed by the parties was provided during the Inquiry [ID 34].
188. I have considered the draft conditions, and I have amended the wording where necessary having regard to the tests set out in Policy DM6 of the Framework and to assist with clarity. The numbers in brackets relate to the condition as set out in the attached Annex A. I have set out my reasons for each condition below. I have also set out the reasons in Annex A, to reflect the Inquiry discussions and, where relevant, the applicable policy requirements.
189. Conditions relating to time limits for implementation (1), the total time limit for the 'temporary' development of forty years (4), and for it to be carried out in accordance with the submitted plans, drawings and documents (2) are necessary to provide certainty and for the avoidance of doubt.
190. A condition (3) is required to ensure the precise details of the above ground structures are submitted, and I have included the use of recessive colours and matt or low-reflectivity finishes where practicable, in the interests of the character of the local area and the wider CNL.
191. In the interests of public amenity and highway safety, condition (5) requires the submission and implementation of a detailed Decommissioning Method Statement (DMS). The Council suggested that this should be prior to the first export date. However, given the time scale of the development, where best practice may change, and that another condition controls any early cessation in operations, I have amended the wording of this condition to not less than 12 months before the expiry of this permission. Whilst the Council and SPAG suggested that the condition should state that "*the land should be returned to agricultural use*" I am not content that this is reasonable, therefore I have amended the wording to require the return of the site to the former land quality as indicated in the submitted Agricultural Land Classification survey [CD 1.18]. This also ensures consistency with condition 10 relating to soil management.
192. In the event the site ceases to operate earlier than that proposed a condition (6) is necessary to ensure an early decommissioning scheme is provided. In parallel to condition 5, the Council and SPAG suggested that the condition should state that "*the land should be returned to agricultural use*", however for consistency I have amended the wording to require the return of the site to the former land quality as indicated in the submitted Agricultural Land Classification survey [CD 1.18]. I have also added a clause that the Local Planning Authority is notified should the site cease to operate to ensure it is sufficiently precise.
193. A condition requiring the site access point to be provided is necessary and reasonably related to the scale of the proposal in order to minimise any effects on highway safety (7).
194. A condition to secure full details of all hard and soft landscaping and its management (8) is required to protect the character and appearance of the area,

and to ensure the delivery of the proposed on site Biodiversity Net Gain. I have amended the condition to cite the relevant landscape masterplan drawing, removed matters that are duplicated in other conditions and added a clause to require retention and maintenance of the approved landscaping.

195. To ensure the retained trees are protected on site during construction operations a condition is necessary (9) to protect the character and appearance of the area. A condition is also imposed to secure the submission of a Soil Management Plan (10) to ensure satisfactory management of the soil resource during construction works site operation and decommissioning phases.
196. The timing of construction activities (11), the submission and approval of a Construction Environmental Management Plan (CEMP) (12) and the control of on-site contamination (13), are necessary conditions required to minimise the impact of the proposal on local residents and highway safety.
197. In the interests of biodiversity, a Construction Environmental Management Plan - Biodiversity (CEMP - B) is required (14). Furthermore, to ensure that the impacts from the development in respect of Great Crested Newts is mitigated a condition is required to secure confirmation of a relevant licence, or a statement that a licence is not necessary (15). A condition requiring a Habitat Management, Enhancement and Monitoring Plan (HMEMP) to be submitted and approved is necessary and reasonable given that these are a benefit weighing in favour of the proposal and to ensure that biodiversity gains are achieved for the local environment (16). Condition 17 ensures that notice is given to the Local Planning Authority when the habitat creation and enhancement works as set out in the HMEMP are commenced and completed, which is required for precision.
198. A condition relating to the submission of a surface water drainage scheme to minimise off-site flooding is necessary and reasonable in order to ensure that the development does not increase the risk of flooding elsewhere (18). Additional wording has been suggested by a local resident however, given that the Council has to approve the scheme, in consultation with the LLFA and local residents, the need for additional explanation or justification of elements of the scheme can be raised at this time.
199. The submission of a specification and written timetable for archaeology field evaluation works is reasonable given that the proposal will involve ground works which could unknowingly affect such heritage assets (19).
200. A condition to secure the details of any external lighting (20) is necessary and related in scale and kind to the development in order to protect the character, appearance, biodiversity, dark skies and tranquillity of the local area and wider CNL.
201. Finally, a condition requiring the submission of a Risk Management Plan and Emergency Response Plan relating to the Battery Energy Storage System is necessary and reasonable to ensure the safe operation of this element of the proposal (21).

