



# CLEVE HILL SOLAR PARK

## THE APPLICANT'S RESPONSES TO RELEVANT REPRESENTATIONS

March 2019  
Revision A

Submitted: Pre-examination

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**CLEVE HILL**  
SOLAR PARK

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## List of Abbreviations

AADT	Average Annual Daily Traffic
AHLV	Area of High Landscape Value
ALC	Agricultural Land Classification
AONB	Area of Outstanding Natural Beauty
AR HMA	Arable Reversion Habitat Management Area
CEMP	Construction Environment Management Plan
CHSP	Cleve Hill Solar Park
CHSPL	Cleve Hill Solar Park Limited
CNMP	Construction Noise Management Plan
COP	Conference of the Parties
CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
DEFRA	Department for Environment Food and Rural Affairs
DML	Deemed Marine Licence
EA	Environment Agency
EIA	Environmental Impact Assessment
EMF	Electric and Magnetic Field
ES	Environmental Statement
FCERM	Flood and Coastal Erosion Risk Management
FGM HMA	Freshwater Grazing Marsh Habitat Management Area
FRA	Flood Risk Assessment
Ha	Hectares
HGV	Heavy Goods Vehicle
HMA	Habitat Management Area
HMSG	Habitat Management Steering Group
HRA	Habitat Regulations Assessment
IDB	Internal Drainage Board
kV	Kilovolt
JNCC	Joint Nature Conservation Committee
LBMP	Landscape and Biodiversity Management Plan
LNR	Local Nature Reserve
LVIA	Landscape and Visual Impact Assessment
MAFF	Ministry of Agriculture, Fisheries and Food
MEASS	Medway Estuary and Swale Strategy
MHWS	Mean High Water Springs
MR	Managed Realignment
MW	Megawatt
NEER	Natural England's Evidence Review
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
PEIR	Preliminary Environmental Information Report
PINS	Planning Inspectorate
PRoW	Public Rights of Way
PV	Photovoltaic
RIAA	Report to Inform Appropriate Assessment
RR	Relevant Representations
SPA	Special Protection Area
SoCG	Statement of Common Ground
SSSI	Site of Special Scientific Interest
SUDS	Sustainable Urban Drainage Systems
WWII	World War Two

## 1 INTRODUCTION AND SUMMARY

1. This document provides Cleve Hill Solar Park Ltd.'s (the Applicant's) response to the Relevant Representations (RRs) published by the Planning Inspectorate (PINS) on 30 January 2019, relating to the Development Consent Order Application (the DCO Application) for Cleve Hill Solar Park (the Development).
2. 867 RRs made in response to the Cleve Hill Solar Park (the Development) DCO Application were received between 19 December 2018 and 28 January 2019 and published on the Planning Inspectorate (PINS) website on 30 January 2019.
3. Table 1.1 lists the 39 stakeholder organisations which submitted RRs. The Applicant has responded to each of the points raised by these stakeholders in Section 2 of this document.
4. The remaining 828 responses were submitted by members of the public. These responses have been grouped by topic and are addressed on that basis in Section 3 of this document.
5. References to the Application documentation are provided where necessary with hyperlinks according to the reference system set out in the [Cleve Hill Solar Park Examination Library](#).
6. To assist navigation of the Examination Library, the Relevant Representations have been recorded by PINS in the separate [Relevant Representations Library](#).

**Table 1.1: List of organisations which submitted Relevant Representations**

PINS Reference	Acronym	Relevant Representation Received from
RR-005	CCLP	Canterbury Constituency Labour Party
RR-019	RDUF	Rosie Duffield MP
RR-039	FFG	Faversham Footpaths Group
RR-052	OPC	Oare Parish Council
RR-062	CLP	Canterbury Labour Party
RR-114	FSELP	Faversham and Swale East Branch Labour Party
RR-138	OSS	John Gordon Sencle on behalf of The Open Spaces Society
RR-225	TRAM	The Ramblers
RR-248	RAM	Ramblers
RR-267	FTC	Faversham Town Council
RR-321	GGPC	Graveney with Goodnestone Parish Council
RR-418	HWHT	Helen Whately MP
RR-480	PHE	Public Health England
RR-487	FAVS	The Faversham Society
RR-497	CDGP	Canterbury District Green Party
RR-508	EA	Environment Agency
RR-512	GPS	Graveney Primary School
RR-522	KOS	Kent Ornithological Society
RR-626	BCA	Brents Community Association
RR-704	SCOA	Seasalter Chalet Owners Association
RR-711	SFOE	Swale Friends of the Earth
RR-712	SGP	Swale Green Party
RR-714	SPRT	The Sportsman
RR-720	WSEAS	Waldens of Seasalter
RR-739	CCC	Canterbury City Council
RR-752	CPREK	CPRE Kent
RR-764	FCT	Faversham Creek Trust
RR-765	FOFC	Faversham Oyster Fishery Company
RR-771	GREAT	Graveney Rural Environment Action Team
RR-779	HE	Historic England
RR-798	KCC	Kent County Council

<b>PINS Reference</b>	<b>Acronym</b>	<b>Relevant Representation Received from</b>
RR-799	KWCA	Gullands on behalf of Kent Wildfowling and Conservation Association
RR-800	KWT	Kent Wildlife Trust
RR-808	LAL	Charles Russell Speechlys LLP on behalf of London Array Limited
RR-817	MMO	Marine Management Organisation
RR-826	NGET	National Grid Electricity Transmission PLC
RR-827	NE	Natural England
RR-842	RSPB	Royal Society for the Protection of Birds
RR-858	SFG	Swale Footpaths Group

## 2 STAKEHOLDER ORGANISATION RELEVANT REPRESENTATIONS AND THE APPLICANT'S RESPONSES

### 2.1 RR-005 Canterbury Constituency Labour Party

**Table 2.1: Applicants responses to RR-005**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
CCLP-1	Our main concerns are: The loss of green amenity space for constituency members	The land on which the Development is located (the Development site) is private land. Therefore there will be no loss of green amenity space or other similar designated land which would have been available to the public as a result of the Development. All existing publicly accessible areas are proposed to remain accessible throughout the construction phase and during operation, and a new permissive footpath is also being created through the site during the operational phase.
CCLP-2	The loss of habitat to migrating birds, wildlife and non-migratory birds	Section 9.6.2.3 of Chapter 9 - Ornithology of the Environmental Statement (ES) (PINS reference <a href="#">APP-039</a> ) summarises the changes in habitat as a result of the Development and describes how the assessment considers those changes. Potential effects of habitat changes on birds are assessed for each Important Ecological Feature in Section 9.6.3 of Chapter 9 - Ornithology of the ES.  The Applicant has reached agreement with Natural England in respect of many of the mitigation proposals to address the impacts of the Development as set out in the Statement of Common Ground with Natural England which accompanies the Application (PINS reference <a href="#">APP-256</a> ).
CCLP-3	The changes to flood defences and impact to housing in Whitstable/Seasalter	A Flood Risk Assessment is provided as Technical Appendix A10.1 of the ES (PINS reference <a href="#">APP-227</a> ).  The draft Development Consent Order submitted with the Application ( <a href="#">APP-016</a> ) includes the powers and rights necessary for the Applicant to maintain the existing flood defences throughout the operational lifetime of the Development.
CCLP-4	Industrialisation of the wild spaces between Whitstable and Faversham adjacent to the SSSI spaces	The Development is situated entirely on land currently managed as intensive arable farmland.

### 2.2 RR-019 Rosie Duffield MP

**Table 2.2: Applicants responses to RR-019**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
RDUF-1	Our main concerns are: The loss of green amenity space for constituency members	The Development site is private land. Therefore there will be no loss of green amenity space or other similar designated land which would have been available to the public as a result of the Development. All existing publicly accessible areas are proposed to remain accessible throughout the construction phase and during operation, and a new



Ref.	Issues raised in the Relevant Representation	Applicant's Response
		permissive footpath is also being created through the site during the operational phase.
RDUF-2	The loss of habitat to migrating birds, wildlife and non-migratory birds	<p>Section 9.6.2.3 of Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>) summarises the changes in habitat as a result of the Development and describes how the assessment considers those changes. Potential effects of habitat changes on birds are assessed for each Important Ecological Feature in Section 9.6.3 of Chapter 9 - Ornithology of the ES.</p> <p>The Applicant has reached agreement with Natural England in respect of many of the mitigation proposals to address the impacts of the Development as set out in the Statement of Common Ground with Natural England which accompanies the Application (PINS reference <a href="#">APP-256</a>).</p>
RDUF-3	The changes to flood defences and impact to housing in Whitstable/Seasalter	<p>A Flood Risk Assessment is provided as Technical Appendix A10.1 of the ES (PINS reference <a href="#">APP-227</a>).</p> <p>The draft Development Consent Order submitted with the Application (<a href="#">APP-016</a>) includes the powers and rights necessary for the Applicant to maintain the existing flood defences throughout the operational lifetime of the Development.</p>
RDUF-4	Industrialisation of the wild space between Whitstable and Faversham adjacent to SSSI spaces	The Development is situated entirely on land currently managed as intensive arable farmland.

## 2.3 RR-039 Faversham Footpaths Group

**Table 2.3: Applicants responses to RR-039**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
FFG-1	Graveney Marshes are a very special area, with a beauty that lies largely in the ability to take, especially from the elevated coast path (soon to become part of the England Coast Path), huge horizons out to sea and across the flat landscape. As such, it is greatly valued by walkers, who go there primarily to enjoy its distinctive unspoilt character and its important wildlife.	<p>Landscape and visual impacts are assessed in Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a>).</p> <p>In particular, section 7.6.2.2 refers to the assessment of visual effects on the Saxon Shore Way, and section 7.3.2.4 the existing landscape character.</p>
FFG-2	The proposed solar farm would have a massively detrimental environmental and visual impact: Its sheer scale and visibility would ruin the fine views from miles around, producing instead an industrial landscape.	<p>Landscape and visual impacts are assessed in Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a>).</p> <p>As shown in LVIA Figure 7.3 (PINS reference <a href="#">APP-054</a>), visibility of the Development is in general restricted to within 2 km of the site due to local landform and vegetation with the exception of views from elevated ground; however many of these are at a distance where the Development would be barely discernible within the view, as illustrated in the photomontages from viewpoint 9 - Victory Wood at</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
		4.4 km (2.7 miles) from the Development (PINS reference <a href="#">APP-127</a> and <a href="#">APP-169</a> ).
FFG-3	It would fundamentally change the experience of walking in this area.	These comments are noted.
FFG-4	It would impact negatively on wildlife in the area, including scarce raptors.	Section 9.6 of Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a> ) describes and assesses the potential effects of the Development on the birds identified as Important Ecological Features (including raptors), and takes into account the mitigation and biodiversity enhancement measures included with the Development that are described in the outline Landscape and Biodiversity Management Plan (LBMP) (PINS reference <a href="#">APP-203</a> ). The outline LBMP will form the basis for a final LBMP to be approved by the relevant planning authority under the DCO.
FFG-5	The flat landscape would make it impossible to have any effective screening.	<p>The outline LBMP (PINS reference <a href="#">APP-203</a>) outlines objectives to enhance the landscape on site.</p> <p>The flat nature of the site does allow for effective screening; however, following an assessment of the landscape character it was assessed that screening should be confined to the southern areas of the Development site to preserve the open character of the northern boundaries of the Development site and surrounding landscape.</p> <p>To the south of the Development site both shelterbelts and hedgerows are proposed that either completely or partially screen the Development, as shown in the year 5 and year 10 photomontages from viewpoint 1 - Saxon Shore Way Long Distance Footpath close to Nagden Cottages and viewpoint 7 - Public Right of Way (ZR488) near southern boundary of the Core Landscape Study Area (PINS reference <a href="#">APP-127</a> and <a href="#">APP-169</a>).</p>
FFG-6	Any additional permissive paths would not compensate for the degradation of the landscape and be very unattractive to walk.	<p>The attractiveness or not of the permissive path is subjective.</p> <p>Landscape and visual impacts are assessed in Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a>).</p>

## 2.4 RR-052 Oare Parish Council

**Table 2.4: Applicants responses to RR-052**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
OPC-1	<p>Oare is a neighbouring parish and the parish council wishes to raise concerns regarding this planning application on the following grounds:</p> <p>Size</p> <p>The sheer scale of the project is a major concern, especially as there is currently no other solar park of this size that can give an idea of what to expect.</p>	<p>The Applicant confirms that the predicted impacts of the Development have been fully assessed in the ES and justification for the scale of the Development is set out in the Statement of Need (PINS reference <a href="#">APP-253</a>) and its March 2019 Addendum.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
OPC-2	<p>Visual impact</p> <p>The site in question is currently open marshland; a natural habitat for many bird species and other wildlife. It also contains a number of public footpaths and is popular with walkers. The impact of installing solar panels in this location would be massive, and it would significantly change the visual amenity for those living in and visiting the area.</p>	<p>The land proposed for the Development is not open marshland, rather agricultural land currently in intensive arable use.</p> <p>The effects of the Development on habitats, birds and other wildlife are assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>).</p> <p>Recreational amenity effects are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a>).</p> <p>The effects of the Development on visual amenity of local residents are assessed in the Residential Visual Amenity Assessment (RVAA) (PINS reference <a href="#">APP-210</a>).</p> <p>Visual effects on visitors to the area are assessed in Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a>).</p>
OPC-3	<p>Orientation of panels</p> <p>Other solar parks use south facing panels the use and effects of which are well documented. Panels with an east/west orientation are an unknown quantity and using them to this extent with no previous examples to rely on is a big risk.</p>	<p>The Applicant does not agree that solar photovoltaic panels being oriented towards the east and west rather than the south represents an 'unknown quantity', or is materially different to solar panels being oriented towards the south.</p> <p>Section 4.4.2.1 of Chapter 4 -Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a>) sets out the reasons why an east-west array was chosen as the preferred design for the site. The effects associated with a south facing orientation would be similar to or the same as the east-west array, but the total energy generation would be less. Therefore the east-west layout represents a better design solution to meet the national energy policy objectives.</p> <p>The Applicant's project team visited Wirsol's 35 MWp solar farm in Delfzijl, Netherlands in October 2017, where an east west array has been deployed in a similarly flat landscape. This Wirsol site provides a good example of an east-west facing array.</p>
OPC-4	<p>Long term effect on the land</p> <p>The long-term effect of the project on the land and biodiversity is unknown, particularly because of the issue over orientation described above.</p>	<p>The long-term effect of the Development on land is assessed in Chapter 13 - Socioeconomics, Tourism, Recreation and Land use of the ES (PINS reference <a href="#">APP-043</a>).</p> <p>The long-term effect of the Development on biodiversity is assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>).</p> <p>As set out above, the Applicant does not agree that solar photovoltaic panels being oriented towards the east and west rather than the south represents an 'unknown quantity', or is materially different to solar</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
		panels being oriented towards the south. Such an arrangement has been assessed through the ES and all potential effects have been considered and where necessary mitigation proposed.
OPC-5	Oare Parish Council welcomes the use of renewable energy in the correct locations and circumstances but for the above reasons, is unable to support the current application in its current form	The Applicant welcomes OPC's in-principle support for renewable energy.

