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Direct Dial: 0207 973 3644

Our ref: PL00794649

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Dear Madam or Sir,

Please find below Historic England's Phase Two consultation response on the Botley West Solar Farm Project.

### Summary

Historic England's comments on the Preliminary Environmental Information Report (PEIR) are set out below and should be treated as part of the iterative approach to assessment of impact on heritage assets which is being taken, and which we welcome.

The comments set out in this letter would need to be incorporated into future impact assessment work, including the ES, and further drafts of the Heritage Impact Assessment (HIA), before Historic England would consider that the detail and conclusions are sufficiently robust, supportive of each other, fit for decision-making, and appropriate for a major infrastructure project with the potential to impact the Blenheim Palace World Heritage Site.

- Historic England has emphasised that impacts on the Overall Universal Value (OUV) of the WHS must be approached in a manner appropriate to this highest form of heritage designation. Great emphasis must be placed on avoiding (preferably) or minimising impacts through design or site selection (for example), rather than relying on mitigation.
- The attributes of the OUV of the WHS and the elements that support those attributes have not always been given sufficient weight or have not been sufficiently assessed both in themselves, and in terms of the predicted impact on them. This is particularly important for attributes and elements relating to setting of the WHS.
- A more considered approach is needed to the 42-year life span of the project which is described as temporary. The PEIR should recognise that the scheme will be experienced by many as permanent.



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- Benefits, particularly possible heritage benefits, require more detailed treatment.
- Designated heritage assets both inside and outside of the WHS have not yet been assessed (7.9.5.3) so our comments are limited at this time. We would have expected a more realistic and detailed assessment of the potential impacts of the proposals on these designated heritage assets to have been provided at this stage. We however do welcome the intention to avoid direct impacts on designated assets, meaning that the focus of future assessment will be on impact caused by change to their settings.
- For non-designated heritage assets we welcome the approach taken thus far which has included extensive consultation with the Oxfordshire County Archaeology Team and desk-based assessment followed by geophysical survey. Discussions regarding the scope of evaluation work (trial trenching) are in progress. The research done so far has already found below-ground archaeological remains which may well be of equivalent (national) importance to designated sites. The approach taken to such remains, of avoiding direct impacts and assessing the impact of change to their setting, is welcome.
- We note that the results of the evaluation trenching will be incorporated into the Environmental Statement (ES) and this will be valuable, as is the intention to use these results in adjusting the design of the scheme to reduce or remove impacts.
- We have below for your reference a number of policy areas of relevance to development within the setting of a WHS, particularly for renewable energy. These were not generally referenced in the HIA or PEIR. However welcome the use made of the *Guidance and Toolkit for World Heritage Assessments in a World Heritage Context* (UNESCO 2022).

## Introduction

We welcome production of the Preliminary Environmental Information Report (PEIR). Historic England values the ongoing consultation with Photovoltaic Development Partners (PVDP) and their heritage advisors. The relationship between these comments on the ongoing consultation and ongoing consultation is explained in the text below where relevant. In general we are pleased to see the commitment to an iterative process of assessment, and these comments should be read as part of that process.

## Historic England Advice

### General conclusions of the PEIR



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It is important that any statements made within the PEIR are clearly supported by evidence. Where statements are predictive, due to the preliminary nature of the document and supporting assessments, it should be clear that the statements may need to be revised for the ES. This includes revision beyond a predicted range, eg where impacts are predicted as 'Up to Low', further assessment may identify impacts that are greater than low.

The Non-technical Summary (NTS) concludes that: 'No significant effects in respect of any aspect of the historic environment have been identified within the PEIR.' (6.2.14). The Phase Two Community Consultation Leaflet repeats that statement. This is not supported by the contents of the PEIR. Chapter 7 on heritage assesses that impacts on designated heritage assets may be up to moderate adverse, which is significant (7.9.5.6). (These impacts would be from change to the setting of the assets - the PEIR seems confident that the impacts can be reduced (7.9.5.7) but this is premature when detailed assessment has not been carried out.)

Table (7.17) summarises potential environmental effects and monitoring. Impacts on archaeological remains are assessed as up to low, leading to minor adverse effect (not significant). This may need to be revised when the archaeological trench evaluation work has been carried out. We also note that some cable trenches are in road verges where evaluation is not possible and opportunity for mitigation by design (if the trench passes through archaeological remains) will be very limited. A greater effect could therefore also occur in that situation.