The Unilateral Undertaking

202. A Unilateral Undertaking (UU) made as a Deed and pursuant to section 106 of the 1990 Act was submitted, dated 16 September 2026. The UU firstly secures the

Skylark Mitigation to offset the loss of onsite breeding habitat and foraging and subsequent displacement of open habitat for Skylark as a result of carrying out the site works / development. The detailed mitigation would be set out in a Skylark Mitigation Strategy, which would be complied with for the lifetime of the development and the provision of monitoring reports. Secondly the UU requires the payment of Biodiversity Net Gain Monitoring Contributions.

203. The available evidence indicates that the mitigation accords with the development plan and that the UU's obligations are necessary to make the development acceptable in planning terms; are directly related to the development; and are fairly and reasonably related in scale and kind to it. Accordingly, I find that the obligations meet the relevant tests in the Framework at Policy DM6 and are not incompatible with any of the similar tests set out in the Community Infrastructure Levy (CIL) Regulations 2010 (as amended).

Overall Planning Balance (including heritage balance)

204. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
205. I have found that the proposed development has been sensitively located and designed to avoid and minimise adverse impacts on the setting of the CNL. However, I have identified minor localised harm to the setting of the CNL due to the construction of the proposed access and its operation until the landscaping is suitably mature. Given the objective set out in the Framework to safeguard our most important landscapes, I attach significant weight to this harm.
206. Furthermore, I have also found localised harm to the landscape character and visual amenity of the appeal site and its immediate surroundings, which would reduce over time as the landscaping matures, to which I attach moderate weight.
207. Turning to heritage matters, as set out in the heritage section above, the harm caused by the proposed development would be at the low and very low end of the scale. Nevertheless, the Framework requires decision makers to attach considerable importance and weight to any harm to a heritage asset, which should be weighed against any public benefits of the proposal. There would also be conflict arising from this harm with development plan policies that attracts significant weight.
208. The benefits of the proposal, when considered together, are substantial public benefits that outweigh the harm to the heritage assets. I therefore conclude that the overall public benefits are more than enough to prevail over the level of heritage harm. As a result, the impact on heritage assets is not, on its own, a sufficient reason to refuse planning permission.
209. I have identified conflict with Local Plan policies and therefore the proposal would not comply with the development plan as a whole. Even so, the substantial benefits in favour of the development outweigh the harms I have identified and justify allowing the appeal other than in accordance with the development plan in this instance. As a consequence, Local Plan Policy EH6 supports renewable energy generation where the impacts are acceptable, including to landscape character and appearance, the historic environment, ecology and biodiversity. Having regard to my conclusions, the proposal would comply with this policy.

Conclusion

210. The proposed development would conflict with the development plan, but material considerations indicate that a decision should be made other than in accordance with it. For the reasons given above the appeal should be allowed.



INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004; and to prevent an accumulation of unimplemented consents.

- 2) The development hereby permitted shall be carried out in accordance with the approved plans / drawings / documents listed below:

- 1:10000 Site Location Plan (Drawing Reference 1642-0201-05, Issue 04)
- 1:5000 Planning Layout (Drawing Reference 1642-0201-02, Issue 21)
- 1:50 Mounting System (Drawing Reference 1642-0201-28, Issue 03)
- 1:5000 Proposed PoC Cable Route (Drawing Reference 1642-0201-30, Issue 05)
- 1:20 CCTV Detail (Drawing Reference 1642-0204-00, Issue 03)
- 1:50 Fence Detail (Drawing Reference 1642-0205-01, Issue 02)
- 1:100 Transformer Station Details (Drawing Reference 1642-0207-00, Issue 03)
- 1:50 Aux Transformer Detail (Drawing Reference 1642-0207-02, Issue 02)
- Not to scale Aux LV Switchroom Details (Drawing Reference 1642-0207-03, Issue 02)
- Not to scale Battery Inverter Station Detail (Drawing Reference 1642-0207-17, Issue 02)
- Not to scale Battery Storage Unit Detail (Drawing Reference 1642-0207-27, Issue 03)
- 1:50 Spares Container Detail (Drawing Reference 1642-0207-40, Issue 02)
- 1:75 Welfare & Comms Container Detail (Drawing Reference 1642-0207-41, Issue 02)
- 1:50 Access Road Sections (Drawing Reference 1642-0208-10, Issue 02)
- 1:2000 Ecological_Enhancement_Plan (Drawing Reference 3269-TLP-XX-XX-DR-L-30002 Rev P01)
- 1:50 Deer Fence Detail (Drawing Reference 3269-TLP-XX-XX-DR-L-40001 Rev P01)
- 1:1250 Proposed Access Visibility Splays (Drwg No. 04548-SK-002-P5 Rev P5)
- 1:250 Proposed Access Dimensions (Drwg No. 04548-SK-003-P4 Rev P4)
- 1:2000 Proposed Access Track Including Turning Head & Passing Places (Drwg No.04548-SK-001-P5 Rev P5) Full details for whole Track (in two parts)

- 1:500 Proposed Access, Vehicle Tracking 16.5m UK Max Legal Articulated Vehicle & 10.2m
- Tipper Lorry (Drwg No. 04548-TR-001-P4 Rev P4) Swept Path Analysis at Junction
- 1:500 Proposed Access, Vehicle Tracking Future Maintenance Vehicle 3.5T Panel Van
- (Ford Transit) (Drwg No. 04548-TR-002-P2 Rev P2) Swept Path Analysis at Junction
- 1:500 Vehicle Tracking Fire Tender (Drwg No. 04548-TR-003-P1 Rev P1) Swept Path Analysis in compound
- 33kV Private Switchgear (Drawing Reference 1642-0208-50, Issue 3)
- 33kV DNO Switchgear (Drawing Reference 1642-0208-71, Issue 3)
- Landscape Masterplan (Drawing Reference P25-2560_EN_001B).

REASON: For the avoidance of doubt as to what is permitted; and to facilitate possible future amendments to the proposal hereby approved.

- 3) Notwithstanding condition 2 above, prior to their installation/erection on site, final details of the materials and finish of all above ground structures shall be submitted to and approved in writing by the Local Planning Authority. Recessive colours and matt or low-reflectivity finishes shall be used where practicable, having regard to the finishes available. The development shall be carried out in accordance with the approved details and be retained as such for the lifetime of the proposed development.

REASON: To protect the character and appearance of the site and nearby area in accordance with Local Plan policies EH2, EH3 and OS2 (General principles).

- 4) The planning permission hereby granted is for a period of 40 years from the date of first export of electricity from the development to the grid (First Export Date), after which the development hereby permitted shall be removed. Written notification of the First Export Date shall be given to the Local Planning Authority no later than 14 days after the event.

REASON: To protect the character and appearance of the site and nearby area and to protect biodiversity in future, in accordance with Local Plan policies EH2, EH3 and OS2 (General principles).

- 5) Not less than 12 months before the expiry of this permission, a Decommissioning Method Statement (DMS) shall be submitted for the approval in writing by the Local Planning Authority. The DMS shall include details of the: removal of the arrays, cables, fencing, tracks and buildings; together with the repair of damage that may have occurred; restoration of the site to the former land quality as indicated in the submitted Agricultural Land Classification survey, protection of biodiversity during removal, and the management of traffic during the

decommissioning process and a decommissioning timetable. The development shall be decommissioned in accordance with the approved DMS.

REASON: To ensure that decommissioning is carried out effectively and to minimise disturbance to nearby occupiers and users of the highway network and public rights of way in accordance with Local Plan policies T2, EH2, EH3 and OS2 (General principles) and in compliance with the National Planning Policy Framework Policy W3:3.