## 2.5 RR-062 Canterbury Labour Party

**Table 2.5: Applicants responses to RR-062**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
CLP-1	The site forms part of the North Kent Marshes Environmentally Sensitive Area. It is also directly adjacent to the Swale Ramsar site which is designated because of an important assemblage of bird species together with plant species, the Swale Special Protection Area and the Swale Site of Special Scientific Interest, the South Swale Nature Reserve and the Swale Estuary Marine Conservation Area. On the opposite side of Faversham Creek is the Oare Marshes Nature Reserve managed by the Kent Wildlife Trust.	The Applicant is aware of these designations, and confirms that effects of the Development on biodiversity and designated sites are assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a> ).
CLP-2	Natural England has confirmed that they consider the land to be functionally linked land to the Ramsar site and SSSI and that birds that contribute to the Swale Assemblage use the land in winter, in particular, Brent geese, lapwing and golden plover. As a breeding site, the land is functionally linked to the Ramsar site for marsh harriers. The letter from Natural England also advises the developer's wildlife consultant to address the needs of bats, water voles and reptiles as protected species. They comment that the addition of wildflowers in any new grazing land might assist with conditions for pollinating insects.	This is noted by the Applicant.  The Applicant has provided all information with the Application to assess the potential effects of the Development on designated sites and their qualifying interest features in Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a> ) and in the Report to Inform an Appropriate Assessment (RIAA) (PINS reference <a href="#">APP-026</a> ).
CLP-3	The bat surveys carried out between June, and September 2015 demonstrate that the site functions as a foraging and commuting habitat for bats. Nine species are present including soprano pipistrelles, common pipistrelles, noctules and Daubenton's bats. Bat activity extends over the whole site, and they use the open areas as well as just along the drainage ditches. It is likely that the disturbance during construction would deter bats, and the time taken for any new vegetation to establish may make the area unsuitable as a foraging habitat for several years after installation. This is because the new vegetation is likely to take up to three years to establish.	The effects of the Development on bats are assessed in Chapter 8 - Ecology of the ES (PINS reference <a href="#">APP-038</a> ). In particular, section 8.5.7 provides an assessment of impacts during construction and operation. The construction impact is assessed as negligible adverse, and the operational impact minor beneficial.
CLP-4	Although the site is largely used for arable at present, 172 species of invertebrate were found in the surveys carried out in July 2015. Of these, over	The effects of the Development on invertebrates are assessed in Chapter 8 - Ecology of the ES (PINS reference <a href="#">APP-038</a> ). In particular, section 8.5.4

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	30 species were either locally significant or of national significance including species of beetle, bugs, flies, bees and planthoppers. One variety of fly is nationally rare, and eleven insects are nationally scarce. The clearing of parts of the site to install the spine road and install the panels is likely to have a detrimental impact on the insect population which in turn feeds birds and bats. Re-establishment of vegetation on the site will take several years, so that cover and food plants for insects will be absent.	provides an assessment of impacts during construction and operation. All impacts, including during construction are assessed as negligible, except for the minor beneficial effect of the proposed habitat enhancements set out in the outline LBMP (PINS reference <a href="#">APP-203</a> ) and the moderate beneficial effect of cessation of pesticide application targeted at invertebrates.
CLP-5	The site is best known for birds, and it is mainly in this context that it should be considered in connection with the wildlife designations of the Swale mudflats and beaches and the land along the seawall. Wintering bird surveys were taken in 2013/14, 2014/15 and 2017/18. The two earlier surveys show that up to 3400 Brent geese can be found on the farmland together with up to 600 oystercatchers, 300 golden plovers, 240 Avocets, 300 wigeons, 1000 Dunlin and 300 redshanks. Figures from 2017/18 confirm that many birds use the arable and grazing marshland on the site including 1800 Brent geese, 115 Shelduck, 690 wigeon, 160 teal, 22 little egret, 1190 Oystercatcher, 194 Avocet, 1770 golden plover, 150 grey plover, 1000 Lapwing, 1660 knot, 23 Ruff, 3000 Dunlin, 380 black-tailed godwit, 150 bar-tailed godwit, 160 Curlew and 370 Redshank. These represent, for most species, at least nationally important numbers. The land is also used in winter by short-eared owls and peregrine falcons in winter. The birds use many parts of the site, not only the western end	<p>Wintering bird surveys were also undertaken in winter 2015/16.</p> <p>The origin of the numbers quoted opposite appears to be from The Faversham Society's Section 42 consultation response to the Preliminary Environmental Information Report (PEIR). The Applicant's response to the Faversham Society's comments in Table 9.1b of Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>) highlighted that these figures were incorrect when describing use of the arable land, possibly including counts of birds in intertidal areas, with some of the species mentioned (e.g. avocet) having never been recorded within the arable parts of the survey area.</p> <p>Notwithstanding this correction, the Applicant has recognised and assessed the importance of all parts of the site for bird species associated with The Swale, which is presented in section 9.6 of Chapter 9 - Ornithology of the ES.</p>
CLP-6	A map shows that there are breeding birds all over the site, not only in the ditches and along the existing tracks. These include skylarks, dunlocks and yellow wagtails together with reed buntings. There are also nesting sites throughout the area for oystercatcher and lapwings. Most of these are ground-nesting birds and rely on insects to feed their young. They need cover and lack of disturbance that exists across the site because of its use as farmland with limited access.	Section 9.6.3.26 of Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a> ) describes and assesses the potential effects of the Development on the breeding farmland bird community. Mitigation measures to avoid and reduce the magnitude of harmful effects, as well as biodiversity enhancement proposals, are described in the outline LBMP (PINS reference <a href="#">APP-203</a> ).
CLP-7	As a feeding and roosting area, Brent geese use most of the land, shelduck use land at the west end, little egrets are widespread in their use of the land, mallards use the south parts of the land, and golden plovers and lapwing use the whole site. Many species also use the land area at night including lapwing, golden plover, snipe, short-eared owls, shelduck and mallard.	Section 9.6 of Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a> ) describes and assesses the potential effects of the Development on the birds identified as Important Ecological Features, and takes into account the mitigation and biodiversity enhancement measures included with the Development that are described in the outline LBMP (PINS reference <a href="#">APP-203</a> ).
CLP-8	Maps also show that raptors feed and hunt over the whole site. They show the flight paths of the birds which include short-eared owls, peregrine falcons, hobbies and marsh harriers. These birds mostly fly at less than 10 metres above the ground while hunting and thus are likely to find most of the site impossible to use either because of disturbance	Sections 9.6.3.24, 9.6.3.25 and 9.6.3.29 of Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a> ) describe and assess the potential effects of the Development on short-eared owl, marsh harrier and peregrine. Mitigation and biodiversity enhancement proposals to improve the quantity and quality of habitat for foraging raptors are described in the

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	during construction or when the panels are in place.	outline LBMP (PINS reference <a href="#">APP-203</a> ). Hobby was not identified as an Important Ecological Feature because its presence within the site during the baseline surveys was very infrequent.
CLP-9	All of the species that nest or feed on the whole site, roost on it, rest on it or hunt over it would be affected by the panels which will cover much of the area. It is considered that for this reason, the development would be harmful to the Ramsar site, the SSSI and to the other wildlife designations by taking away a large area of functionally linked land	Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a> ) and the HRA documented in the RIAA (PINS reference <a href="#">APP-026</a> ) provide an assessment of the potential effects of the Development on bird species, including the impact of loss of functionally linked land, as well as describing the measures implemented with the Development in the outline LBMP (PINS reference <a href="#">APP-203</a> ) to mitigate potentially harmful impacts and provide biodiversity enhancements.

## 2.6 RR-114 Faversham and Swale East Labour Party

**Table 2.6: Applicants responses to RR-114**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
FSELP-1	<p>Chapter <a href="#">APP-039</a> Ornithology</p> <ul style="list-style-type: none"> <li>- Breeding marsh harriers on site and on nearby sites such as Ham Marshes</li> <li>- Marsh harriers feeding over whole site including arable areas, functionally linked to SPA/Ramsar site</li> <li>- Raptors including marsh harriers, peregrine falcons, short eared owls hunting low over site, flying below 10m</li> <li>- Brent geese feeding on arable land because of suitable arable crops, not just sitting on land such as proposed new grazing area</li> <li>- Brent geese roosting on site or using it between tides, accessed over sea wall from Oare Creek mouth nowhere near proposed new grazing area</li> <li>- Use of arable land by lapwing to feed and roost (major declining species)</li> <li>- Use of arable land by golden plover to feed and roost</li> </ul>	<p>Sections 9.6.3.24, 9.6.3.25 and 9.6.3.29 of Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>) describe and assess the potential effects of the Development on short-eared owl, marsh harrier and peregrine. Mitigation and biodiversity enhancement proposals to improve the quantity and quality of habitat for foraging raptors are described in the outline LBMP (PINS reference <a href="#">APP-203</a>).</p> <p>Sections 9.6.3.2, 9.6.3.12 and 9.6.3.13 of Chapter 9 - Ornithology of the ES describe and assess the potential effects of the Development on brent goose, lapwing and golden plover. Mitigation to address loss of arable foraging habitat is provided by the AR HMA described in the outline LBMP.</p> <p>Where these potential effects are relevant to the qualifying interest features of The Swale SPA/Ramsar Site, further documentation is provided in the RIAA (PINS reference <a href="#">APP-026</a>).</p>
FSELP-2	<p>Chapter 6.1.14 Transport</p> <ul style="list-style-type: none"> <li>- Increase in HGVs through narrow parts of Seasalter Road with no pavements, up to 80 per day generally, more at peak periods</li> <li>- Graveney school playground on road side of buildings, fumes and noise as well as number of vehicles</li> <li>- Graveney school playing field on opposite side of Seasalter Road with no pedestrian crossing</li> <li>- Impact on 660 service bus causing delays to bus service</li> <li>- Intimidation of pedestrians and cyclists by increased numbers of vehicles particularly HGVs</li> <li>- Functional severance of village as church and village hall are across road from most houses</li> </ul>	<p>Section 5.5.2.1 of ES Chapter 5 - Development Design (PINS reference <a href="#">APP-035</a>), sets out a commitment to limit the number of HGV movements during the construction phase to a maximum of 80 per day (equivalent to 40 vehicles travelling to and from the site in 1 day).</p> <p>Noise and air quality impacts as a result of increased traffic volumes are assessed in Chapter 12 - Noise (PINS reference <a href="#">APP-042</a>) and Chapter 16 - Air Quality (PINS reference <a href="#">APP-046</a>) of the ES.</p> <p>Access and traffic impacts are assessed in Chapter 14 - Access and Traffic of the ES (PINS reference <a href="#">APP-044</a>).</p>
FSELP-3	<p>Chapter 6.1.13 Socio-economic effects and tourism</p> <ul style="list-style-type: none"> <li>- Tourism impacts in Developer submission is at</li> </ul>	Tourism effects are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the



Ref.	Issues raised in the Relevant Representation	Applicant's Response
	<p>Kent, or at best whole of Swale District and whole of Canterbury District level</p> <ul style="list-style-type: none"> <li>- Impact should be assessed at Faversham area or Whitstable area level</li> <li>- People visit Faversham and Whitstable as nice towns with historic buildings and good countryside, unusual shops and restaurants, solar farm harms image as big industrial appearance</li> <li>- People visit Seasalter/Faversham to walk on sea wall and footpaths across marshes to see birds, other wildlife and views over the land as well as from sea wall</li> <li>- Part of long distance footpath, England Coast Path but this does not mean people are just using it to pass through</li> <li>- National Cycle Route is part of tourism offer of area as well as sustainable form of transport</li> </ul>	<p>ES (PINS reference <a href="#">APP-043</a>).</p>
FSELP-4	<p>Chapter 6.1.7 Landscape and Visual Impact</p> <ul style="list-style-type: none"> <li>- Graveney Marshes is part of Kent level Area of High Landscape Value and this has recently been endorsed as AHLV for new Local Plan in approved report Swale Local Landscape Designations Nov 2018</li> <li>- Graveney arable lands moderate condition/moderate sensitivity and Graveney grazing lands good condition/high sensitivity in Swale Landscape Character and Biodiversity Appraisal 2011</li> <li>- Views from England Coast Path/Saxon Shore Way across site with high panels and fences and large bund enclosing battery area causing major impact</li> <li>- Views from footpath ZR478 through the site largely contained by panels and fences major impact</li> <li>- Viewpoints in photomontages at years 1, 5 and 10. Many impacts assessed to be significant and major impact</li> <li>- Although solar installation is only small part of distant views, still harmful including from Wraik Hill</li> </ul>	<p>Section 7.3.4 of Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a>) reviews the Kent Level AHLV and identifies that published assessment relating to landscape value for this designation, assesses the Graveney Marshes as being in less favourable condition 'due largely to modern agricultural practices and the presence of the substation at Cleve Hill'.</p> <p>A Review and Recommendations report assessing the Swale Local Landscape Designations<sup>1</sup> was published in October 2018 (which was not available when the LVIA chapter was being finalised). The findings of this report are consistent with the previous assessment in relation to intensive agricultural use of the area. The report provides comment on landscape detractors and positive attributes of the landscape in this area and concludes that Graveney Marshes should continue to be part of the AHLV.</p> <p>The visual impacts of the Development on public rights of way are assessed in Chapter 7 - LVIA of the ES, section 7.6.2.2.</p> <p>An assessment of the view from Wraik Hill is provided under viewpoint 18 in Chapter 7 - LVIA of the ES, section 7.6.2.3. The assessment concludes that minor effects on residents, and minor/negligible effects on road users are likely at Wraik Hill during operation. Viewpoint 18 visualisations are provided in Volume 3 of the ES (PINS reference <a href="#">APP-127</a> and <a href="#">APP-169</a>).</p>
FSELP-5	<p>Chapter 6.1.11 Cultural Heritage and Archaeology</p> <ul style="list-style-type: none"> <li>- Impact on village of Graveney because solar farm starts to be seen from and close to Graveney Church (Grade I listed) and other listed buildings including Sparrow Hall, Graveney Court on Seasalter Road</li> </ul>	<p>The impacts of the Development on Grade I listed Graveney Church (and Graveney Church Conservation Area), Grade II listed Sparrow Court and Grade II listed Graveney Court are assessed in Chapter 11 - Cultural Heritage and Archaeology of</p>

<sup>1</sup> LUC. Swale Local Landscape Designations Review and Recommendations (October 2018). Available at: <https://services.swale.gov.uk/meetings/documents/s11204/Item%205%20Appendix%20III%20Landscape%20Designation%20Review.pdf> [accessed 26/02/2019]

Ref.	Issues raised in the Relevant Representation	Applicant's Response
		the ES (PINS reference <a href="#">APP-041</a> ).
FSELP-6	- All buried remains which are evidence of historic land use including sheep folds and duck decoys entirely lost as part of construction	The outline Written Scheme of Investigation (PINS reference <a href="#">APP-233</a> ) sets out mitigation measures to be applied to these undesignated archaeological sites.
FSELP-7	- Similarly, all WWII remains including site of Battle of Graveney plane remains and WWII decoy site completely lost in construction as area has to be pile-driven over	The outline Written Scheme of Investigation (PINS reference <a href="#">APP-233</a> ) sets out mitigation measures to be applied to these undesignated archaeological sites.
FSELP-8	Chapter 6.1.18 Interactive and Cumulative effects - Properties close to perimeter of site including Nagden, Cleve Hill cottages and Warmhouse cumulative effects including traffic getting to them, views, footpaths and noise - Properties in Graveney with lorry traffic, impact on the school, severance and in some cases views, harm to local footpaths	The interaction and accumulation of effects on the receptors identified are considered in Chapter 18 - Interactions and Accumulation of Effects of the ES (PINS reference <a href="#">APP-048</a> ).

## 2.7 RR-138 John Gordon Sencicle on behalf of The Open Spaces Society

**Table 2.7: Applicants responses to RR-138**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
OSS-1	I am objecting to the Solar Park as it will have an enormous visual impact on the Saxon Shore Way, and also the Coastal Path, which is currently about to open here 2019.	The visual impact of the Development on the Saxon Shore Way is assessed in Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a> ), section 7.6.2.2.  The England Coast Path is expected to be entirely coincident with the Saxon Shore Way in the vicinity of the Development so would not form a separate receptor.
OSS-2	It will affect the bird population, an important site for migration and breeding.	Section 9.6 of Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a> ) describes and assesses the potential effects of the Development on the birds identified as Important Ecological Features, and takes into account the mitigation and biodiversity enhancement measures included with the Development that are described in the outline LBMP (PINS reference <a href="#">APP-203</a> ).
OSS-3	Affect local residents' views of the countryside, and walkers using the footpaths for enjoyment.	Local residents' views of the countryside are assessed in Chapter 7 - Landscape and Visual Impact Assessment of the ES (PINS reference <a href="#">APP-037</a> ), and in the associated Technical Appendix A7.4 - Residential Visual Amenity Assessment (PINS reference <a href="#">APP-210</a> ).  Walkers using the footpaths for recreation are included as a receptor in Chapter 13 - Socioeconomics, Tourism, Recreation and Land use of the ES (PINS reference <a href="#">APP-043</a> ).
OSS-4	Solar Arrays should go onto warehouses, sports centres, supermarkets, village halls, doctor's surgery's, where these are built onto green field sites, which reduces the ability to grow food. I see no evidence of any such sites with any solar panels	These comments are noted.  The effect of the Development on land use is assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).



Ref.	Issues raised in the Relevant Representation	Applicant's Response
	on the roofs, many of which are flat roofed. In the 1980's we produced 90% of our own food which is now down to 60%, and with the growing world population will make things more serious in the future. It is often said that sheep will graze between these panels but on travelling around where these arrays are visible, I seldom see sheep and if they are, very few in numbers.	<p><a href="#">APP-043</a>). Land to be occupied by the Proposed Developed is grade 3b agricultural land which is not categorised as Best and Most Versatile agricultural land.</p> <p>Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a>) includes section 4.2 which sets out the site identification process for the Development. The chapter is supported by a sequential test report which considers the availability of lower quality agricultural land in the area (PINS reference <a href="#">APP-201</a>).</p> <p>The Applicant intends to manage vegetation onsite using sheep as described in section 5.6.2 of Chapter 5 - Development Description of the ES (PINS reference <a href="#">APP-035</a>).</p>

## 2.8 RR-225 The Ramblers

**Table 2.8: Applicants responses to RR-225**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
TRAM-1	While the Ramblers support measures to mitigate climate change, including the use of solar photovoltaic (PV) technology, we take the view that PV arrays should be installed as close as possible to the point of use	The Development is situated immediately adjacent to the point of connection to the National Grid electricity transmission network.
TRAM-2	We are opposed to large scale solar PV arrays ('solar parks') being sited in locations where they would damage valued landscapes.	These comments are noted.
TRAM-3	The proposed solar park would, in our view, have a detrimental effect on the landscape of Nagden, Graveney and Cleve Marshes, and on the visual amenity of people wishing to enjoy the Saxon Shore Way stretch of the new England Coast Path, and other footpaths in the area.	Landscape and visual impacts are assessed in Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a> ). Section 7.6.2.2 provides an assessment of visual effects on public rights of way users in the area.
TRAM-4	We do not consider that the introduction of a buffer distance of 63 metres that the applicants are proposing between the solar panels and the Saxon Shore Way would lessen the detrimental effect on landscape and visual amenity.	<p>These comments are noted.</p> <p>Table 4.3 of Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a>) includes reference to the iterative development design process, including where at the Scoping stage (December 2017) a design decision was made to avoid locating PV modules directly adjacent to the Saxon Shore Way.</p> <p>A minimum distance of approximately 60 m from the Saxon Shore Way to the closest solar PV modules is considered to have less of an effect on landscape and visual amenity from the Saxon Shore Way than if the solar PV panels were located immediately adjacent to the footpath.</p>