### General approach to assessment of impact

The project has an anticipated life span of 42 years and is described within the PEIR as temporary. The PEIR should approach and discuss this in a more nuanced way as the solar installation will be experienced by many people as permanent (e.g. for all of their remaining lifetime). In discussions of setting of heritage assets, experience is a key factor and there are a range of experiences to be considered. These range from a single visit to Blenheim Palace, to a local person who has known the area all their life and walks regularly in the surrounding countryside. The predicted life span of the project may be 42 years but can this be guaranteed for a point so far in the future when planning regimes and technology will be very different. The solar installation could have its life extended or be replaced by a different technology, particularly considering that it will have the advantage of already being connected to the grid. All these points should be considered.

Throughout the PEIR many impacts are described as fully reversible (eg see NTS 6.7.15). Taking a cautious approach, we would note that changes such as planting to screen the solar plant are potentially reversible but in practice this is unlikely to happen after over forty years of growth. Although planting may be ecologically beneficial it is



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not always beneficial within the setting of heritage assets and could be a permanent effect.

There is very limited discussion in the PEIR (and the HIA) of predicted positive impacts on heritage assets, or of benefits that could accrue from the scheme which would provide community benefit or directly benefit the WHS. There would appear to be scope for positive impacts including support of the WHS by the wider estate as has traditionally been the case.

### Impact on the World Heritage Site

This is covered in a preliminary Heritage Impact Assessment (HIA) which is included within the PEIR as Appendix 7.4. The HIA is recommended in the Guidance and Toolkit for World Heritage Assessments in a World Heritage Context (UNESCO 2022). We welcome the use of this toolkit, and the use of the Blenheim Palace World Heritage Site Revised Management Plan 2017, Historic Landscape Management Ltd 2017), (WHSMP). We also welcome the commitment to an iterative approach and ongoing engagement with Historic England. Detailed advice on the preliminary HIA has recently been given to the applicant for consideration and what follows is a summary of that advice.

Historic England has emphasised that impacts on the OUV of the WHS must be approached in a manner appropriate to this highest form of heritage designation. Great emphasis must be placed on avoiding (preferably) or minimising impacts through design or site selection (for example), rather than relying on mitigation. We remain concerned that throughout the HIA, impacts on the WHS are described as 'minor adverse', 'not significant' or 'acceptable'. The HIA process (in line with UNESCO guidance) should provide a more detailed understanding of impacts on OUV such that it identifies impacts that would not be considered acceptable in a WHS context (and are therefore potentially adverse and significant).

The question of considering alternative sites is also relevant here. The HIA does not currently include the detail on how the current site configuration has been arrived at. The extent to which a given negative impact is avoidable is therefore unclear. The process of identifying certain land parcels as potentially suitable to accommodate the proposed development is described in the HIA as being based on the principle of avoidance of significant adverse effects following the principle of EIA. In the absence of an HIA until this stage, and at this stage only at screening level, we would be cautious about any conclusions that have been reached on that basis.

The attributes of the Overall Universal Value (OUV) of the WHS and the elements that support those attributes have not always been given sufficient weight or have not been sufficiently assessed both in themselves, and in terms of the predicted impact on them. We therefore advise that the HIA is not currently sufficiently robust to support



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the conclusions reached, such as: *no element of the defined OUV of the Blenheim Palace WHS would be affected by the Project, and ...lead the Applicant to conclude that overall there is no impact - described as a neutral effect in the overall evaluation table above.*

The scheme is entirely located outside of the WHS and its enclosing stone wall, meaning that the most important attributes, values and impacts to be considered are those concerning how the wider setting of the WHS contributes to its OUV.

The Impact Identification Table of the HIA sets out attributes and predicted impacts on them. We advise that the table needs considerable revision, as follows:

- Consider attributes individually before considering any groups of attributes.
- Entries under impact should be directly relatable to the attribute and there should not be what appears as cut and paste. For example, the first attribute is: *It remains the home of the same aristocratic family, the successive Dukes of Marlborough, for whom it was built.* Under Impact the entry reads: *No direct effect upon the Palace or grounds within its walled boundary. No material change in traffic flows is predicted above existing levels on surrounding road network, nor significant change to visual impacts or landscape character or setting. Once decommissioned, land to return to agricultural use.* This does not seem relevant, and the same text is then repeated for various entries in the table.
- Attributes of the OUV are supported by a number of elements. In relation to setting, these are given in 5.02 of the WHSMP; Appendix III: Setting Study . One highly relevant element of Blenheim's OUV : *The character of the setting as traditional English countryside, dotted with picturesque villages mainly built using a uniform palate of materials,* is mentioned in the HIA but then not assessed.
- The Table could usefully address the questions of authenticity and integrity so that the existing baseline can be understood, and the potential change.