- 6) Within 3 months of the development, or part thereof, ceasing to generate electricity for a period of 12 months prior to the 40 year period, the Local Planning Authority shall be notified and a statement of decommissioning works (Early Decommissioning Method Statement (EDMS)) shall be submitted for the approval in writing by the Local Planning Authority. The EDMS shall include details of the removal of the arrays, cables, fencing, tracks and buildings together with the repair of damage that may have occurred, restoration of the site to the former land quality as indicated in the submitted Agricultural Land Classification survey, protection of biodiversity during removal and the management of traffic during the decommissioning process and a decommissioning timetable. The development shall be decommissioned in accordance with the EDMS.

REASON: To prevent the retention of development in the countryside that is not being used for its intended purpose in the interests of landscape character, biodiversity and visual amenity in accordance with Local Plan policies EH2, EH3 and OS2 (General principles).

- 7) No works shall commence on site other than those required by this condition until the site access point onto the B4022 and associated visibility splays have been provided in accordance with approved drawings ref. 04548-SK-002-P5 Rev P5 and 04548-SK-003-P4 Rev P4. The visibility splays shall then be maintained free of any obstructions to visibility above a height of 1.0m until the site has been fully decommissioned.

REASON: In order to provide safe and suitable access to the site and to minimise disturbance to users of the highway network and nearby public rights of way in accordance with Local Plan policies T2, EH2 and OS2 (General principles).

- 8) Notwithstanding Condition No 3, no development shall commence on site until a detailed hard and soft landscaping scheme (incorporating existing flora) including the means of enclosure and the materials to be used for hard surfacing, and details of all habitats in accordance with the approved Ecological Enhancement Plan (Drawing Reference 3269-TLP-XX-XX-DR-L-30002 Rev P01 and any approved modified version) and the Landscape Masterplan (Dwg P25-2560_EN_001B) shall be submitted to and approved by the Local Planning Authority.

The scheme shall include, but not necessarily be limited to, the following:

- i. A plan showing the existing vegetation/habitats to be retained and safeguarded during construction;

- ii. A landscaping implementation phasing plan, where appropriate;
- iii. A clearly labelled drawing showing all habitats to be created, retained and enhanced as part of the Biodiversity Net Gain proposals, and in accordance with the approved Biodiversity Gain Plan and Habitat Management and Monitoring Plan and Landscape MasterPlan;
- iv. Detailed planting / sowing specifications including species, size, density spacing, cultivation, protection (fencing, staking, guards) and methods of weed control;
- v. Full details of all bird and bat boxes, including a range of types and locations;
- vi. Dimensions and locations for mammal gaps through/under security/boundary fencing;
- vii. Details of surfacing, boundary treatments and landscaping structures including design, location, size, colour, materials and openings.

Development shall be carried out in accordance with the approved scheme and landscaping shall be completed by the end of the next available planting season immediately following the completion of the development or the site being brought into use, whichever is the earliest.

Any trees, hedges, shrubs or other planting which, within five years, die, are removed, become seriously damaged or become diseased are replaced in the next available planting season with specimens of similar size and species.

The approved landscaping shall thereafter be retained and maintained for the lifetime of the development.

REASON: to secure full details of the proposed landscaping scheme and to ensure that this is in accordance with the Biodiversity Net Gain proposals for the site. Local Plan policies EH2, EH3 and OS2 (General principles).

- 9) All tree protection works shall be carried out in full accordance with industry best practice and BS 5837: 2012 – Trees in relation to design, demolition and construction – recommendations, and the submitted Arboricultural Impact Assessment and Tree Protection Plan dated January 2024, and prepared by Hillside Trees Ltd, and Drawing 250128-AKE-TTPDB&AM, Tree Protection Plan.

REASON: To ensure the safeguard of features that contribute to the character and landscape of the area in accordance with Local Plan policies EH2, EH3 and OS2 (General principles).

- 10) Prior to the commencement of each phase of development (Construction, Operational and Decommissioning), a Soil Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall include, but not be limited to, details pertaining to careful soil management during each phase, including consideration of the appropriate time of year for soil

handling, planting beneath the panels and return to the former land quality as indicated in the submitted Agricultural Land Classification survey. The Soil Management Plan shall adhere to the guidance set out in the following documents (or any subsequent replacement versions):

- a) Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (September 2009); and
- b) The British Society of Soil Science Working with Soil Guidance Note on Benefiting from Soil Management in Development and Construction.