## 2.9 RR-248 Ramblers

**Table 2.9 - Applicants responses to RR-248**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
RAM-1	The new "England Coast Path" will follow the line of the "Saxon Shore Way" along the northern and western perimeter of the site. By 2020 the Coast Path is scheduled to be open and will be the longest and most prestigious and iconic National Trail in England.	These comments are noted.
RAM-2	The solar park, if approved, would create a monotonous, industrial landscape for some 5km along the new Path. It would take an hour to walk from one end to the other. The solar park would be the dominating feature of the landscape and spoil the enjoyment of this section for the many walkers who will undoubtedly use this new Trail	<p>The current landscape may also be viewed as monotonous, due to the intensive arable cultivation of the Development site.</p> <p>Landscape and visual impacts are assessed in Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a>). Section 7.6.2.2 includes an assessment of visual effects on users of the Saxon Shore Way.</p>

## 2.10 RR-267 Faversham Town Council

**Table 2.10: Applicants responses to RR-267**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
FTC-1	Faversham Town Council supports the principle of green energy for the good of the planet. But not at the expense of the one thing it is meant to saving – The Environment.	<p>These comments are noted.</p> <p>An Environmental Impact Assessment (EIA) has been undertaken for the Development and was reported in the ES submitted with the DCO application.</p>
FTC-2	<p>1. Scale.</p> <p>The site of this power station is larger than the nearest town. The North Kent Coast is a unique part of our countryside and hasn't changed for hundreds of years. The site will include an SSSI and the Seawall.</p> <p>The Solar panels will vary in height maximum 3.9m and will extend over 436 acres the equivalent of 218 football pitches.</p>	<p>The Statement of Need (PINS reference <a href="#">APP-253</a>) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.</p> <p>The coastal flood defences were constructed in the 1950s and arable farming also commenced on site in the second half of the 20<sup>th</sup> century. The 400 kV overhead lines and the existing Cleve Hill Substation are other substantial modern features in the area.</p>
FTC-3	<p>2. Construction.</p> <p>There will need to be breaks from the construction for nesting birds in the Summer and also in Winter for migratory birds. This means that for the local residents' noise and pollution from the construction will be for a far greater period of time.</p>	<p>The anticipated length of the construction phase is 24 months as set out in Section 5.5 of Chapter 5 - Development Description of the ES (PINS reference <a href="#">APP-035</a>). If the energy storage facility is constructed separately, this could take up to another 6 months.</p> <p>An outline SPA Construction Noise Mitigation Plan (SPA CNMP) (PINS reference <a href="#">APP-243</a>) for birds has been proposed to include measures to minimise the potential impacts on breeding and wintering birds; the measures set out in the Plan would not result in any extension to the construction period outlined in Chapter 5 - Development Description of the ES.</p> <p>Noise impacts during construction are assessed in</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
		Chapter 12 - Noise (PINS reference <a href="#">APP-042</a> ).
FTC-4	<p>3. Access.</p> <p>Access will be along narrow country lanes These roads are not suitable for the type of lorries or the amount of lorry movements expected. Junction 7 of the M2 is already running at and over full capacity and is becoming an accident hotspot. As is Junction 6.</p>	<p>Heavy goods vehicle movements will be carefully managed along the proposed construction traffic routes to be used to access the site. Details of the proposed management, mitigation and monitoring measures to be introduced for construction traffic are set out in the outline Construction Traffic Management Plan which is included as Technical Appendix A14.1 of the ES (PINS reference <a href="#">APP-245</a>). The outline Construction Traffic Management Plan will form the basis for a final Construction Traffic Management Plan to be approved by the relevant planning authority under the DCO.</p> <p>Access and traffic impacts are assessed in Chapter 14 - Access and Traffic of the ES (PINS reference <a href="#">APP-044</a>).</p> <p>Existing daily traffic flows on the M2 are in excess of 63,000 vehicles (5,500 HGVs). The predicted percentage increase in HGV traffic along the M2 attributable to the construction of the Development is expected to be in the region of one percent. This is below widely accepted thresholds for daily variations in vehicle flows.</p> <p>Furthermore, it is expected that the majority of the daily HGV movements to the site would occur between 09.30 and 15.30 avoiding highway network peak periods.</p>
FTC-5	<p>4. Risk of Flooding to Faversham.</p> <p>The marshes are a protective floodplain for Faversham. The seawall is the responsibility of the Environment Agency. If in the future this responsibility became under the control of the Cleve Hill operators' they would be able to raise the height of it in order to protect their assets. We are concerned what impact this would have on our town.</p>	<p>No part of the Site acts as a 'protective floodplain for Faversham' as the agricultural land is protected by engineered flood defences, as outlined in section 10.3.1 of Chapter 10 of the ES (PINS reference <a href="#">APP-040</a>) and section 1.3 of the FRA (PINS reference <a href="#">APP-227</a>).</p> <p>Nagden Sluice (EA Asset ID: 265437), consists of a tidal flap, a culvert through the defence and an in-channel stop board structure, as shown in Plate 10.6 in Chapter 10 of the ES. Nagden Sluice serves as the tidal outfall point for the majority of land drainage within the Hydrology Core Study Area and acts as the final water level control structure for Graveney Marsh. As such, tidal waters do not flow into the Site and no floodplain storage is offered by the site.</p> <p>The draft Development Consent Order submitted with the Application (<a href="#">APP-016</a>) includes the powers and rights necessary for the Applicant to maintain the existing flood defences throughout the operational lifetime of the Development. The EA supports this approach.</p> <p>The draft Development Consent Order does not include power to raise the height of the flood defences.</p>
FTC-6	5. Batteries.	Chapter 17 - Miscellaneous Issues (PINS reference

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	We are concerned about the battery technology that will be used. This is an emerging technology that is still being tested and developed. We have concerns regarding the health & safety aspect of this technology and feel that it is not clearly specified in the application.	<a href="#">APP-047</a> of the ES includes an assessment of the potential for the development to cause major accidents or disasters at section 17.7, as well as an assessment of other health and safety considerations.
FTC-7	6. Wildlife / SSSI / Agriculture. The area of the site forms part of the North Kent Marshes Environmentally Sensitive Areas. We are very concerned, with the inclusion of the SSSI in this application. It appears this has been done to assist the developer with their application in achieving the biodiversity of the site. It is very worrying that an SSSI will be in the hands of a private power company. The long, term protection of the SSSI is paramount. The Developers propose to create 'grazing land' under the panels for Sheep. Some of the land in the application has crops grown on it for at least the past 40 years although it is not grade 1 agriculture land.	<p>The SSSI was included within the application red line boundary at the suggestion of members of the Habitat Management Steering Group (HMSG) to give the potential for management improvements over and above the existing baseline. This land is not proposed to be subject to infrastructure development in the dDCO, and will remain subject to the legislative controls that protect it as a SSSI under any scenario.</p> <p>Paragraph 104 of Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>) makes it clear that the inclusion of the SSSI grazing marsh in the Development (the Freshwater Grazing Marsh Habitat Management Area (FGM HMA)) is not intended to provide mitigation for negative effects, but only to provide opportunity to enhance its management for the benefit of wildlife, particularly breeding and wintering birds. This measure has been welcomed by Natural England.</p> <p>The comments made in respect of sheep grazing and arable use are acknowledged by the Applicant.</p>
FTC-8	Economic Value. There are hundreds if not thousands of visitors that love to walk this part of the Kent Coast. People who visit this area often stay in the local hotels and guest houses. Helping to keep the local economy buoyant.	Quantitative data in respect of recreation and tourism has been taken into account in the assessments provided in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).
FTC-9	Conclusion. There are alternative brownfield sites available across the UK, as Kingsnorth, Isle of Grain or Dungeness Power Station all of which are which are attached to the National Grid.	Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a> ) includes an appraisal of alternative sites, including areas of land at Kingsnorth and the Isle of Grain.

## 2.11 RR-321 Graveney with Goodnestone Parish Council

**Table 2.11: Applicants responses to RR-321**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
GGPC-1	1. Environmental Impact Assessment Following established EIA methodologies can lead to an in-built bias against small communities, and areas of remote and isolated countryside such as the Swale Marshes. This is because it attaches considerable weight to "numbers of receptors" in contrast to the very different qualities associated this landscape - with its lonely tidal creeks, mud flats, marshlands and big skies- with relatively few people around. The local community attaches great value to its distinctive local environment and the impact from a large solar power development, of unparalleled	<p>The Applicant does not agree with these comments.</p> <p>The EIA methodologies provided in the ES, and consulted on in the EIA Scoping Report (PINS reference <a href="#">APP-198</a>) clearly set out how the sensitivity/value of a receptor and the magnitude of change as a result of the Development are assessed to conclude on the level of effect to all receptors identified.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	size in the UK, will wholly transform the character and appearance of a large area of much-valued local countryside.	
GGPC-2	<p>2. Site identification</p> <p>There is no clear justification for a solar power generating facility of this huge size (which is far in excess of anything previously seen in the UK), in this location. The choice of this site seems largely driven by the current presence of spare connection capacity to the National Grid provided by the London Array sub-station at Cleve Hill (which has not yet been used for a second phase of offshore wind energy development out in the Thames estuary) and the adjacent 400 kV overhead line from Kemsley to Canterbury. These facilities already detract from the intrinsic character and beauty of the Swale marshes and should not be used as a justification for further intrusive development.</p>	<p>Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a>) includes section 4.2 which sets out the site identification process for the Development.</p> <p>The Statement of Need (PINS reference <a href="#">APP-253</a>) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.</p> <p>The landscape and visual baseline, is described in section 7.3 of Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a>). Changes to this baseline predicted as a result of the Development are assessed in section 7.5 - Assessment of Landscape Effects.</p>
GGPC-3	<p>3. Development design</p> <p>The development design is an east-west facing layout, with solar panels at a shallower angle and on smaller "tables". There is considerable concern locally that the proposed orientation will allow panels to be installed much closer together. Therefore, this new layout is likely to increase the impacts across much of the site and significantly reduce the opportunities for wildlife compared to 'traditional' designs. These increased impacts will include the effect on the local landscape, wildlife and flooding/drainage. A particular concern here is the proposed large battery storage compound and related electrical facilities across the development site which materially add to the intrusive nature of the design. We would wish to see the battery storage element of the proposal in particular being carefully assessed by relevant professionals.</p>	<p>Section 4.4.2.1 of Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES sets out the reasons why an east-west array was chosen as the preferred design for the site.</p> <p>The effects associated with a south facing orientation would be similar to or the same as the east-west array, but the total energy generation would be less. Therefore the east-west layout represents a better design solution to meet national energy policy objectives.</p> <p>The east-west oriented solar PV array design including all ancillary electrical infrastructure across the Development and within the electrical compound has been subject to assessment in the ES, including in Chapter 7 - LVIA, Chapter 8, Ecology, Chapter 9 - Ornithology and Chapter 10 - Hydrology, Hydrogeology, Flood Risk and Ground Conditions of the ES (PINS references <a href="#">APP-037</a>, <a href="#">APP-038</a>, <a href="#">APP-039</a>, <a href="#">APP-040</a>).</p>
GGPC-4	<p>4. Legislative and planning context</p> <p>a. National policy</p> <p>The need for renewable energy does not automatically override environmental protections and the planning concerns of local communities. Cumulative impacts require particular attention, especially the increasing impact of wind turbines and large scale solar farms on landscape and local amenity as the number of turbines and solar arrays in an area increases, or the scale of individual proposals grows considerably bigger (as is the case here). Large scale solar farms should preferably be on previously developed land, on non-agricultural land or on buildings. Heritage assets should be conserved in a manner appropriate to their</p>	<p>The approach to the cumulative assessment for the Development is set out in section 2.1.7 of Chapter 2 - EIA of the ES (PINS reference <a href="#">APP-032</a>).</p> <p>The Planning Statement (PINS reference <a href="#">APP-254</a>) submitted as part of the Application provides a detailed assessment of the Development against the policies identified in Chapter 4 - Planning of the ES (PINS reference <a href="#">APP-034</a>).</p> <p>Chapter 11 - Cultural Heritage and Archaeology of the ES (PINS reference <a href="#">APP-041</a>) assesses the impact of the Development on heritage assets. A Heritage Statement is also provided (PINS reference <a href="#">APP-257</a>) which provides conclusions on heritage</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset.	impacts in planning terms.
GGPC-5	b. NPS Guidance on national infrastructure projects Regard must be given to any Local Impact Report and to any other matters which relate to and are important to the decision.	This comment is noted.
GGPC-6	c. Local planning policies The Swale Local Plan 2017 (Bearing Fruit) was formally adopted in July 2017. It includes planning policies to guide the development of the area up to 2031. There are policies within the plan which we believe are of relevance in this instance.	The Applicant agrees that there are relevant policies in the local plan. These have been considered within the Planning Statement ( <a href="#">APP-254</a> ).
GGPC-7	5. Landscape and Visual Impact Assessment Most of the land of Swale Borough – including the CHSP site – is within the Greater Thames Estuary Natural Area and the CHSP site is identified as an “area of high landscape value”. The CHSP will utterly transform the character and appearance of the landscape of Graveney Marshes. It would obliterate the current open rural area of arable farm land and coastal grazing marsh with long horizons and big skies. The proposals will replace it with densely packed and orderly ranks of metal mounting structures with solar arrays (up to 3.9 metres above ground level), inverters, transformers and an – as yet unclear – large battery storage facility, all surrounded by a high wire fence and security cameras. Parishioners fear that such utilitarian development, on such a large scale, will “industrialise” the countryside.	<p>The Applicant does not agree that the Development will “obliterate the current open rural area of arable farm land and coastal grazing marsh with long horizons and big skies”.</p> <p>Landscape and visual impacts are assessed in Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a>).</p> <p>Chapter 5 - Development Description of the ES (PINS reference <a href="#">APP-035</a>) clearly sets out the design parameters for the Development, including the energy storage facility.</p>
GGPC-8	6. Ecology and Ornithology The parish council raises concerns on several points: <ul style="list-style-type: none"> <li>• Direct impacts on habitats within the development site</li> <li>• Loss of ‘functionally linked’ habitat</li> <li>• Loss of the opportunity for habitat and landscape enhancement that this site provides</li> </ul> Underlying all these concerns are the unprecedented size, and unusual layout and density of the solar panel arrays, which mean that conclusions on a wildlife impact drawn from much smaller solar power installations of traditional layout and design elsewhere may not be transferable to the CHSP proposals.	<p>The Applicant has provided all necessary information with the Application for the Secretary of State to be able to assess the potential effects of the Development on designated sites and their qualifying interest features, including loss of functionally linked land, in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>) and their associated appendices.</p> <p>Where these potential effects are relevant to the qualifying interest features of The Swale SPA/Ramsar Site, further documentation is provided in the RIAA (PINS reference <a href="#">APP-026</a>).</p> <p>The Applicant does not agree that solar photovoltaic panels being oriented towards the east and west is materially different to solar panels being oriented towards the south.</p>



Ref.	Issues raised in the Relevant Representation	Applicant's Response
GGPC-9	<p>7. Hydrology, Hydrogeology, Flood Risk and Ground Conditions</p> <p>The CHSP site is within Environment Agency's (EA) Flood Zone 3a and therefore at high flood risk. The flood risks on this site are sea flooding, tidal flooding and surface water flooding. We understand that the EA and CHSP have agreed that CHSP will take on maintenance of the coastal defences for the life of the solar farm. We are concerned as to how this arrangement will be secured and maintain the expected standards of flood protection over the life of the Medway Estuary and Swale Strategy (MEASS) (up to the year 2118). Surface water flooding is also a concern.</p>	<p>Flood risk is assessed in Chapter 10 - Hydrology, Hydrogeology, Flood Risk and Ground Conditions of the ES (PINS reference <a href="#">APP-040</a>) and the supporting Technical Appendix A10.1 - Flood Risk Assessment (FRA) (PINS reference <a href="#">APP-227</a>).</p> <p>The draft Development Consent Order submitted with the Application (<a href="#">APP-016</a>) includes the powers and rights necessary for the Applicant to maintain the existing flood defences throughout the operational lifetime of the Development. The EA has also indicated that they would be willing to enter into an agreement for maintenance to be funded by the Applicant.</p> <p>Surface water flooding is considered in section 3.3 - Pluvial (Surface Water) of the FRA which concludes that the risk of the Development flooding from pluvial sources is considered to be Negligible.</p> <p>The EA's "The Medway Estuary and Swale Strategy - A Summary of Consultation Responses - Report – MMD-347800-S-RE-005-C", section 4.2 (Comments on specific Benefit Areas) document<sup>2</sup> states that, "Should the plans for the solar farm at Cleve Hill be approved and this moves forward to construction, the following will replace the current policy:</p> <ul style="list-style-type: none"> <li>• We [the EA] will not take responsibility for continued maintenance of the defences in this area.</li> <li>• A Managed Realignment site would be proposed in the longer term following the lifetime of the solar farm."</li> </ul> <p>As such, the Development is not in conflict with most recent version of the MEASS.</p> <p>With the presence of the solar park, the EA expects to cease maintenance of the defences earlier, on the basis that the maintenance will be carried out by the main beneficiaries of it (those who own assets which are protected by the coastal defences), as it is clearly in their interests to do so.</p>
GGPC-10	<p>8. Cultural Heritage and Archaeology</p> <p>The "setting" of heritage assets is an important planning consideration and that setting also includes intangible matters such as atmosphere and ambience: the latter are very strong features of the coastal marshes over much of the CHSP site. Regard should be given to the Conservation Area Appraisals for Graveney Church, Graveney Bridge and Goodnestone, prepared by Swale BC, which explain the wider landscape setting of these designated areas. CHSP's preferred route for traffic to access the proposed development site passes through all</p>	<p>Chapter 11 - Cultural Heritage and Archaeology of the ES (PINS reference <a href="#">APP-041</a>) assesses the impact of the Development on heritage assets. A Heritage Statement is also provided (PINS reference <a href="#">APP-257</a>) which provides conclusions on heritage impacts in planning terms.</p> <p>The Heritage Statement concludes at section 8.3 that the harm to the significance of all designated assets is less than substantial. The undesignated WWII pillbox on the southern boundary of the Development site is the only heritage asset predicted</p>