The WHSMP mentions solar farms under 'Managing the setting' notes on page 44. *Tall developments on the skyline, or large-scale development (particularly those of a non-residential nature which tend to be bulkier and non-vernacular, for example industrial development; wind turbines; solar farms etc) could detrimentally influence the character of the adjoining rural areas.* We advise that this impact has been given insufficient weight in the HIA, by not taking adequate account of attributes (see above), but also because the rural nature of the setting of the WHS has a particular historic value. In this context it is important that change to setting is considered in the widest



sense, without over-reliance on consideration of intervisibility - we consider this to be a weakness of the HIA current draft.

The wider setting of the park, part of the Blenheim Estate, has traditionally supported and protected what is now the WHS. Change to the setting has the potential to have a negative impact on the understanding of this close historic relationship if the rural character is eroded. This point needs to be considered in relation to the impact on the historic landscape character in the HIA (and PEIR) where the value of the historic landscapes may be higher than the current assessment of 'Generally low'. Enclosure landscapes, which are a large proportion of the areas considered, were enclosed due to the influence of the Dukes of Marlborough and they therefore have value in relation to the WHS which is higher than their intrinsic value.

With regard to views, the HIA has assessed the impact on the WHS from two sites: the Column of Victory and Blenheim Palace; these are tightly defined. The WHS boundary is obviously far larger than that. Page eight states that 'Indeed, no part of the Project site is visible from any location within the WHS'. The HIA will need to set out what other viewpoints have been assessed to support this statement. Chapter 4 of Appendix III of the WHSMP sets out a number of key and secondary views which should be considered. Whilst views out are limited now, it is important to remember the forty-two year lifetime of the scheme, especially where existing tree cover is to be relied on. Where there are views with less dense tree screening, the impact on these views and the natural life of the tree screening should be examined.

We advised previously that the LVIA and HIA would need to be closely connected. The assertions in the HIA regarding potential visibility of the proposed development are presented, currently, without the detailed supporting evidence from the LVIA. We would recommend that you review the relevant sections of the PEIR (Chapter 8 and Figures) to understand the scope of representative viewpoints incorporated and to assess whether representative viewpoints are a robust basis for assessment of visual impacts relevant to OUV.

Positive impacts and benefits, including heritage benefit have already been mentioned above as being inadequately covered. This point applies particularly to the WHS, where communal value is part of the OUV and community benefit is therefore clearly desirable.

### Heritage assets outside of the World Heritage Site

Individual designated heritage assets both inside and outside of the WHS have not yet been assessed (7.9.5.3) so our comments are limited at this time. We would have expected a more realistic and detailed assessment of the potential impacts of the proposals on these designated heritage assets to have been provided at this stage. We however do welcome the intention to avoid direct impacts on designated assets,



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meaning that the focus of future assessment will be on impact caused by change to their settings. On this matter paragraph 7.9.5.4 is too generalised and the term 'reasonable contribution' is too woolly to be useful. (7.9.5.4 *For most designated heritage assets, the greatest part of their significance comes from their physical fabric. However, for some designated heritage assets their setting may make a reasonable contribution to their significance.*) As noted above, the Non-technical summary is not in step with the Heritage Chapter 7 - which predicts that: *Overall, the magnitude of the adverse impact is up to **low** and the sensitivity of the receptor is up to **high**. The effect will, therefore, be of up to **moderate adverse** significance, which is significant.* (7.9.5.6). The chapter goes on to suggest that there is uncertainty on this but that design changes would enable the effect to be reduced - this seems premature when the values and impacts have not yet been assessed. Our comments above on the reversibility of impacts from change to setting apply equally to these assets.