The Soil Management Plan as so approved shall be implemented, and adhered to, for each phase of the development.

REASON: In the interests of landscape character and visual amenity; and to protect the quality of the site for possible future agricultural use in accordance with Local Plan policies EH2, EH6 and OS2 (General principles).

- 11) No construction activity shall take place outside the following hours, unless otherwise first agreed in writing by the local planning authority:

- 08:00 to 18:00 on Monday to Friday
- 08:00 to 13:00 on Saturday

No construction activities shall be carried out on Sundays or any Public/Bank Holiday.

Access to the site or the presence of personnel within the site compound outside these hours is not precluded by this condition, so long as no construction activity is undertaken.

REASON: In order to safeguard the living conditions of nearby occupiers in accordance with Local Plan policies EH2 and OS2 (General principles).

- 12) No development shall take place until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include that:

- i) Prior to commencement of the development and prior to the First Export Date, highway condition surveys for highway access routes should be undertaken and submitted to the Local Planning and Highway Authorities.
- ii) Details of the routing of construction traffic to the site and any traffic management measures.

- iii) Mitigation measures in respect of noise, dust, vibration and disturbance during the construction phases.
- iv) Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.
- v) Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.
- vi) Provision of measures to prevent the discharge of surface water onto the highway.
- vii) Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.
- viii) Mitigation and safety measures for users on the adjacent bridleway.
- ix) On-site waste management measures for the storage, recycling and disposal of waste resulting from the construction works.

The CEMP shall be implemented in accordance with the approved details.

REASON: In the interests of highway safety and the residential amenities of neighbouring occupiers and to comply with Government guidance contained within the National Planning Policy Framework in accordance with Local Plan policies T2 and OS2 (General principles).

- 13) If during works of construction contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority.

The remediation strategy shall be implemented as approved.

REASON: In the interests of the residential amenities of neighbouring occupiers in accordance with Local Plan policies EH8 and OS2 (General principles) and to comply with Government guidance contained within the National Planning Policy Framework.

- 14) No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority.

The CEMP-B shall fully accord with the Ecological Impact Assessment (The Landmark Practice, April 2025) and include, but not necessarily be limited to, the following:

- i) Description and evaluation of features to be managed;
- ii) Risk assessment of potentially damaging construction activities with consideration for dormouse, badger, foraging/commuting bats, amphibians (including GCN), breeding birds and the adjacent ancient woodlands;
- iii) Identification of 'biodiversity protection zones';
- iv) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- v) The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- vi) Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- vii) A non-native invasive species protocol (e.g. for Japanese knotweed);
- viii) The times during construction when specialist ecologists need to be present on site to oversee works;
- ix) Responsible persons and lines of communication;
- x) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s);
- xi) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works; and
- xii) The submission of a verification report by the ECoW or similarly competent person(s) to the LPA at the end of the construction period.

REASON: To protect biodiversity at the site and nearby area in accordance with Local Plan policies EH2, EH3 and OS2 (General principles).

- 15) No development shall be undertaken (including any site and/or vegetation clearance) until one of the following has been provided to, and approved in writing by, the local planning authority, which clearly shows that the impacts from the development with regards to Great Crested Newts (GCN) have been appropriately mitigated:

- i) Confirmation that the development is covered by the relevant District Licence for GCN; or
- ii) A copy of a statement in writing from Natural England stating that such a licence is not necessary for the specified development.

REASON: Pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 and to minimise impacts on great crested newts as a protected species in accordance with Local Plan policies EH3 and OS2 (General principles)

16) The development shall not commence until a Habitat Management, Enhancement and Monitoring Plan (HMEMP), prepared in accordance with the approved Biodiversity Net Gain Report (dated January 2025) and including:

- i) Non-technical summary;
- ii) The roles and responsibilities of the people or organisation(s) delivering the HMEMP;
- iii) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Report;
- iv) The management measures, including initial aftercare and long term maintenance (where relevant) to maintain habitat in accordance with the approved Biodiversity Gain Report for a period of 30 years from the completion of development; and
- v) The monitoring methodology and frequency in respect of the created or enhanced habitat, has been submitted to, and approved in writing by, the local planning authority.