<sup>2</sup> Environmental Agency. Medway Estuary and Swale Strategy A Summary of Consultation Responses (June 2018). Available online at: [https://consult.environment-agency.gov.uk/ksles/medway-estuary-and-swale-strategy/user\\_uploads/summary-of-consultation-responses.pdf](https://consult.environment-agency.gov.uk/ksles/medway-estuary-and-swale-strategy/user_uploads/summary-of-consultation-responses.pdf) [accessed 25/02/2019]

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	three of these conservation areas. Buildings which contribute to local heritage are not confined to the statutory listings. The role of these heritage assets to local character should also be given due consideration. While a degree of harm to the setting of All Saints' Church and Graveney Court (together with the Graveney Church Conservation Area) and Sparrow Court is conceded, none at all is acknowledged with regard to Harty Church. The proposed solar park would cause a significant degree of harm to the settings of the local heritage assets and we would submit that insufficient weight has been attributed to the importance of the assets in Graveney and their historical setting.	to receive a level of harm of substantial.
GGPC-11	9. Noise and vibration The CHSP site is a very quiet rural location with low ambient noise levels. We are concerned about several noise and vibration impacts from the proposed development, in particular:	Noise impacts are assessed in Chapter 12 - Noise (PINS reference <a href="#">APP-042</a> ) of the ES. The noise impact assessment has taken into account the existing level of background noise by undertaking measurements at representative locations surrounding the site, and setting assessment criteria relative to these existing levels.
GGPC-12	<ul style="list-style-type: none"> <li>The effect of wind direction</li> </ul>	The effect of wind direction is described in section 12.5.4.5 of Chapter 12 - Noise and Vibration (PINS reference <a href="#">APP-042</a> ) of the ES, which states that all predictions assume down-wind propagation for all noise sources.
GGPC-13	<ul style="list-style-type: none"> <li>Noise and vibration from the piling of solar array support frameworks</li> </ul>	Prediction and assessment of noise and vibration impacts during construction from the piling of the solar array has been undertaken in sections 12.5.1.1 and 12.5.2.1 of Chapter 12 - Noise of the ES (PINS reference <a href="#">APP-042</a> ).
GGPC-14	<ul style="list-style-type: none"> <li>Noise from transformers and inverters</li> </ul>	The noise and vibration impact from transformers and inverters is assessed in sections 12.5.1 and 12.5.2 of Chapter 12 - Noise and Vibration of the ES (PINS reference <a href="#">APP-042</a> ).
GGPC-15	<ul style="list-style-type: none"> <li>Uncertainty over the noise and vibration impact of the proposed battery storage facility</li> </ul>	<p>Operational noise from the Development will be dependent on the noise level of the plant / equipment installed. Chapter 12 - Noise and Vibration of the ES (PINS reference <a href="#">APP-042</a>) based on the realistic worst-case design parameters described in Chapter 5 - Development Design (PINS reference <a href="#">APP-035</a>).</p> <p>Operational noise from the Development will be a key consideration in the final choice of components as noise from these areas will be limited to the noise limits set out in section 12.3.4 of Chapter 12 - Noise and Vibration of the ES.</p>
GGPC-16	<ul style="list-style-type: none"> <li>Noise and vibration from construction traffic</li> </ul>	Noise and vibration impacts from construction traffic are assessed in Chapter 12 - Noise and Vibration of the ES (PINS reference <a href="#">APP-042</a> ), section 12.5.3.
GGPC-17	<ul style="list-style-type: none"> <li>Acoustic barriers and screening</li> </ul>	Acoustic barriers and screening proposed as part of the embedded development design mitigation for the Development are described in section 12.4 of



Ref.	Issues raised in the Relevant Representation	Applicant's Response
		<p>Chapter 12 - Noise and Vibration of the ES (PINS reference <a href="#">APP-042</a>).</p> <p>Depending on the final equipment selected for installation, additional screening may be specified, in order to ensure the noise limits specified in section 12.3.4 of Chapter 12 - Noise and Vibration are not exceeded.</p>
GGPC-18	<p>10. Socio-economics, tourism, recreation and land use</p> <p>The extent of any local economic benefit is unclear as there is no information at this stage on the degree to which local businesses will have supply chain opportunities. There is very little evidence about the impact of large solar power development on tourism, but the absence of evidence on tourist impact does not mean it should be overlooked.</p>	<p>The Applicant has publicly stated an aspiration to involve local businesses and contractors as far as practicable during the construction phase. A supply chain event will likely be held prior to the start of construction to help identify local businesses and contractors with relevant capabilities.</p> <p>Tourism impacts are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a>).</p>
GGPC-19	<p>11. Access and traffic</p> <p>We are very concerned that CHSP's preferred traffic access route to the proposed development site uses narrow rural roads in Head Hill Road and Seasalter Road. This is a particular concern during the construction phase of the development which will last up to two years overall. The preferred route will pass through the centre of the villages of both Graveney and Goodnestone, which include a primary school, church, holiday park, a number of residential properties and access to several public rights of way. A local bus service between Faversham and Whitstable covers the same route. Over much of their length, these routes do not have footways. Currently, they are used by very little HGV traffic. All three of our designated conservation areas are along this route. We question whether this makes a suitable route for heavy lorry traffic, even for a limited construction period and taking into account the proposed traffic mitigation measures, given the residual problems of noise, vibration, severance, delay and intimidation caused by heavy lorries.</p>	<p>Construction vehicle routeing is described within Chapter 14 - Access and Traffic of the ES (PINS reference <a href="#">APP-044</a>) along with the potential effects of road traffic on severance, delay and intimidation.</p> <p>Vehicle routes are also discussed within the outline Construction Traffic Management Plan, Technical Appendix A14.1 of the ES (PINS reference <a href="#">APP-245</a>).</p> <p>As set out in Table 14.6 of Chapter 14, 2018 baseline Annual Average Daily Traffic (AADT) flow data for HGVs on Head Hill Road (north) and Seasalter Road are 123 HGVs and 65 HGVs respectively, daily.</p> <p>Noise and vibration impacts from construction traffic are assessed in Chapter 12 - Noise and Vibration of the ES (PINS reference <a href="#">APP-042</a>), section 12.5.3.</p>
GGPC-20	<p>12. Climate change</p> <p>Although the UK has international obligations, statutory goals and planning policies to increase the role of renewable energy, this does not mean that all renewable energy projects are acceptable, particularly if they have a significant and harmful impact on their host environment. There is a balance to be struck. The flood risk aspects of the proposals are especially sensitive to climate change and the large expanses of solar arrays could affect soil temperature and moisture, plant processes and so the habitats for a range of plants and animals.</p>	<p>Climate change allowances are considered in the ES Technical Appendix A10.1 - FRA (PINS reference <a href="#">APP-227</a>). The parameters for flood modelling were agreed with the EA prior to the assessment.</p> <p>Technical Appendix A5.3 - Microclimate &amp; Vegetation Desk-Based Study (PINS reference <a href="#">APP-204</a>) provides an assessment of the likely effect on soil temperature and moisture and vegetation responses.</p> <p>The effect of the Development on biodiversity is assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>).</p>
GGPC-21	<p>13. Air quality</p> <p>We are concerned with the air quality impact along the access route (where it passes the primary school and residential property) and on site (in terms of</p>	<p>Air quality has been assessed in Chapter 16 - Air Quality of the ES (PINS reference <a href="#">APP-046</a>) which does not identify any likely significant effects on air quality as a result of the Development during</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	ecological impact). We would like this to be monitored and managed during the construction phase of any development, with appropriate interventions if air quality falls below set standards.	construction, operation or decommissioning. The Applicant therefore does not consider that monitoring is necessary.
GGPC-22	14. Miscellaneous issues (a) Hours of working (b) Glint and glare (c) Waste (d) Major accidents and disasters	The Applicant notes these areas of interest which are addressed in Chapter 17 - Miscellaneous Issues of the ES (PINS reference <a href="#">APP-047</a> ).  Hours of working are also addressed in section 5.5.2.2 of Chapter 5 - Development Description of the ES and Technical Appendix A5.4 - outline Construction Environmental Management Plan (PINS reference APP-205), which also covers waste.

## 2.12 RR-418 Helen Whately MP

**Table 2.12: Applicants responses to RR-418**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
HWHT-1	As the local MP for Faversham and Mid Kent, the proposed solar farm project is within my constituency. I have spent many months talking to the local community about their views on the proposals and have shared these with Cleve Hill Ltd as the project has progressed.  I would like to register my interest in this application because I remain extremely concerned about what is being proposed, in particular:	These comments are noted.
HWHT-2	Size and location of the site – Despite paring back the size of the site, the sheer scale of the proposal remains huge. The marshes are a special, tranquil and beautiful landscape that should be protected for future generations to enjoy. I am unclear as to what alternative sites were explored before opting for the Graveney marshes.	The Statement of Need (PINS reference <a href="#">APP-253</a> ) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.  Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a> ) includes an appraisal of alternative sites.
HWHT-3	• Views from the Saxon Shore Way – The panels are expected to reach 4m in some places, and will stretch to right up to the edge of the Saxon Shore Way. This will inevitably impact on the enjoyment of this unique landscape.	At their highest, the solar panels could be 3.9 metres above ground level.  At their closest, the solar panels are proposed to be set back approximately 60 metres from the Saxon Shore Way.  The landscape and visual impacts of the Development are assessed in Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a> ).
HWHT-4	ineffective screening – There are plans to screen the panels with vegetation, but this will take at least ten years to take hold. In this open landscape, the screening may well be incongruent and it's hard to see that it will be effective in screening the solar panels from the raised stretches of the footpath	The outline Landscape and Biodiversity Management Plan (PINS reference <a href="#">APP-203</a> ) outlines objectives to enhance the landscape on site.  The flat nature of the site does allow for effective screening; however, following an assessment of the

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	along the estuary.	<p>landscape character it was assessed that screening should be confined to the southern areas of the Development site to preserve the open character of the northern boundaries of the site and surrounding landscape.</p> <p>To the south of the Development site both shelterbelts and hedgerows are proposed that either completely or partially screen the Development, as shown in the year 5 and year 10 photomontages from viewpoint 1 - Saxon Shore Way Long Distance Footpath close to Nagden Cottages and viewpoint 7 - Public Right of Way (ZR488) near southern boundary of the Core Landscape Study Area (PINS reference <a href="#">APP-127</a> and <a href="#">APP-169</a>).</p>
HWHT-5	Flora and fauna – The marshes are home to a huge variety of birds, mammals and other creatures, who rely on the salt marshes and mudflats environment. The nature of the panels, oriented east-west and densely packed, will let little sunlight to the earth below and I am unclear as to what wildlife this will effectively support.	<p>The salt marshes and mudflats habitats will not be affected by the Development.</p> <p>The amount of wildlife that the site will support relative to the existing arable baseline is discussed in Chapter 8 - Ecology of the ES (PINS reference <a href="#">APP-038</a>).</p>
HWHT-6	Flood defences – My understanding is that Cleve Hill are seeking to take control of the flood defences so that they can maintain them to reduce flood risk onto the site. I am concerned that this conflicts with the potential long term use of the site as an area of compensatory habitat for the delivery of the Medway Estuary and Swale Strategy.	<p>The draft Development Consent Order submitted with the Application (<a href="#">APP-016</a>) includes the powers and rights necessary for the Applicant to maintain the existing flood defences throughout the operational lifetime of the Development.</p> <p>The EA's "The Medway Estuary and Swale Strategy - A Summary of Consultation Responses - Report – MMD-347800-S-RE-005-C", section 4.2 (Comments on specific Benefit Areas) document<sup>3</sup> states that, "Should the plans for the solar farm at Cleve Hill be approved and this moves forward to construction, the following will replace the current policy:</p> <ul style="list-style-type: none"> <li>• We [the EA] will not take responsibility for continued maintenance of the defences in this area.</li> <li>• A Managed Realignment site would be proposed in the longer term following the lifetime of the solar farm".</li> </ul> <p>As such, the Development is not in conflict with most recent version of the MEASS and the delivery of managed realignment can still occur after the lifetime of the Development.</p> <p>The EA has confirmed that they can delay managed realignment and still deliver their obligations under the Habitats Regulations.</p>
HWHT-7	Whilst I support the development of alternative energy sources, some balance has to be struck between the big picture benefits and the immediate,	The predicted impacts of the Development have been fully assessed in the ES and the benefits of the Development are clearly set out in the Statement of

<sup>3</sup> Environmental Agency. Medway Estuary and Swale Strategy A Summary of Consultation Responses (June 2018). Available online at: [https://consult.environment-agency.gov.uk/ksles/medway-estuary-and-swale-strategy/user\\_uploads/summary-of-consultation-responses.pdf](https://consult.environment-agency.gov.uk/ksles/medway-estuary-and-swale-strategy/user_uploads/summary-of-consultation-responses.pdf) [accessed 25/02/2019]

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Ref.	Issues raised in the Relevant Representation	Applicant's Response
	local impact. I don't feel a balance is achieved here. The local impact is simply unacceptable.	Need (PINS reference <a href="#">APP-253</a> ) and its March 2019 Addendum.

## 2.13 RR-480 Public Health England

**Table 2.13: Applicants responses to RR-480**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
PHE-1	<p>Thank you for your consultation regarding the above development. Public Health England (PHE) welcomes the opportunity to comment on your proposals at this stage of the project and can confirm that:-</p> <p>We have chosen to register an interest with the Planning Inspectorate on this occasion.</p> <p>We would like to point out that a question regarding the EMF health impact assessment i.e. characteristics of the proposed cable, that was raised by us at the Section 42 stage has not been addressed by the applicant.</p> <p>Please do not hesitate to contact us if you have any questions or concerns.</p>	<p>Appendix 3 (page 74) of the Consultation Report (PINS reference <a href="#">APP-022.1</a>) includes a response to the comment raised by Public Health England in the Section 42 consultation response.</p> <p>The additional information that is now known regarding the characteristics of the 400 kV connection is included in the ES at Section 5.4.3 of Chapter 5 - Development Description of the ES (PINS reference <a href="#">APP-035</a>), and supporting Figure 5.9 (PINS reference <a href="#">APP-053</a>) (note the chapter incorrectly refers to Figure 5.10).</p> <p>An assessment of the potential for EMF impacts as a result of the likely characteristics of the 400 kV cable connection is included in Section 17.4.4 of Chapter 17 - Miscellaneous Issues of the ES (PINS reference <a href="#">APP-047</a>).</p>