As part of that further examination of the setting of designated heritage assets (7.9.5.3), as highlighted above, there should be a close connection with the LVIA in order to provide the evidence base for the conclusions that are drawn. We are pleased to hear that photomontage visualisations will be prepared, and we recommend that the precise locations of these are reviewed so that any visual impacts on the historic environment can be fully assessed. These photomontages should illustrate not only the solar panels themselves, but also any associated infrastructure proposed (e.g. fencing, lighting, CCTV towers and battery storage) so the full visual impact of the proposal can be understood. Historic England would be happy to work alongside the local authority in identifying these key viewpoints.

For non-designated heritage assets we welcome the approach taken thus far which has included extensive consultation with the Oxfordshire County Archaeology Team and desk-based assessment followed by geophysical survey. Discussions regarding the scope of evaluation work (trial trenching) are in progress. The research done so far has already found below-ground archaeological remains which may well be of equivalent (national) importance to designated sites, including a possible Roman temple. The approach taken to such remains, of avoiding direct impacts and assessing the impact of change to their setting, is welcome. However, predicting that the magnitude of impact will be negligible seems premature (7.9.3.10). We would appreciate involvement in future discussions regarding assets of potential national importance.

We note that the results of the evaluation trenching will be incorporated into the Environmental Statement (ES) and this will be valuable, as is the intention to use these results in adjusting the design of the scheme to reduce or remove impacts.

## Policy

There is a very full summary of national and local heritage policy and guidance in



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Section 1.3 of Appendix 7.1 (Desk-based Assessment). A summary of policy and guidance is in Chapter 7 of the PEIR - please note that during this consultation process the NPPF has been updated (December 2023) and the paragraph numbers referred to above have now changed. We recommend these are updated to reflect the latest version of the NPPF.

We have also noted below for your reference a number of policy areas of relevance to development within the setting of a WHS, particularly for renewable energy. In the main we did not identify reference to these in either the HIA or PEIR.

The relevant National Policy Statements, in addition to policies in relation to the impacts on designated heritage assets (including World Heritage Sites), include policies with similar intent to that at paragraph 2 of the NPPF: *“Planning policies and decisions must also reflect relevant international obligations and statutory requirements.”* Amongst those international obligations are the UK Government’s duties under the Convention Concerning the Protection of the World Cultural and Natural Heritage (1972) - the World Heritage Convention.

NPS-EN1 (1.1.4): The Planning Act 2008 also requires that, where an NPS has effect, the Secretary of State must decide an application for energy infrastructure in accordance with the relevant NPSs except to the extent the Secretary of State is satisfied that to do so would lead to the UK being in breach of its international obligations. We noted that Chapter 7 of the PEIR makes no reference to Section 1.1.4 of NPS-EN1, nor paragraph 2 of the NPPF.

UNESCO’s Policy Document on Climate Action for World Heritage [<https://whc.unesco.org/en/climatechange/>](https://whc.unesco.org/en/climatechange/) (2023) was adopted by the General Assembly of States Parties at its 24<sup>th</sup> session in November 2023. It represents UNESCO’s latest resource tool on responding to climate change. The policies within this document cover not only the impact of climate change on world heritage but also the effects of projects associated with climate action, such as renewable energy. They highlight the need for impact assessment with the aim of ensuring that the OUV of a World Heritage property is not negatively impacted.

*“94. Implementation of climate actions related to World Heritage Climate Action Goal 3 (Mitigation) ... at the national level could be supported by...Developing frameworks that identify and promote the co-benefits of climate action and heritage safeguarding and which reduce real and perceived tensions between climate action and safeguarding Outstanding Universal Value, for example through impact assessment tools, environmental and social standards and taxonomies which take into account the cultural and social dimension of climate action projects; as well as through planning processes and methodologies for proactively avoiding and mediating conflicts. Such frameworks may be particularly relevant in addressing proposed renewable energy projects...”*



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*“35. ...Impact assessments must also be carried out as a pre-requisite for adaptation and mitigation responses within or around a World Heritage property to ensure that the Outstanding Universal Value is not negatively impacted.”*

### **Historic England Position**

The above comments would need to be incorporated into future impact assessment work, including the ES, and further drafts of the HIA, before Historic England would consider that the detail and conclusions are sufficiently robust, supportive of each other, fit for decision-making, and appropriate for a major infrastructure project with the potential to impact the Blenheim Palace World Heritage Site.

Yours sincerely,

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cc: Mr Christopher LeCointe. RPS Planning and Development



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