Monitoring reports shall be submitted to the local planning authority in writing in accordance with the methodology and frequency specified in the approved HMEMP.

The approved plan will be implemented in full with the agreed HMEMP and according to the agreed timescale.

REASON: To secure the delivery of biodiversity net gain through successful establishment and management of all newly created and enhanced habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), Policy N2:1 of the National Planning Policy Framework, Local Plan Policy EH3; and the incorporation of monitoring for species.

- 17) Notice in writing shall be given to the Local Planning Authority when the habitat creation and enhancement works (i.e. the capital works required to establish the new habitats) as set out in the Habitat Management, Enhancement and Monitoring Plan (HMEMP) have commenced and the habitat creation and enhancement works as set out in the HMEMP have been completed to agree the start of the 30-year management and monitoring period.

REASON: To ensure that the council is informed of the implementation of the required habitat creation and enhancement works to deliver Biodiversity Net Gain.

- 18) No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority.

The submitted details shall include, but not be limited to:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a timetable for its implementation; and,
- iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

REASON: To ensure development does not increase the risk of flooding elsewhere; in accordance with Policy F:7 of the National Planning Policy Framework and Local and National Standards in accordance with Local Plan policy EH7.

- 19) Prior to the commencement of development details of a specification and written timetable for archaeological field evaluation works shall be submitted to and approved in writing by the Local Planning Authority. The evaluation shall be carried out in accordance with the agreed specification and timetable. Should the results of the evaluation require further archaeological investigation, recording and reporting, a specification and timetable shall be submitted to and approved in writing by the Local Planning Authority prior to such investigation, and a programme for the post excavation assessment and its publication shall have been submitted to and approved in writing by the Local Planning Authority. Any further investigation shall be carried out in accordance with the agreed specification and timetable.

REASON: To safeguard the recording of archaeological matters within the site in accordance with the National Planning Policy Framework Policy HE:5 and in accordance with Local Plan policies EH9 and EH15.

- 20) No external lighting, including lighting required for construction and decommissioning, shall be installed at the site until such time as a lighting

strategy has been submitted to and approved in writing by the Local Planning Authority. All external lighting shall be installed in accordance with the approved strategy and shall be maintained thereafter in accordance with the approved details. No additional external lighting shall be installed without prior written consent from the Local Planning Authority.

REASON: To protect roosting, foraging/commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, Policy N2:1 of the National Planning Policy Framework, Policy EH4 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006 (as amended).

- 21) Prior to the operation of the Battery Energy Storage System (BESS), a Risk Management Plan and Emergency Response Plan (RMP and ERP) shall be submitted to and approved in writing by the Local Planning Authority. These plans shall be developed using the best practice guidance as detailed and required in the published Grid Scale Battery Energy Storage System planning - Guidance for FRS published by NFCC National Fire Chiefs Council (February 2026).

Once approved, the BESS shall be operated in accordance with the RMP and ERP thereafter and for the duration of the lifetime of the development.

REASON: To ensure that appropriate safeguards are in place. In accordance with National Planning Policy Framework Policy P5.

- END -

APPEARANCES

FOR THE APPELLANT:

[REDACTED]

Instructed by [REDACTED]
[REDACTED], acting on behalf
of British Renewables Ltd

[REDACTED] called:

[REDACTED]

Founder of Humbeat Limited

[REDACTED]

Senior Director at Pegasus
Group

Executive Director at Pegasus
Group

Senior Planning Director at
Pegasus Group

FOR THE LOCAL PLANNING AUTHORITY:

[REDACTED], Counsel

Instructed by [REDACTED] of
West Oxfordshire District Council

[REDACTED] called:

[REDACTED]

Associate Heritage Consultant,
CBA

Landscape Officer, West
Oxfordshire District Council

Senior Planning Officer
(Appeals), West Oxfordshire
District Council

SOLAR PANEL ACTION GROUP (Rule 6 Party)