## 2.14 RR-487 Faversham Society

**Table 2.14: Applicants responses to RR-487**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
FAVS-1	<p>Our strong objection to this application is based on these areas of serious concern:</p> <p>Batteries</p> <ul style="list-style-type: none"> <li>• The safety of batteries has not been adequately addressed.</li> <li>• This is one of the largest Li-Ion battery installations in the world, with no track record of this scale of installation in the UK.</li> <li>• This remains an emerging technology. It is well-established that such batteries can catch fire or explode, especially when exposed to water.</li> <li>• This raises crucial questions: <ol style="list-style-type: none"> <li>1. Which body will be responsible for assessing the battery proposal?</li> <li>2. Will Kent Fire and Rescue have access to the site and battery units; and do they have the appropriate expertise?</li> <li>3. Is there secondary flood protection, and how is this compatible with emergency access?</li> <li>4. Given batteries are the shortest-life components with individual variability, what are the replacement arrangements for these units, including traffic management and hazardous waste removal?</li> </ol> </li> </ul>	<p>Chapter 17 - Miscellaneous Issues (PINS reference <a href="#">APP-047</a>) of the ES includes an assessment of the potential for the development to cause major accidents or disasters at section 17.7, as well as an assessment of other health and safety considerations.</p> <p>In response to the questions posed:</p> <ol style="list-style-type: none"> <li>1. The Examining Authority comprising either an inspector or panel of inspectors will be appointed by the Planning Inspectorate on behalf of the Secretary of State for Business, Energy and Industrial Strategy. The Examining Authority will make a recommendation to the Secretary of State, who will ultimately determine the Application.</li> <li>2. Yes. The site operator will ensure that emergency procedures are implemented in consultation with the relevant authorities.</li> <li>3. Emergency egress and access arrangements for the bund surrounding the compound / battery storage area will be arranged by the site operator.</li> <li>4. Ongoing maintenance activities could include the replacement of individual components forming any part of the Development. Predicted operational traffic volumes are described in section 14.4.3 of Chapter 14 - Access and Traffic of the ES. Any waste classified as hazardous waste generated onsite would be controlled by The Hazardous Waste (England and Wales) Regulations 2005.</li> </ol>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
FAVS-2	<p>Access and Traffic</p> <ul style="list-style-type: none"> <li>Construction plant, equipment and materials will be delivered to the site via three access routes. All are routed via junction 7 on the M2, which is already overloaded and has a poor accident record. Any blockage or closure will result in lorries using unsuitable rural roads.</li> <li>Despite the application's claims of negligible risk, heavy vehicles engaged on construction projects have a poor safety record particularly as regards collisions with cyclists. The freight access route coincides with the Sustrans National Route 1, frequently used by cyclists. No risk mitigation measures have been proposed.</li> <li>Graveney Primary School is on the access route for site traffic. Children must cross that road to access the playing field. Increased industrial traffic will pose an increased safety risk to these children. Also, increased industrial traffic may disrupt access to the school for staff and parents.</li> <li>The raised levels of goods traffic will erode the quality of the environment and the quality of life for local people. The associated loss of amenity is unacceptable, whether or not there is residual damage.</li> <li>We have serious concerns about noise, vibration and air quality.</li> </ul>	<p>Construction vehicle routeing is described within Chapter 14 - Access and Traffic of the ES (PINS reference <a href="#">APP-044</a>) along with the potential effects of road traffic on severance, delay and intimidation.</p> <p>Vehicle routes are also discussed within the outline Construction Traffic Management Plan, Technical Appendix A14.1 of the ES (PINS reference <a href="#">APP-245</a>).</p> <p>It is not proposed that vehicles exit the M2 at Junction 7. Rather, vehicles will leave the A299 onto Whitstable Road or Staple Street to access the development site.</p> <p>The potential residual impacts of construction vehicles on the 1.9 km section of National Cycle Route 1 that follows the proposed construction traffic route is discussed in section 14.6 of Chapter 14 - Access and Traffic of the ES) and are expected to be moderate but temporary.</p> <p>The proposed management, mitigation and monitoring of construction traffic is described within the outline Construction Traffic Management Plan. Drivers will be appropriately briefed with regards to the road conditions and potential road users such as cyclists.</p> <p>In addition, vehicle speeds are expected to be low with speed restrictions in place for construction traffic.</p> <p>HGV deliveries would avoid Graveney Primary School start and finish times. It is expected that there would be suitable gaps in traffic for movement of supervised children across Seasalter Road to the school playing field.</p> <p>Noise and air quality impacts as a result of increased traffic volumes are assessed in Chapter 12 - Noise (PINS reference <a href="#">APP-042</a>) and Chapter 16 - Air Quality (PINS reference <a href="#">APP-046</a>) of the ES.</p>
FAVS-3	<p>Landscape and Visual Impact</p> <ul style="list-style-type: none"> <li>The proposal would have a destructive impact on this landscape.</li> <li>Graveney Marshes is part of Kent level Area of High Landscape Value and this has recently been endorsed as such for the new Local Plan.</li> <li>Graveney arable lands have been designated moderate condition/sensitivity and Graveney grazing lands as good condition/high sensitivity.</li> <li>Views from England Coast Path/Saxon Shore Way will suffer major impact – as will views from footpath ZR478. It is also harmful to distant views, including</li> </ul>	<p>Landscape and visual impacts are assessed in Chapter 7 - (LVIA of the ES (PINS reference <a href="#">APP-037</a>).</p> <p>Section 7.3.4 of Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a>) reviews the Kent Level AHLV and identifies that published assessment relating to landscape value for this designation, assesses the Graveney Marshes as being in less favourable condition 'due largely to modern agricultural practices and the presence of the substation at Cleve Hill'.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	Wraik Hill.	<p>A Review and Recommendations report assessing the Swale Local Landscape Designations<sup>4</sup> was published in October 2018 (which was not available when the LVIA chapter was drafted). The findings of this report are consistent with the previous assessment in relation to intensive agricultural use of the area. The report provides comment on landscape detractors and positive attributes of the landscape in this area and concludes that Graveney Marshes should continue to be part of the AHLV.</p> <p>The visual impacts of the Development on public rights of way are assessed in Chapter 7 - LVIA of the ES, section 7.6.2.2.</p> <p>An assessment of the view from Wraik Hill is provided under viewpoint 18 in Chapter 7 - LVIA of the ES, section 7.6.2.3. The assessment concludes that minor effects on residents, and minor/negligible effects on road users are likely at Wraik Hill during operation. Viewpoint 18 visualisations are provided in Volume 3 of the ES (PINS reference <a href="#">APP-127</a> and <a href="#">APP-169</a>).</p>
FAVS-4	<p>Socio-economic effects and tourism</p> <ul style="list-style-type: none"> <li>It is insufficient to limit the tourism impact assessment to Kent or district level. It must be assessed at Faversham area or Whitstable area level.</li> <li>People visit Faversham and Whitstable as historic towns with unusual shops and restaurants, and for their proximity to outstanding countryside and wildlife. The power station would destroy this appeal due to its industrial appearance and scale, and immediate impact on wildlife.</li> <li>The power station would impact part of a long-distance footpath and a national cycle route. This will deter people from using these for tourism and for amenity. The latter is significant as the population of Faversham is set to increase significantly with proposed housing developments. There will be more need than ever for open space and places to walk and cycle.</li> </ul>	<p>The Applicant does not agree that the Development will destroy the appeal of Faverham and Whitstable tourist destinations.</p> <p>Tourism and recreation effects are assessed using available data in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a>).</p> <p>Landscape and visual impacts are assessed in Chapter 7 - (LVIA of the ES (PINS reference <a href="#">APP-037</a>).</p> <p>The effects of the Development on biodiversity are assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>).</p> <p>The Development incorporates a permissive footpath, increasing the available network of rights of way in the area and creating new circular routes.</p>

## 2.15 RR-497 Canterbury District Green Party

**Table 2.15: Applicants responses to RR-497**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
CDGP-1	Canterbury District Green Party has no objection in principle to generation of renewable energy from solar panels. However, the following is our response to the latest CHSP Planning submission.	The Applicant notes these comments.

<sup>4</sup> LUC. Swale Local Landscape Designations Review and Recommendations (October 2018). Available at: <https://services.swale.gov.uk/meetings/documents/s11204/Item%205%20Appendix%20III%20Landscape%20Designation%20Review.pdf> [accessed 26/02/2019]



Ref.	Issues raised in the Relevant Representation	Applicant's Response
CDGP-2	1. The solar farm will still see the creation of an "extensive, fabricated, artificial, rigid mono-landscape of mainly plastic" to replace what is a comparatively rare example of reclaimed coastal marsh land.	<p>The Applicant notes these comments.</p> <p>The current landscape may also be viewed as a mono-landscape, due to the intensive arable cultivation of the Development site.</p> <p>Landscape and visual impacts are assessed in Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a>). Section 7.6.2.2 includes an assessment of visual effects on users of the Saxon Shore Way.</p> <p>As set out in Chapter 5 - Development Description of the ES (PINS reference <a href="#">APP-035</a>), solar PV panels consist predominantly of silicon, usually with aluminium frames and mounted on galvanised steel mounting structures.</p>
CDGP-3	2. The panels still create a major visual impact to walkers in the area, and alternatives to walking here without suffering major negative visual intrusions from the panels will be impossible to secure. They will also be highly visible from several sites, e.g. from Cleve Hill and from Sheppey.	<p>Landscape and visual impacts are assessed in Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a>). Section 7.6.2.2 provides an assessment of visual effects on public rights of way users in the area.</p> <p>Views of the Development site from Cleve Hill and from Sheppey are best represented by viewpoint 6 (Cleve Hill) and viewpoints 14, 15 and 17 in ES Volume 3 - Visualisations (PINS reference <a href="#">APP-127</a> and <a href="#">APP-169</a>).</p>
CDGP-4	3. Space allocated to mitigation is entirely inefficient. Every hectare that switches from a semi-natural to a man-made environment effectively squeezes out a proportion of the natural or semi-natural ecosystems, thereby concentrating biodiversity into potentially vulnerable and unpredictable assemblages. Here there will thus be 350 hectares less land that can be efficiently used by most of the landscape's natural inhabitants, even if only for the purposes of effective dispersal.	<p>Land within the Development site is grade 3b agricultural land, currently under intensive arable cultivation.</p> <p>As set out in Chapter 5 - Development Description of the ES (PINS reference <a href="#">APP-035</a>), within the c. 390 hectares (ha) of arable land within the Development site, there are substantial undeveloped areas that will be managed for biodiversity as the total area beneath the solar PV panels will not exceed 176.4 ha. Additional undeveloped areas beyond the solar arrays within the Application boundary will also be taken out of arable crop production and managed for biodiversity. These are all described in the outline LBMP (PINS reference <a href="#">APP-203</a>). For a number of receptors, including the water environment, these are predicted to result in benefits for biodiversity.</p>
CDGP-5	4. The primary interest of the developers is to make money. They are likely to have only statutory interests in achieving social or environmental efficiency or sustainability. Much greater environmental gains would likely be achieved by alternative energy creation, for instance, requiring all new developments to have solar PV on rooves or by using tidal energy generation from the neighbouring Swale estuary. The use of these alternative energy generating sources may mean less need to obtain compulsory land purchase rights.	These comments are noted.
CDGP-6	5. We believe that this development remains totally out of scale with the local Kentish small scale	The landscape character of the Development site is described in section 7.3.2.4 of Chapter 7 - LVIA of



Ref.	Issues raised in the Relevant Representation	Applicant's Response
	patchwork landscape and environment.	<p>the ES (PINS reference <a href="#">APP-037</a>).</p> <p>"Local Kentish small scale patchwork landscape" is not an accurate representation of the landscape of the Development site. The Development primarily occupies Graveney Marshes Landscape Character Area 5, which is defined within the Swale Landscape Character and Biodiversity Landscape Appraisal, Supplementary Planning Document as having key characteristics such as 'large scale arable fields divided by long straight drainage ditches'.</p>
CDGP-7	<p>6. Each successive Conference of the Parties (COP) climate change report indicates that global warming is causing increasingly accelerating sea level rise plus more violent storm conditions. There is no guarantee that the coastal defences can be adequately maintained, and if breached then flood waters could cause significant damage to the proposed operations. Should the CHSPL flood defence resources fail, the Environment Agency will not help to defend a long unreinforced shoreline such as exists here.</p>	<p>The draft Development Consent Order submitted with the Application (<a href="#">APP-016</a>) includes the powers and rights necessary for the Applicant to maintain the existing flood defences throughout the operational lifetime of the Development.</p> <p>Regardless of this commitment to defence maintenance, the non-critical aspects of the Development have been designed to be flood resilient while the electrical compound area has been designed to be flood resistant. Therefore, even in the event of a catastrophic failure of the flood defences, the Development could function or be shut down safely.</p> <p>Climate change allowances are considered in the ES Technical Appendix A10.1 - FRA (PINS reference <a href="#">APP-227</a>). The parameters for flood modelling were agreed with the EA prior to the assessment and have informed the flood protection measures described above.</p> <p>The existing flood defences which protect the site predominantly consist of a raised embankment with a concrete wall where directly exposed to the coast. Plate 3 of the FRA shows a typical example with the concrete sea wall sitting on a clay bund with the seaward side protected by a concrete block work apron.</p>
CDGP-8	<p>7. It is evident that the land under consideration already provides permanent and temporary habitat for a wide variety of bird, reptile, insect and assorted other grass and marshland species. Much of this biodiversity will be utilising or interacting with the adjacent areas most of which comprise of the Swale Special Protection Area [SPA], SSSI's, Local Nature reserves and a Ramsar site.</p>	<p>The Applicant recognised the importance of the local area for wildlife and has provided all information with the Application to assess the potential effects of the Development on designated sites and their qualifying interest features in Chapter 8 - Ecology and Chapter 9 - Ornithology of the ES ( PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>) and in the RIAA (PINS reference <a href="#">APP-026</a>).</p> <p>Mitigation and biodiversity enhancement proposals to improve biodiversity are described in the outline LBMP (PINS reference <a href="#">APP-203</a>).</p>
CDGP-9	<p>8. Since solar panels take up space and capture sunlight, clearly there will be a loss of food production, and the short-term options for future food production under the panels will be extremely limited.</p>	<p>The Applicant acknowledges these comments whilst noting that the site is proposed to be grazed by sheep, as set out in section 5.6.2, Chapter 5 - Development Description of the ES (PINS reference <a href="#">APP-035</a>).</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
CDGP-10	9. As this solar farm is presently envisaged few jobs will be created per unit of expenditure, i.e. socially and economically it would be better to widely distribute the investment among many small-scale beneficiaries rather than have nearly all the profits going to a single corporative operation who are feeding electricity into the system at a single point.	The Applicant notes these comments. The Statement of Need (PINS reference <a href="#">APP-253</a> ), and its March 2019 Addendum, set out the economic benefits of generating electricity at the scale proposed.

## 2.16 RR-508 Environment Agency

**Table 2.16: Applicants responses to RR-508**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
EA-1	The Role of the Environment Agency: The Environment Agency has responsibility for protecting and improving the environment, as well as contributing to sustainable development. Our work helps to support a greener economy through protecting and improving the natural environment for beneficial uses, working with businesses to reduce waste and save money, and helping to ensure that the UK economy is ready to cope with climate change. We will facilitate, as appropriate, the development of low carbon sources of energy ensuring people and the environment are properly protected. We have three main roles: We are an environmental regulator – we take a risk-based approach and target our effort to maintain and improve environmental standards and to minimise unnecessary burdens on business. We issue a range of permits and consents. We are an environmental operator – we are a national organisation that operates locally. We work with people and communities across England to protect and improve the environment in an integrated way. We provide a vital incident response capability. We are an environmental advisor – we compile and assess the best available evidence and use this to report on the state of the environment. We use our own monitoring information and that of others to inform this activity. We provide technical information and advice to national and local governments to support their roles in policy and decision-making. One of our specific functions is as a Flood Risk Management Authority. We have a general supervisory duty relating to specific flood risk management matters in respect of flood risk arising from Main Rivers or the sea. We also operate flood risk management structures and equipment throughout England.	The Applicant acknowledges the EA's role.
EA-2	Pre-application consultation: Cleve Hill Solar Park Limited (CHSPL), the Applicant, approached us in September 2017 to discuss their initial plans and the potential environmental issues that they would need to address. Since this early contact we have had several meetings, primarily focused on flood risk at the site, the future maintenance of existing flood defences affected by the development and the Medway Estuary and Swale Strategy (MEASS). We are also members of the	The Applicant is grateful to the EA for engaging proactively throughout the pre-submission phase.

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	Habitat Management Steering Group established by the Applicant. In June 2018 we provided formal responses to the Section 42/47 consultations.	
EA-3	<p>Medway Estuary and Swale Coastal Flood and Erosion Strategy (MEASS)</p> <p>The application does not fully explain the strategic value of the land on which the proposal is made to the Environment Agency. The Medway Estuary and Swale Coastal Flood and Erosion Strategy (MEASS) sets out the Flood and Coastal Erosion Risk Management (FCERM) Strategy for the Tidal Medway Estuary, mainland Swale and the Isle of Sheppey. The aim of the Strategy is to protect people, properties, designated habitats and agricultural land. We have developed the strategy in partnership with Natural England and local authorities and through public consultation. The Strategy has been finalised and will be published shortly. Under European Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora (also known as the 'Habitats Directive'), and the resulting Conservation of Habitats and Species Regulations 2010 (as amended), a Habitats Regulations Assessment is required where a plan or project may give rise to significant effects on European designated sites, known as Natura 2000 sites. The Habitats Regulations Assessment for the MEASS concluded that we need to create 535ha of intertidal habitat over the 100-year life of the strategy in order to allow the strategy to go ahead with providing flood protection to some 17,000 homes in the MEASS area1 . The normal method for creating intertidal habitat is by carrying out managed realignment, which entails building set-back defences inland of their current position, removing sections of the existing coastal defence, and allowing inundation of the site through successive tides. Our analysis of sites through MEASS, as well as predecessor strategies, highlights Cleve Hill as one of the top-ranking sites for managed realignment in the area, expected to yield around 200ha of intertidal habitat towards our requirements. It is one of eight sites which have been considered as suitable for creating intertidal habitat, all of which are needed to meet our 535ha obligation. Through our discussions with the Applicant, we have been assured that the solar park land use will be for a period of 40 years. We have adjusted our proposed delivery programme in MEASS in response. However, there is no reference to a time limit within the application. If the solar park was not being proposed, we would seek to carry out managed realignment at Cleve Hill in the near future (5-10 years hence). Whilst we are able to delay managed realignment to a later stage, as indeed we have done, we are not able to indefinitely as this will prevent us from meeting our obligations under the Habitats Regulations. We therefore request a 40 year time limit is placed on the development in order that the planned managed re-alignment at the site</p>	<p>The Applicant acknowledges the strategic importance of the Cleve Hill site to the EA.</p> <p>With reference to previous correspondence, the Applicant's understanding of the status of the Cleve Hill managed realignment (MR) site if the solar park were not being proposed is that the MR construction would be delayed until year 20, and may not cover the entire site to avoid conflicts with existing infrastructure such as the pylons and the existing Cleve Hill Substation.</p> <p>It is therefore assumed that the reference to MR in 5 - 10 years in the EA RR would be the commencement of discussions, agreements and investigations rather than construction works.</p> <p>The Applicant expects the Development to operate for a finite period, anticipated to be 40 years. Whilst the Applicant has not drafted the application draft DCO to be time limited, the Applicant would accept a suitably worded DCO requirement which would result in the end of the operational phase of the Development after 40 years of operation subject to the EA (or equivalent body at the time) demonstrating that the MR proposals could be delivered on the Cleve Hill site.</p> <p>The Applicant looks forward to the publication of the adopted MEASS and continuing discussions with the EA.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	can be taken forward in future years.	
EA-4	Draft Development Consent Order Revision A (November 2018) Requirement 8 (Surface and foul water drainage) We suggest Kent County Council, as the Lead Local Flood Authority and the Lower Medway Internal Drainage Board (IDB) are consulted on this requirement rather than us as we no longer lead on surface water and have no drainage interests in this area.	These comments are noted.
EA-5	Requirement 10 (Construction Environmental Management Plan) We agree with this requirement as outlined.	These comments are noted.
EA-6	Requirement 15 (Decommissioning) We request that we are consulted on the decommissioning plan before it is approved by the relevant planning authority	These comments are noted.
EA-7	Part 6 (Operations) We have discussed the future maintenance of the existing flood defences on the Order Land (Work No. 9) with the Applicant and agreed that in the event that the Authorised Project is implemented that this responsibility would fall to the Applicant. We support the proposals for achieving this as outlined in the Consultation Report and Chapter 5 of the Environmental Statement.	These comments are noted.
EA-8	5.1 Consultation Report This document states that we have indicated that managed realignment could take place around 50 to 100 years in the future. This figure is inaccurate. We are currently planning managed realignment for some point between the years 2039 and 2069.	<p>The Consultation Report (PINS reference <a href="#">APP-022</a>) refers to 50 to 100 years in the future following a letter from the EA dated 18/06/2018, received in relation to CHSPL's consultation response to the EA on their MEASS consultation. The letter states:</p> <p><i>"Plan B" will bring forward the compensatory habitat being created at Chetney Marshes, and delay the Managed Realignment site at Cleve Hill between 50 and 100 years."</i></p> <p>The Applicant recognises that the MEASS was still in draft at the time of the letter, still awaits publication, that discussions have been undertaken since, and we look forward to continuing discussions with the EA in respect of the MEASS and it's interaction with the Development.</p>
EA-9	Flood Risk Assessment (appendix 6.4.10.1): We are satisfied with the breach flood modelling undertaken to inform the Flood Risk Assessment and consider the flood mitigation measures included in the design of the site as suitable. The proposed site area is located within Flood Zone 3, and the FRA makes reference to the proposed solar park use as 'Essential Infrastructure' i.e. 'Essential utility infrastructure which has to be located in a flood risk area for operational reasons'. The Secretary of State should be satisfied that there is sufficient justification to locate the development within an area of high flood risk. The submitted FRA and breach flood modelling only account for climate	<p>The Applicant welcomes the EA's acceptance of the flood defence breach modelling.</p> <p>Modelling on the basis of climate change sea level rise to 2070 is considered appropriate.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	change to 2070, therefore if development is proposed for a longer period, further climate change allowance to 2115 would be required	
EA-10	Outline Landscape and Biodiversity Management Plan (appendix 6.4.5.2): As this site will become intertidal habitat in the medium/long term we are satisfied with plans set out in the LBMP that there will be no specific plans to enhance the areas for water voles beyond that proposed to support the licence application to Natural England.	These comments are noted.
EA-11	7.5 Consents and Licences required under other legislation. We note that the applicant has identified that they may require our consent for specific flood risk, abstraction and impounding activities. This should include any dewatering activities. The applicant should contact us to discuss.	The Applicant acknowledges these comments and will contact the EA to discuss these requirements at the appropriate juncture.
EA-12	Advice for the applicant We would like to offer the Applicant the following advice with regards to the management of waste on site. The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice: <ul style="list-style-type: none"> <li>• excavated materials that are recovered via a treatment operation can be re-used onsite providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution</li> <li>• treated materials can be transferred between sites as part of a hub and cluster project</li> <li>• some naturally occurring clean material can be transferred directly between sites.</li> </ul> Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. The Environment Agency recommends that developers should refer to: <ul style="list-style-type: none"> <li>• the Position statement on the Definition of Waste: Development Industry Code of Practice and;</li> <li>• The Environmental regulations page on GOV.UK</li> </ul> Any re-use of excavated materials not undertaken formally using the CLAIRE DoWCoP would require an environmental permit for deposit, unless materials are solely aggregates from virgin sources, or from a fully compliant Quality Protocol aggregates supplier. Any deposit of materials outside of these scenarios could be subject to enforcement actions and/or landfill tax liabilities. Any waste removed from site must be accompanied by the appropriate duty of care paperwork and transported by an authorised waste carrier to an appropriately authorised facility. Any waste treated or re-used on site will require appropriate authorisation in the form of an environmental permit or exemption. The applicant should contact our East Kent Waste Team to discuss	The Applicant thanks the EA for this advice.