[REDACTED], Counsel

Instructed by [REDACTED]
[REDACTED] of Firstplan, acting

on behalf of the Solar Park
Action Group

■ called:



Director at The Landscape
Partnership

Senior Associate at Firstplan

INTERESTED PARTIES:

■, Local Resident

■, on behalf of Ramsden Parish Council

■, Local Resident

■, Local Resident and owner of the Royal Oak Inn, Ramsden

■, Local Resident

■, Local Resident

■, Local Resident

■, Local Resident

DOCUMENTS SUBMITTED AT THE INQUIRY

- ID 1 Opening submission of [REDACTED]
- ID 2 Opening submission of [REDACTED]
- ID 3 Opening submission of [REDACTED]
- ID 4 Statement [REDACTED], Local Resident
- ID 5 Statement [REDACTED], on behalf of Ramsden Parish Council
- ID 6 Statement and original objection letter, [REDACTED], Local Resident
- ID 7 Statement [REDACTED], Owner of the Royal Oak Inn, Ramsden
- ID 8 Statement [REDACTED], Local Resident
- ID 9 Statement [REDACTED], Local Resident
- ID 10 Statement [REDACTED], Local Resident
- ID 11 Statement [REDACTED], Local Resident
- ID 12 Draft Conditions with amendments from the Council
- ID 13 Draft Conditions with amendments from the Inspector
- ID 14 Appellant covering letter relating to draft S106 agreement
- ID 15 Appellant draft S106 agreement
- ID 16 Copy of the former 'Areas of High Landscape Value' designation
- ID 17 Wychwood Forest Trust - Reviving the Wychwood: Strategic Priorities 2025-2028
- ID 18 Wychwood and Lower Evenlode CTA (Conservation Target Area)
- ID 19 Appellant's Flood Risk and Drainage Statement
- ID 20 High Court Judgment: Visao Ltd V Sec Of State V Chiltern District Council [2019] EWHC 276 (Admin)
- ID 21 Section 19 Flood Investigation Hailey Report September 2023, submitted by [REDACTED]
- ID 22 LPA's position relating to whether or not the alterations to the flood mitigation measures represented a fundamental, very late change.
- ID 23 Draft Conditions Including [REDACTED] comments
- ID 24 Statement of Common Ground: Flood Risk and Surface Water Management
- ID 25 [REDACTED], Supplementary Statement on Drainage and Flooding
- ID 26 Inspector's questions relating to flooding and drainage
- ID 27 Site location plan with field numbers as requested by the Inspector
- ID 28 a) Appellant's response to Inspector's questions re flooding and drainage

- b) Appendix 1: Email correspondence (April – June 2025)
- c) Appendix 2: Email correspondence (31 July – 04 August 2025)
- d) Appendix 3: Email correspondence (01 August 2025)
- e) Appendix 4: Email correspondence (26 August 2025)
- f) Appendix 5: Email correspondence (28 August 2025)
- g) Appendix 6: Email correspondence (31 July – 4 August 2026)
- h) Appendix 7: Email correspondence (21 August 2026)
- i) Appendix 8 - West Oxfordshire SFRA 2016 extracts

ID 29 Statement of Common Ground with the LLFA

ID 30 Appellant's response to the Inspector's request for comments following the publication of the National Planning Policy Framework, 17 August 2026.

ID 31 SPAG's response to the Inspector's request for comments following the publication of the National Planning Policy Framework, 17 August 2026.

ID 32 [REDACTED] comments on the Appellant's response to Inspector's questions re flooding and drainage at ID28.

ID 33 The Council's response to the Inspector's request for comments following the publication of the National Planning Policy Framework, 17 August 2026.

ID 34 Amalgamated list of planning conditions with comments from the Appellant, Council, SPAG and [REDACTED].

ID 35 Closing submission of [REDACTED] (SPAG).

ID 36 Closing submission of [REDACTED] (Council).

ID 37 Closing submission of [REDACTED]-Smith (Appellant).

Aerial photograph showing field areas referred to in appeal decision 6004776