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	their plans on 0208 47 47 450 or via email at KSLEastKentWasteTeam@environment-agency.gov.uk.	

## 2.17 RR-512 Graveney Primary School

**Table 2.17: Applicants responses to RR-512**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
GPS-1	As a small rural primary school in the centre of Graveney village we do have safety concerns about the traffic movements throughout the project, particularly regarding the safety of parents/pupils/staff access to the school site during this period.	<p>Access and traffic impacts are assessed in Chapter 14 - Access and Traffic of the ES (PINS reference <a href="#">APP-044</a>).</p> <p>The primary school is classed as a high sensitivity receptor to changes in road traffic.</p> <p>Measures proposed to manage construction traffic in the vicinity of the school are described within the outline Construction Traffic Management Plan, Technical Appendix A14.1 of the ES (PINS reference <a href="#">APP-245</a>). Measures include restrictions on HGV movements to avoid school opening / closing time and a construction vehicle speed limit of 20 mph past the school.</p> <p>The outline Construction Traffic Management Plan has been produced as a 'live' document which will continue to be updated on an ongoing basis through consultation with stakeholders including Graveney Primary School.</p>

## 2.18 RR-522 Kent Ornithological Society

**Table 2.18: Applicants responses to RR-522**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
KOS-1	The KOS considers that the location of a development of this scale is inappropriate in view of the international importance of the Swale Estuary and adjacent marshes and farmland for birds and wildlife.	<p>The Statement of Need (PINS reference <a href="#">APP-253</a>) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.</p> <p>The Applicant has recognised the importance of the local area for wildlife and has undertaken substantial baseline survey and consultation to assess the potential effects of the Development on designated sites and their avian qualifying interest features in Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>) and in the RIAA (PINS reference <a href="#">APP-026</a>). Mitigation and biodiversity enhancement proposals to improve biodiversity are described in the outline LBMP.</p> <p>The effects of the Development on non-avian ecology are assessed in Chapter 8 - Ecology of the ES (PINS reference <a href="#">APP-038</a>).</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
KOS-2	The Society considers that if this development goes ahead it will have a significant detrimental effect on bird populations, particularly wintering wildfowl and waders, caused by the direct loss of a substantial area of coastal farmland.	Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a> ) and the HRA documented in the RIAA (PINS reference <a href="#">APP-026</a> ) provide an assessment of the potential effects of the Development on bird species, including the impact of loss of functionally linked coastal farmland for wintering waterbirds, as well as describing the measures implemented with the Development in the outline LBMP (PINS reference <a href="#">APP-203</a> ) to mitigate potentially harmful impacts and provide wider biodiversity enhancements.
KOS-3	The establishment of a solar energy park on the proposed site will prevent future potential to create wildlife habitat on the land or the inclusion of the area in future flood prevention schemes such as managed retreat.	<p>The EA's "The Medway Estuary and Swale Strategy - A Summary of Consultation Responses - Report – MMD-347800-S-RE-005-C", section 4.2 (Comments on specific Benefit Areas) document<sup>5</sup> states that, "Should the plans for the solar farm at Cleve Hill be approved and this moves forward to construction, the following will replace the current policy:</p> <ul style="list-style-type: none"> <li>• A Managed Realignment site would be proposed in the longer term following the lifetime of the solar farm".</li> </ul> <p>As such, the Development is not in conflict with most recent version of the MEASS and the delivery of managed realignment can still occur after the lifetime of the Development.</p> <p>The EA has confirmed that they can delay managed realignment and still deliver their obligations under the Habitats Regulations.</p>
KOS-4	The Society is concerned that construction of a huge solar energy park at the proposed site will set a dangerous precedent for future development proposals within the internationally important North Kent Marshes Ramsar/SSSI/SPA site.	<p>Whilst the Application boundary includes parts of The Swale SSSI/SPA/Ramsar Site, there is no development proposed within its boundary.</p> <p>Paragraph 104 of Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>) states that the inclusion of the SSSI grazing marsh in the Development (the Freshwater Grazing Marsh Habitat Management Area (FGM HMA)) is not intended to provide mitigation for negative effects, but only to provide opportunity to enhance its management for the benefit of wildlife, particularly breeding and wintering birds. As such, the Development does not set a precedent for any future development within a designated site.</p>
KOS-5	It is the intention of the Society to provide data in support of our concerns and objection to the Cleve Hill Solar Park	The Applicant would appreciate receipt of any data that has not already been used for the assessment of effects in Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a> ) and its associated appendices.

<sup>5</sup> Environmental Agency. Medway Estuary and Swale Strategy A Summary of Consultation Responses (June 2018). Available online at: [https://consult.environment-agency.gov.uk/ksles/medway-estuary-and-swale-strategy/user\\_uploads/summary-of-consultation-responses.pdf](https://consult.environment-agency.gov.uk/ksles/medway-estuary-and-swale-strategy/user_uploads/summary-of-consultation-responses.pdf) [accessed 25/02/2019]



## 2.19 RR-626 Brents Community Association

**Table 2.19 - Applicants responses to RR-626**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
BCA-1	Whilst the Brents Community Association (BCA) generally supports the use of renewable energy, it is wholly opposed to the the Cleve Hill proposal, due to: the enormous site (the size of the town of Faversham) and height of the installations	These comments are noted.
BCA-2	The unlimited damage to the environment of the whole area	The environmental impact of the Development is assessed in the ES.
BCA-3	The impact on natural habitat of wildlife	The impacts of the Development on wildlife are assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a> ).
BCA-4	It is disingenuous to call it a 'park' - it is an industrial site. The BCA represents thousands of residents from the west creekside up through the neighbouring estate and beyond. We have continually worked to improve the environment keeping the creekside free of litter and preserving the habitats of birds and other wildlife. Also the whole area has always attracted ramblers and cyclists as eco-tourists, who will no longer come when confronted with this huge monstrosity. We are also concerned about the future of the site when it comes to the end of it's life - more housing development?	<p>The Applicant acknowledges the important work carried out by Brents Community Association in maintaining the creekside environment.</p> <p>The effects of the Development on recreational receptors in the area are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a>).</p> <p>Any future use of the site would be subject to obtaining future environmental assessment and planning consents.</p>

## 2.20 RR-704 Seasalter Chalet Owners Association

**Table 2.20: Applicants responses to RR-704**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
SCOA-1	1 Increase in flood risk Our site lies adjacent to the proposed development and is situated on the seaward side of the sea wall, which is currently the responsibility of the Environment Agency. If the Agency were to delegate responsibility to CHSPL they would be able to raise the height of the seawall in order to protect their assets and insulate large areas of land from inundation. These marshes have always been a coastal floodplain for the Faversham area and we are fearful that by diverting sea water away from the proposed solar park our property will take the brunt of any inundation causing massive damage to our property.	<p>The risk of flooding will not change as a result of the Development relative to the baseline scenario.</p> <p>The Applicant has agreed with the EA that the existing flood defences to the north of the site would be maintained throughout the operational lifetime of the Development by the Applicant.</p> <p>The draft Development Consent Order does not include power to raise the height of the flood defences.</p> <p>No part of the Site acts as a functional floodplain as the agricultural land is protected by engineered flood defences, as outlined in section 10.3.1 of Chapter 10 - Hydrology, Hydrogeology, Flood Risk and Ground Conditions of the ES (PINS reference <a href="#">APP-040</a>) and 1.3 of the FRA (PINS reference <a href="#">APP-227</a>). As such, tidal waters do not flow into the site and no floodplain storage is offered by the site.</p> <p>As there are no proposed changes to the existing flood wall, there will be no change to how tidal waters flow and the Development will not divert sea</p>



Ref.	Issues raised in the Relevant Representation	Applicant's Response
		water away from the site beyond the current scenario.
SCOA-2	<p>2 Loss of landscape and amenity</p> <p>Both the general public and our members enjoy walking along the Saxon Shore Way experiencing the extensive views, which include the whole marsh, grazing land, fruit farms and orchards. We believe the scale of the proposed solar park is unprecedented and would completely alter the open views of arable and wildlife marshland which will be replaced by serried rows of dark panels stretching into the distance from almost every view point.</p>	<p>The landscape and visual impacts of the Development are assessed within Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a>).</p> <p>The land on which the Development is located (the Development site) is private land. Therefore there will be no loss of green amenity space or other similar designated land which would have been available to the public as a result of the Development. All existing publicly accessible areas are proposed to remain accessible throughout the construction phase and during operation, and a new permissive footpath is also being created through the site during the operational phase.</p> <p>The Statement of Need (PINS reference <a href="#">APP-253</a>) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.</p>
SCOA-3	<p>3 Alternative sites</p> <p>Unlike other forms of energy, solar power does not need to be installed on such a huge scale. Similar benefits can be obtained from smaller sites and indeed, the installation of panels on domestic houses. There are numerous brown field sites available in the immediate area that do not seem to have been investigated and it would appear that the main attraction of Cleve Hill is the utilisation of spare capacity at the recently constructed electricity substation. This fact is not sufficient justification for the devastation of such a unique landscape.</p>	<p>The Statement of Need (PINS reference <a href="#">APP-253</a>) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.</p> <p>Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a>) includes an appraisal of alternative sites.</p>
SCOA-4	<p>4 Wildlife</p> <p>In this part of Kent we are privileged to be surrounded by no less than eight designated areas for nature conservation and special scientific interest. There is a reason for this; the area is celebrated for its diversity of wildlife, which would be devastated by the developers removal of plants and topsoil and installation of equipment which would result in the whole site being unavailable for ground nesting birds nor as a foraging /feeding habitat for birds, bats and other animals and insects over a long period.</p>	<p>The Applicant recognised the importance of the local area for wildlife and has provided all information with the Application to assess the potential effects of the Development on designated sites and their qualifying interest features in Chapter 8 - Ecology and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>) and in the RIAA (PINS reference <a href="#">APP-026</a>). Areas developed for solar panels will be unavailable to ground-nesting and foraging birds.</p> <p>Mitigation and biodiversity enhancement proposals described in the outline LBMP (PINS reference <a href="#">APP-203</a>) will also provide benefits to a number of species including bats and invertebrates, as assessed in Chapter 8 - Ecology of the ES.</p>
SCOA-5	<p>5 Soil and ground conditions</p> <p>The developers propose to create grazing land under the solar panels with a mixture of grasses and wildflowers. However, we believe that this would not be possible due to the lack of sunlight and rain water penetrating the ground beneath the panels.</p>	<p>The Cleve Hill Solar Park Microclimate &amp; Vegetation Desk-Based Study, Technical Appendix A5.3 of the ES (PINS reference <a href="#">APP-204</a>) sets out the anticipated vegetation response to the under array grassland areas.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
		As set out in Chapter 5 - Development Description of the ES (document reference 6.1.5), the areas directly beneath solar panels comprise up to 176.4 ha of the 390 ha of arable land within the site. Therefore, there remains a substantial area of land which is currently in arable cultivation which would be managed for grazing and biodiversity benefit which is not directly beneath solar panels.
SCOA-6	<p>6 Site Scale</p> <p>In our opinion the unprecedented scale of the development is totally unacceptable. The height of the proposed solar panels would be approximately 4 metres and be orientated so as to appear as a continuous roof-like structure, together with huge walled areas built to accommodate the Li-Ion batteries. The whole site would therefore give the appearance of an industrial landscape, completely out of keeping with its surroundings and be clearly visible to walkers using the Saxon Shore Way, which is atop the seawall.</p>	<p>The landscape and visual impacts of the Development are assessed within Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a>).</p> <p>The Statement of Need (PINS reference <a href="#">APP-253</a>) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.</p>

## 2.21 RR-711 Swale Friends of the Earth

**Table 2.21: Applicants responses to RR-711**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
SFOE-1	<p>Swale Friends of the Earth is one of over 100 voluntary local groups across the UK. We work in the borough of Swale to create a thriving world - a healthy natural environment and a fair economy where everyone's needs are met, now and in the future.</p> <p>One of our campaign priorities is action against climate change and supporting the development of renewable energy. On this basis we support solar farms in our area, including large utility-scale projects because of the urgent need identified by the IPCC to quickly and significantly reduce carbon emissions.</p> <p>In principle, therefore, we support the development of Cleve Hill Solar Farm. At 350MW, the project will, according to the developer, provide enough clean electricity for over 91,000 homes annually, which will make a significant positive contribution to reducing UK carbon emissions. It is also important that renewable energy is affordable and we welcome that this project will be developed subsidy-free.</p>	<p>These comments are noted.</p> <p>The Statement of Need (PINS reference <a href="#">APP-253</a>) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market and the economic benefits.</p>
SFOE-2	<p>We have no objection to the scale or location on visual impact grounds because, in our opinion, the need to increase UK renewable energy capacity overrides this. We also have no objection to the battery storage system aspect of the proposal on visual, safety or sustainability grounds and support this - storing energy is critical for a smart, decarbonised energy system fit for the 21st century, allowing more clean, flexible generation to be</p>	<p>These comments are noted.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	incorporated.	
SFOE-3	It is important, however, that any renewable energy project is designed to avoid local environmental impacts and our main concern is around the negative impact on wildlife and biodiversity, particularly as this is a sensitive site with a number of legal protections. We support this project only if it is demonstrated that there is a NET POSITIVE impact on local biodiversity and wildlife. We believe that taking the fields out of agricultural production will have a benefit, by reducing chemical inputs. The surveys have already shown that invertebrate numbers on the site are low and this is a result of current and previous agricultural use. As has been demonstrated elsewhere, change of use to a traditional solar farm could have important benefits for insects and therefore birds on the site and also for wildlife (amphibians, fish and birds) on surrounding waterways. We welcome the inclusion in the proposal of a dedicated Habitat Management Area of 56 ha.	<p>The long-term effect of the Development on wildlife and biodiversity is assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>).</p> <p>The ecology chapter concludes at paragraphs 204 - 206:</p> <p>"No adverse ecological effects are assessed as significant.</p> <p>Significant beneficial effects are assessed in relation to invertebrates, because of the cessation of the application of pesticides and because invertebrates are a qualifying species group of the South Bank of the Swale LNR.</p> <p>The main non-significant effect is in relation to the increase in grassland habitats replacing arable farmland, and the resulting associated gain in biodiversity."</p>
SFOE-4	However, we are not confident from the information provided by the developer that the particular design chosen for the layout of the PV panels - i.e. an east-west orientation angled at 8 degrees- will achieve the potential benefits from change of land use. We understand this uncommon design gives a more even generation profile compared to the usual south-facing 30 degrees design. However, we are very concerned that this will create significant shade under a 'roof' of panels, effectively sterilising the ground below, preventing the growth of flora and creating no benefits for fauna. We would like, therefore, to register concern at the current proposed design for the project on wildlife grounds.	<p>The Applicant does not agree that solar panels oriented towards the east and west rather than the south is an unknown quantity, or is materially different in terms of environmental effects to solar panels being oriented towards the south.</p> <p>The land beneath the panels is still expected to receive light and be vegetated, as set out in the Microclimate &amp; Vegetation Desk-Based Study, Technical Appendix A5.3 of the ES (PINS reference <a href="#">APP-204</a>).</p> <p>As set out in Chapter 5 - Development Description of the ES (document reference 6.1.5), the areas directly beneath solar panels comprise up to 176.4 ha of the 390 ha of arable land within the site. Therefore, there remains a substantial area of land which is currently in arable cultivation which would be managed for grazing and biodiversity benefit which is not directly beneath solar panels.</p>

## 2.22 RR-712 Swale Green Party

**Table 2.22: Applicants responses to RR-712**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
SGP-1	<p>1.Industrial-scale solar is not necessary.</p> <p>Is industrial-scale solar necessary? The bulk of our renewable energy comes from off-shore wind, with ample opportunity for more. The advantage of solar is that it can be deployed at an individual, community or local scale with little impact. Seventy villages with one 17-acre field of solar panels (5MW) would provide the equivalent energy resource as the power station proposed. The best place for solar</p>	<p>The Statement of Need (PINS reference <a href="#">APP-253</a>) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	panels is on the roofs of houses, offices, factories and other industrial buildings.	
SGP-2	<p>2. There is inadequate consideration of alternative sites.</p> <p>Is there a more suitable site? A number of brownfield sites with a sufficient grid connection have been identified. They are dismissed because they may not provide 350MW. This is an arbitrary figure.</p>	<p>Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a>) includes an appraisal of alternative sites.</p> <p>The Statement of Need (PINS reference <a href="#">APP-253</a>) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.</p>
SGP-3	<p>3. The development is not consistent with the local plan.</p> <p>The local plan values the area for its amenity value and attraction to tourists. The proposal, which includes large-scale battery storage, is an inappropriate industrial development in the countryside.</p>	<p>An assessment of compliance with local plan policy is undertaken in the Planning Statement (PINS reference <a href="#">APP-254</a>).</p> <p>The effects of the Development on tourism and recreational receptors in the area are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a>).</p>
SGP-4	<p>4. The development will have an unacceptable impact on wildlife.</p> <p>The site provides excellent habitat for a wide variety of bird, reptile, insect and assorted other grass and marshland species. The disturbance to these populations will be unacceptable.</p>	<p>The impacts of the Development on wildlife are assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>).</p> <p>A suite of mitigation and enhancement measures is proposed in the outline LBMP (PINS reference <a href="#">APP-203</a>).</p>
SGP-5	<p>5. The site is inappropriate because it is surrounded by designated sites of national and international importance.</p> <p>The adjacent area is designated a site of Special Scientific Interest, a Special Protection Area and Ramsar site. The Swale is a Marine Conservation Zone. The opportunities for mitigation of any habitat losses are extremely limited. The impact of the development on these designated sites is unacceptable.</p>	<p>The impacts of the Development on wildlife are assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>).</p> <p>A suite of mitigation and enhancement measures is proposed in the outline LBMP (PINS reference <a href="#">APP-203</a>).</p>
SGP-6	<p>6. The design of the solar power station is inappropriate for the site.</p> <p>The proposal is for panels to be aligned east-west. The ecological impact of this design will be greater than conventional south-facing panels. A solar power station of this design has never been built in the UK. The first power station to use this design should be on a smaller-scale and on a less sensitive site so that the data on the ecological impact in the UK can be collected.</p>	<p>The Applicant does not agree that solar panels oriented towards the east and west is materially different in terms of environmental effects to solar panels being oriented towards the south.</p>
SGP-7	<p>7. It is essential that we protect our wild places.</p> <p>Wildlife is in sharp decline all over the country. Loss of biodiversity threatens our own survival. It is essential that we take a view of the cumulative</p>	<p>These comments are noted.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	effect of development and protect important wildlife habitats. The Kent marshes are a rare habitat. They should be valued and preserved.	
SGP-8	8. The development will have a negative impact on an important amenity used by the local population and visitors.	The effects of the Development on tourism and recreational receptors in the area are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).
SGP-9	9. Limited economic benefit of the scheme.  Despite its large scale the development will create very few local jobs. No community fund to benefit local community projects is proposed, despite the significant effect on the quality of life of the local community.	The socio-economic effects of the Development are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).  The overall effect on local residents is assessed in Chapter 18 - Interactions and Accumulation of Effects of the ES (PINS reference <a href="#">APP-048</a> ). Significant effects in terms of the EIA Regulations were identified in relation to residents of Nagden and Warm House.
SGP-10	1) Environmental impact: The development would cause severe and irreparable environmental damage, harming bird and other wildlife on the site itself and on adjoining land. The site is on one of the most important bird migratory routes in the UK and immediately next to a protected site of Special Scientific Interest. Natural England's evidence review of the ecological impact of solar farms on ecology (NEER02) cites evidence that protected areas and locations close to them should be avoided when considering site selection of solar PV developments.?	The impacts of the Development on wildlife are assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a> ).  Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a> ) includes section 4.2 which sets out the site identification process for the Development.
SGP-11	2) Loss of biodiversity: The existing ecosystems would be destroyed in place of a virtual monoculture. The developers have described what would grow in the area covered by the panels as 'forest-floor fauna'; that is, virtually nothing.	The impacts of the Development on wildlife are assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a> ).  The existing land-use on site is intensive arable cultivation. The outline LBMP (PINS reference <a href="#">APP-203</a> ) sets out a series of measures to create new habitats, including beneath the solar panels and to enhance and extend existing habitats to create more diversity across the site relative to the existing baseline.  As set out in Chapter 5 - Development Description of the ES (document reference 6.1.5), the areas directly beneath solar panels comprise up to 176.4 ha of the 390 ha of arable land within the site. Therefore, there will remain a substantial area of land which is currently in arable cultivation which would be managed for grazing and biodiversity benefit which is not directly beneath solar panels.
SGP-12	3) Loss of agricultural land: This is not such low-grade land that it cannot be farmed successfully; the areas right next to it and across Faversham Creek are.	The land on which the Development is located is grade 3b agricultural land which is not categorised as Best and Most Versatile agricultural land.
SGP-13	4) Visual harm: The appearance of the steel and glass panels, raised high above the ground to	These comments are noted.

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	address the site's liability for flooding, would be no better than a vast industrial roof. Where solar arrays have been successfully installed in rural areas they have been put from important public areas and screened from view	
SGP-14	5) Tourism: One of Kent's key long-distance paths, The Saxon Shore Way, runs along the sea edge of the site. The majority of users will be put off by the despoliation of views from it, with a potentially significant effect on tourism in Faversham and thus the town's economy.	The effects of the Development on recreational receptors in the area are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).  Landscape and visual impacts are assessed in Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a> ). Section 7.6.2.2 includes an assessment of visual effects on users of the Saxon Shore Way.
SGP-15	6) The unnecessary scale: The proposal is on a vastly excessive in size, covering land equivalent in area to the town of Faversham. Unlike other ways of generating power solar generation can work at any scale, and is actually most efficient at the smallest as less is lost through the inefficiencies of power inverters. There is no case the developers can make that a station of this size is necessary. Other much smaller arrays have been built without the need for public subsidy.	The Statement of Need (PINS reference <a href="#">APP-253</a> ) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.
SGP-16	7) Lack of a sequential test for alternative sites: Ordinarily, and reasonably, the planning process for developments of this scale, such as a new town, or infrastructure projects, such as routing a broad or railway line, would entail consideration of appropriate options or alternatives. The developers admit they have looked at no other sites and claim that doing so is unnecessary. Whilst they may not be legally obliged to do so they cannot then argue that there is any particular reason for them to build at this location.	Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a> ) includes an appraisal of alternative sites. The chapter is supported by a sequential test report (PINS reference <a href="#">APP-201</a> ).
SGP-17	8) Use of the battery banks: We understand that the capacity of the proposed battery banks far exceeds that needed to modulate the solar power generated on site. It seems likely that the developers intend to use that to exploit the diurnal fluctuations in the price of electricity, wholly wastefully.	These comments are noted. Energy storage capacity supports the electricity grid by providing the ability to control the supply of electricity when it is needed rather than when it is generated.

## 2.23 RR-714 The Sportsman

**Table 2.23: Applicants responses to RR-714**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
SPRT-1	As a business operating in close proximity to the proposed site of the solar park, we have many concerns. People come from all over, England, Europe and the wider world to visit our restaurant. That is partly down to the wild, natural beauty of its location and wildlife. We are concerned that the size and appearance of the solar park would deter customers and also birdlife from coming to the area.	Tourism impacts are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).  The visual impact of the development is assessed in Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a> ). Viewpoint 4 (PINS reference <a href="#">APP-127</a> and <a href="#">APP-169</a> ) is the closest viewpoint to the Sportsman, taken from the Saxon Shore Way on the elevated



Ref.	Issues raised in the Relevant Representation	Applicant's Response
		<p>sea defences in proximity to the Sportsman.</p> <p>Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>) assesses the impact of the Development on birds.</p>
SPRT-2	We also question whether the area is suitable for the solar park, whether there are other, more appropriate, locations. This area is prone to flooding, includes a SSSI and there is much cultural and historical heritage here, as archeology has shown. Is this unique and special "Terroir" really the right place?	<p>Whilst there may be incidents of flooding in the wider area such as beyond the western bank of Faversham Creek, the site is projected from flooding by engineered flood defences and is not prone to flooding. The FRA notes that there have been no reported incidents of flooding at the Site and that the EA do not hold any records of flooding at the site.</p> <p>As assessment of the cultural heritage and archaeology impacts of the Development is provided in Chapter 11 - Cultural Heritage and Archaeology of the ES (PINS reference <a href="#">APP-041</a>).</p> <p>Land within the Development site is grade 3b agricultural land, currently under intensive arable cultivation for growing crops such as cereals and beans.</p>
SPRT-3	Should the solar park go ahead, we are worried that the construction process will detrimentally affect us. Heavy lorries using the small coastal road we are located on would be disruptive for our staff and customers. We also have concerns over how the building process would impact air quality, how noisy the construction will be and whether there will be noticeable continued noise from the battery once the park is up and running.	<p>The access and traffic impacts of the Development are assessed in Chapter 14 - Access and Traffic of the ES (PINS reference <a href="#">APP-044</a>). Although the Applicant acknowledges that patrons of The Sportsman approaching from the west may utilise the construction traffic route, The Sportsman itself is not on the construction traffic route.</p> <p>The noise and air quality impacts of the Development during construction are assessed in Chapters 12 and 16 of the ES respectively (PINS reference <a href="#">APP-042</a> and <a href="#">APP-046</a>).</p> <p>Operational noise is assessed in section 12.5.4 of Chapter 12.</p>

## 2.24 RR-720 Waldens of Seasalter

**Table 2.24: Applicants responses to RR-720**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
WSEAS-1	Graveney Marshes are part of South Swale SSSI many rare birds live there and obviously they would become extinct.	<p>The Applicant recognises the importance of the local area for wildlife and has provided all necessary information with the Application for the Secretary of State to assess the potential effects of the Development on designated sites and their qualifying interest features in Chapter 8 - Ecology and Chapter 9 - Ornithology of the ES ( PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>) and in the RIAA (PINS reference <a href="#">APP-026</a>). Mitigation and biodiversity enhancement proposals are described in the outline LBMP (PINS reference <a href="#">APP-203</a>) which will provide benefits to a number of species.</p> <p>The assessments do not predict the extinction of</p>



Ref.	Issues raised in the Relevant Representation	Applicant's Response
		any species.
WSEAS-2	The Saxon Shore Way passes around the marshes (between Seasalter and Faversham) Graveney is a relatively small but widely dispersed village surrounded by open farmland , so there will be no hiding of these huge ghastly structures. As reported in the Guardian June 2016 ' Graveney has already been blighted with the worlds largest off shore wind farm ' - why does it need more disruption and future poor air quality during the build and the actual operation ?	The visual impact of the development is assessed in Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a> ).  Mitigation and enhancement proposals are described in the outline LBMP (PINS reference <a href="#">APP-203</a> ) which will provide some screening of the Development.  Air quality has been assessed in Chapter 16 - Air Quality of the ES (PINS reference <a href="#">APP-046</a> ) which does not identify any likely significant effects on air quality as a result of the Development during construction, operation or decommissioning.
WSEAS-3	We as a holiday caravan park have many residents and holiday makers that come to Seasalter because of its peace and tranquillity. Our park is opposite the sea and along the Saxon Shore Walk. All of our visitors have a variety of interests these include bird watching, painting and photography, this beautiful surrounding area enables these interests to take place, whilst walking along the Saxon Walk, The building of this solar park would have a huge impact on the their interests and hobbies and for the hundreds of walkers who throughout the year walk the Saxon Shore. There are many talks and organised walks regarding the bird life, this would all an come to an abrupt end.	The effects of the Development on recreational receptors in the area are assessed in Chapter 13 - Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).  The eastern edge of the Development is an approximate 2.5 km / 1.5 mile walk west from Waldens of Seasalter via the Saxon Shore Way.
WSEAS-4	The solar park would have a serious impact on our family run business, established over the past eighty years. This would result in a serious downturn of business to ourselves, the local walkers pub, the cafe, Whitstable and surrounding area.	Tourism impacts are assessed in Chapter 13 - Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).  The assessment does not predict a "serious downturn" in tourism either during construction or operation.

## 2.25 RR-739 Canterbury City Council

**Table 2.25: Applicants responses to RR-739**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
CCC-1	I am writing following the Secretary of State's decision on 14th December 2018 to accept an application for an Order granting development consent made under Section 37 (2) of the Planning Act 2008 regarding the Cleve Hill Solar Park  The City Council is intending to produce a Local Impact Report at the relevant stage of the Pre-examination timetable, providing detailed responses on what it sees to be the impacts of the development on our district, and work on this will commence shortly. In advance of this, the City Council wish to make a relevant representation, outlining the following principal issues we consider	These comments are noted.

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	<p>to be of relevance:</p> <p>landscape and visual change;  ecology/ornithology/biodiversity;  drainage/flood risk;  cultural heritage/archaeology;  noise and vibration;  socio-economics/tourism/recreation;  access and traffic;  climate change; and,  air quality.</p> <p>As stated previously, the City Council will provide more detail in its Local Impact Report, as well as providing its view on the broader planning issues relating to the development.</p> <p>I hope these comments are useful and should you require any further information, please do not hesitate to contact me.</p>	

## 2.26 RR-752 Campaign to Protect Rural England Kent

**Table 2.26: Applicants responses to RR-752**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
CPREK-1	<p>CPRE Kent wishes to register its fundamental objection to this scheme. We acknowledge the importance of a decarbonised energy supply, and support renewable energy schemes where they are appropriately sited and scaled; this scheme meets neither requirement. While this Relevant Representation provides an outline of the issues with which we are principally concerned, we wish to reserve the right to respond to any additional issues that the Inspector highlights, or to additional evidence provided in support of the application. More detailed comments on these matters will be made available at the examination stage of this application.</p> <p>We note the modifications made to the proposals since the statutory consultation phase, many of which are welcome. However, we retain a number of significant concerns:</p>	<p>These comments are noted.</p> <p>The Statement of Need (PINS reference <a href="#">APP-253</a>) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.</p>
CPREK-2	<p>Landscape impact, dark skies, noise and tranquillity: we note the reduction in the proposed area to be covered in solar arrays, but the extent of ground cover and other construction remains significant. The Saxon Shore Way and other paths in the area are an important recreation amenity with particular emphasis on the enjoyment of the natural environment and uninterrupted views over natural landscapes; there is no screening or other mitigation that can compensate for the industrialisation of this low-lying, open and highly valued countryside.</p>	<p>Landscape and visual impacts are assessed in Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a>). Section 7.6.2.2 includes an assessment of visual effects on users of the Saxon Shore Way and other public rights of way in the area.</p> <p>Mitigation and enhancement proposals are described in the outline LBMP (PINS reference <a href="#">APP-203</a>) which will provide some screening of the Development.</p>
CPREK-3	<p>- Grazing: we note the applicant's response to our earlier comments and retain our concerns at the</p>	<p>These comments are noted.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	prospect of grazing within the compounds housing the arrays.	
CPREK-4	- Transport, access and air quality: we note the response to our earlier comments in the consultation report and the relevant sections of the ES, but local experience during the construction of the Cleve Hill substation indicates that the potential for damage from vibration and impact remains significant.	<p>The potential for vibration from construction vehicles is assessed within Chapter 12 - Noise and Vibration of the ES (PINS reference <a href="#">APP-042</a>).</p> <p>As set out in the outline CTMP (PINS reference <a href="#">APP-245</a>), to minimise potential for vibration, the condition of the road surface along the construction traffic route will be assessed and any significant defects repaired before, during and after construction.</p>
CPREK-5	- Biodiversity/Ecology: we recognise that the development site itself is not designated, but it retains important functional links with the surrounding designated sites. We retain our concerns that the loss of this important contribution will not be adequately mitigated by these proposals.	<p>The Applicant recognised the importance of the local area for wildlife and has provided all information with the Application to assess the potential effects of the Development on designated sites and their qualifying interest features in Chapter 8 - Ecology and Chapter 9 - Ornithology of the ES ( PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>) and in the RIAA (PINS reference <a href="#">APP-026</a>).</p> <p>Mitigation and biodiversity enhancement proposals to improve biodiversity are described in the outline LBMP (PINS reference <a href="#">APP-203</a>).</p>
CPREK-6	- Hydrology and soil microclimate: given the stated closeness of the proposed arrays, we find the responses made to our comments regarding vegetation growth under the arrays less than reassuring, particularly in the context of increasingly intense flash rainfall.	These comments are noted.
CPREK-7	- Flood risk: we retain concerns over the underlying engineering and meteorological assumptions, relating to the location, description and magnitude for breach scenarios, which the full DCO fails to adequately address. Our concerns also pertain to the proposed conflict with the Environment Agency's Medway Estuary and Swale Strategy.	<p>The Environment Agency, the regulatory body responsible for assessing the adequacy of Flood Risk Assessments and flood modelling, has responded to the DCO application with no concerns regarding the parameters used for the breach modelling.</p> <p>The Applicant will continue to work with the EA in respect of the interaction between the Development and the MEASS.</p>
CPREK-8	- Loss of agricultural land: we retain concerns over the significant loss of productive agricultural land at a time when pressures of housing supply and climate insecurity are increasing.	The Development will result in the loss of agricultural land classified as grade 3b agricultural land, which is not categorised as Best and Most Versatile agricultural land. The Applicant notes that sheep will be grazed onsite, continuing the agricultural use of the site.
CPREK-9	- Site selection/alternatives: we recognise the connectivity offered by the proximity of the Cleve Hill substation but have seen insufficient evidence that this is the best possible location for the connection of a facility of this scale to the Grid.	The Statement of Need (PINS reference <a href="#">APP-253</a> ) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.

Ref.	Issues raised in the Relevant Representation	Applicant's Response
		Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a> ) includes an appraisal of alternative sites, including other potential sites in proximity to the available grid capacity at Cleve Hill.
CPREK-10	- Heritage: we do not accept that there are 'no direct effects' to significant heritage assets in the area.	Chapter 11 - Cultural Heritage and Archaeology of the ES (PINS reference <a href="#">APP-041</a> ) summarises the likely significant effects of the Development in section 11.8 including direct effects.

## 2.27 RR-764 Faversham Creek Trust

**Table 2.27: Applicants responses to RR-764**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
FCT-1	Faversham Creek Trust's charitable objectives are summarised as "Regenerating Faversham's Maritime Heritage". We represent the volunteer campaign groups Friends of Faversham Creek and Save Abbey Farm. Our organisation aims to: <ul style="list-style-type: none"> <li>• Improve the navigability of Faversham Creek and increase the moorings and facilities available to boats and sailors, in order to</li> <li>• Increase the number of boats and people using the Creek for leisure and business purposes</li> <li>• Encourage young people to become involved in waterborne activities</li> <li>• Promote use of the footpaths around the Creek for walking, bird watching and wildlife awareness</li> </ul>	The Applicant acknowledges these comments and the important work carried out by Faversham Creek Trust.
FCT-2	The landscape now would still be recognisable to the Romans. It forms part of a beautiful landscape to view from the North Sea and the Swale, as well as from the land. The view from the water should be acknowledged for its importance. It is an area of significant importance due to its natural beauty (with AONB designation for part of it), its special scientific interest, its marine protection areas.	<p>The landscape of the Development site is described and assessed in Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a>). The Applicant disagrees that the landscape within which the Development is situated would be recognisable to the Romans, who ruled Britain until the 5<sup>th</sup> Century AD. The current concrete coastal flood defences were constructed in the 1950s and arable farming also commenced on site in the second half of the 20<sup>th</sup> century. The 400 kV overhead lines and the existing Cleve Hill Substation are other substantial modern features in the area.</p> <p>Views from the North Sea and the Swale are assessed in section 7.6.2.2 - Boat Users of Chapter 7 - LVIA.</p>
FCT-3	We believe that the proposed industrial scale solar power station would be seriously detrimental to the environment, for humans and for wildlife, both animal and vegetable. Already there is a significant decline in the number of birds to be found here, attributable to many causes. These flocks and individual birds need all the space that is currently available to them, as the bird flight patterns	The Applicant recognises the importance of the local area for wildlife and has provided all information with the Application to assess the potential effects of the Development on designated sites and their qualifying interest features in Chapter 8 - Ecology and Chapter 9 - Ornithology of the ES ( PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a> ) and in the RIAA (PINS reference

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	mapped by Save Graveney Marshes show. These birds are dependent on the plant and animal life to be found across all the thousand acres, and could not survive on the small amount of land proposed.	<a href="#">APP-026</a> .  Mitigation and biodiversity enhancement proposals to improve biodiversity are described in the outline LBMP (PINS reference <a href="#">APP-203</a> ).
FCT-4	Although this land is not considered as high quality farm land, it still produces worthwhile crops each year. The closeness of the panels and the water run-off from them would kill the bacteria, worms, insects etc in the soil, making the land dead for future use.	The statement that water run-off from panels would kill bacteria, worms, insects etc in the soil is factually incorrect. Following the cessation of intensive arable agriculture on the site, the opposite is likely to be the case following construction of the Development, with benefits for invertebrates assessed as significant predicted as a result of reductions in pesticide and fertilizer use in Chapter 8 - Ecology of the ES (PINS reference <a href="#">APP-038</a> ).
FCT-5	This is a flood plain which forms part of the national and local planning for managing flooding as sea levels rise and flooding becomes more frequent due to climate change and other factors. Removing this important flood plain area is likely to result in serious risks for Faversham and other built up areas which depend on proper coastal and flood management. The current plan to breach the sea wall in the event of serious flooding must be retained. There have already been serious floods in recent years when part of this land has been flooded, eg December 2013. Without the flood water covering this area, the flooding in Faversham would have been far more serious than it was that year – when there was serious damage to property.	No part of the Site acts as a functional floodplain as the agricultural land is protected by engineered flood defences, as outlined in section 10.3.1 of Chapter 10 - Hydrology, Hydrogeology, Flood Risk and Ground Conditions of the ES (PINS reference <a href="#">APP-040</a> ) and 1.3 of the FRA (PINS reference <a href="#">APP-227</a> ). As such, tidal waters do not flow into the site and no floodplain storage is offered by the site.  By maintaining the existing flood defences, no floodplain storage will be lost relative to the baseline scenario.
FCT-6	How can Britain as a country criticise other countries for despoiling their landscapes, whether rain forests, territory for tigers or anything else, if we are prepared to despoil our own landscapes which are important for wildlife and human engagement? It seems very hypocritical to expect one standard for other countries while falling to a lower standard ourselves.	Landscape and Visual Impacts are assessed in Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a> ).

## 2.28 RR-765 Faversham Oyster Fishery Company

**Table 2.28: Applicants responses to RR-765**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
FOFC-1	<p>We represent the Faversham Oyster Fishery Company (FOFC) which wishes to be registered as an interested party for the forthcoming examination of the Cleve Hill Solar Park Development Consent Order application.</p> <p>The FOFC is a statutory company which has existed prior to the time of the Magna Carta. The company has promoted three separate Acts of Parliament, the most recent being the Faversham</p>	These comments are noted.

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	Oyster Fishery Company Act 2017. The company's exclusive fishery grounds extend eastwards from Fowley Island in the Swale into Whitstable Bay for a distance of some 9 miles.	
FOFC-2	<p>So far as is relevant the fishery grounds include the foreshore up to the seawall abutting the site of the proposed development where the company's management of the fishery includes the harvesting of cockles and of mussel spat. The company has sporting rights in respect of the foreshore and has granted a lease of those rights to the Kent Wildfowling and Conservation Association.</p> <p>The draft DCO includes a Compulsory Purchase Order in which a number of plots of land are identified over which the FOFC has exclusive rights. The CHSPL is seeking to acquire rights and restrictions over those FOFC plots of land.</p> <p>The FOFC might also make a relevant claim under Section 57 of the 2008 Act (Category 3).</p>	These comments are noted.
FOFC-3	<p>Whilst the FOFC has been aware of previous consultations by the applicant, the nature and extent of the interests the applicant intends to acquire have only recently become apparent and their potential impacts on their interests are still being evaluated.</p> <p>There has been one meeting between the FOFC and CHSPL following which draft Heads of Terms have been prepared by CHSPL but no accord has yet been reached in respect of them.</p>	The Applicant acknowledges these comments and confirms that it will continue to engage with affected landowners and rights holders.
FOFC-4	The FOFC may wish to make further written representations on issues that are of concern to it including: the nature and extent of the land and/or interests being acquired; the justification for compulsory acquisition; the funding statement; the impact of the project on shell fisheries; other impacts of the project and the policies relevant to the determination of the application.	<p>The hydrological impacts of the Development are assessed in Chapter 10 - Hydrology, Hydrogeology, Flood Risk and Ground Conditions of the ES (PINS reference <a href="#">APP-040</a>).</p> <p>Other impacts of the Development are assessed in Chapters 7 to 18 of the ES and supporting Figures, Visualisations and Technical Appendices submitted with the Application.</p> <p>The planning policy relevant to the determination of the Application is set out in Chapter 6 - Legislative and Planning Policy Context of the ES (PINS reference <a href="#">APP-036</a>).</p>

## 2.29 RR-771 Graveney Rural Environment Action Team

**Table 2.29 - Applicants responses to RR-771**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
GREAT-1	GREAT (Graveney Rural Environment Action Team) represents the local residents of Graveney	The Statement of Need (PINS reference <a href="#">APP-253</a> ) submitted with the DCO application, and its March



Ref.	Issues raised in the Relevant Representation	Applicant's Response
	<p>who are opposed to the proposed scheme.</p> <p>Whilst supporters of solar we are opposed to this scheme for the following reasons:</p> <ul style="list-style-type: none"> <li>- It's too big – massive solar parks like this are normally located in desert regions</li> <li>- It's in the wrong place – a decommissioned coal power station would be better</li> <li>- It will be harmful to wildlife and protected species of birds, animals and plants</li> <li>- It will destroy a landscape loved and used by thousands of people</li> </ul> <p>The applicant's stated aim is to produce the lowest cost energy in the UK – but at what cost to the environment?</p>	<p>2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.</p> <p>Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a>) includes section 4.2 which sets out the site identification process for the Development.</p> <p>The impacts of the Development on wildlife are assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>).</p> <p>Landscape and visual impacts are assessed in Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a>).</p> <p>The environmental impacts of the Development have been subject to EIA, the findings of which are reported in the ES submitted with the Application.</p>
GREAT-2	<p>Our written representation will cover:</p> <ol style="list-style-type: none"> <li>1. Landscape and heritage factors               <ol style="list-style-type: none"> <li>1.1. The agricultural, coastal and countryside setting of the site.</li> <li>1.2. The marshland nature of the area will be disrupted,</li> <li>1.3. Views from important heritage assets such as Harty Church and Victory Wood at Blean.</li> <li>1.4. Valued landscape according to Swale BC designation.</li> <li>1.5. Connectivity aspects - Ramsar, SSSI, SPA, etc</li> <li>1.6. Historical - Graveney Boat etc</li> </ol> </li> </ol>	<p>Landscape and visual impacts are assessed in Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a>). Viewpoint 14 represents the view from Harty Church, and Viewpoint 9 the view from Victory Wood (PINS references <a href="#">APP-127</a> and <a href="#">APP-169</a>).</p> <p>As assessment of the cultural heritage and archaeology impacts of the Development is provided in Chapter 11 - Cultural Heritage and Archaeology of the ES (PINS reference <a href="#">APP-041</a>).</p> <p>The impacts of the Development on wildlife are assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a>).</p>
GREAT-3	<ol style="list-style-type: none"> <li>2. Local amenity               <ol style="list-style-type: none"> <li>2.1. The area is loved and used by many local people</li> <li>2.2. It is of national and international interest</li> <li>2.3. Cumulative effect - surrounding area is being over-developed. Nearby designated areas such as Oare would be overwhelmed</li> <li>2.4. It is an area beloved of artists, painters and poets</li> <li>2.5. Affects on Public Rights of Way</li> <li>2.6. Human Rights law needs to be considered</li> </ol> </li> </ol>	<p>Recreational amenity effects are assessed in Chapter 13 - Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a>).</p> <p>Cumulative effects are considered in all technical chapters of the ES.</p> <p>The potential impacts on public rights of way are assessed in Chapter 7 - LVIA, Chapter 13 Socio-economics, Tourism, Recreation and Land-Use, and Chapter 14 - Access and Traffic of the ES (PINS references <a href="#">APP-037</a>, <a href="#">APP-043</a> and <a href="#">APP-044</a>).</p> <p>A Public Rights of Way Management Plan has also been produced and is included as an appendix to the outline Construction Traffic Management Plan (PINS reference <a href="#">APP-245</a>).</p>



Ref.	Issues raised in the Relevant Representation	Applicant's Response
GREAT-4	3. Wildlife 3.1. Continuous / contiguous space required for bird movements 3.2. Brent Geese etc, nervous birds will not recover from this 3.3. Castle Coote / SSSI / RAMSAR issues.	The impacts of the Development on wildlife are assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a> ).
GREAT-5	4. Pollution 4.1. Noise: all equipment in the solar panels and the battery 4.2. Glint and glare 4.3. Battery emissions	<p>Noise is assessed in Chapter 12 - Noise and Vibration of the ES (PINS reference <a href="#">APP-042</a>).</p> <p>Glint and glare effects are assessed in Chapter 17 - Miscellaneous Issues of the ES (PINS reference <a href="#">APP-047</a>).</p> <p>The energy storage facility is not expected to result in direct emissions. The CO<sub>2</sub> payback of the battery facility is difficult to quantify but is assessed in Chapter 15 - Climate Change of the ES (PINS reference <a href="#">APP-045</a>).</p>
GREAT-6	5. Risk and safety 5.1. Battery explosion / fire risk 5.2. Terrorist activity	<p>Chapter 17 - Miscellaneous Issues (PINS reference <a href="#">APP-047</a>) of the ES includes an assessment of the potential for the development to cause major accidents or disasters at section 17.7, as well as an assessment of other health and safety considerations.</p> <p>Security considerations are addressed in section 17.3.6 of Chapter 17.</p>
GREAT-7	6. Traffic and access 6.1. Impact during construction - local roads are already frequently over-whelmed when incidents happen nearby. 6.2. Insufficient assessment given to non-road alternatives for bringing in materials – financial and non-financial costs to local region, people and the environment should be factored in. 6.3. Not clear that statutory bodies (Highways Agency, KCC) have done sufficient due diligence. 6.4. Application cites London Array - but was not the same scale and is not a suitable precedent 6.5. Impact on young and old - school children in their playground and local residents living near the roads 6.6. Potential for damage to neighbouring houses due to excess traffic - subsidence issues for houses, roads and bridges 6.7. Has sufficient commitment been made to repair everything that will have been damaged during the construction period?	<p>Access and traffic impacts are assessed in Chapter 14 - Access and Traffic of the ES (PINS reference <a href="#">APP-044</a>).</p> <p>Technical Appendix A14.1 - Outline Construction Traffic Management Plan (CTMP) (PINS reference <a href="#">APP-245</a>) includes a Construction Traffic Incident Management Plan (Appendix F) which sets out measures and procedures for what should happen if a road traffic incident occurs on routes leading to the site.</p> <p>An assessment of transporting goods and materials to site by water and rail has been undertaken and was set out in the Section 4.4.2.2 of Chapter 4 -Site Selection, Development Design and Consideration of Alternatives of the ES. It is not considered feasible to use either of these methods to transport good or materials for site for a variety of reasons which include:</p> <ul style="list-style-type: none"> <li>• Construction within a designated area (Special Protection Area (SPA), Ramsar, Site of Special Scientific Interest (SSSI));</li> <li>• Increased material usage;</li> <li>• Visual effects;</li> <li>• Noise effects;</li> <li>• Complex logistical considerations and increased material handling;</li> <li>• Increased construction period and construction activity, to build the rail sidings and then the Development, then remove the rail depot and restore the land;</li> </ul>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
		<ul style="list-style-type: none"> <li>• Short duration of delivery windows, due to existing rail timetable and tides; and</li> <li>• Increased costs.</li> </ul> <p>The on-shore London Array site utilised the same the construction traffic routes proposed to be used for the Cleve Hill Solar Park and has, therefore, been referenced within our assessments relating to road traffic. At its peak it predicted that it would generate 60 two-way HGV movements per day.</p> <p>Sensitive receptors (including Graveney Primary School and local residents) were identified and assessed with regards to potential environmental effects of road traffic. This is set out within Chapter 14 - Access and Traffic of the ES and no significant environmental effects were identified.</p> <p>The potential for vibration from construction vehicles is assessed within Chapter 12 - Noise and Vibration of the ES (PINS reference <a href="#">APP-042</a>).</p> <p>The proposed construction traffic routes have been agreed with Kent County Council Highways Department.</p> <p>A commitment has been made in the outline CTMP to undertake highway condition surveys before construction starts. Any significant defects identified will be repaired.</p> <p>Further surveys will be undertaken both during and after construction and any necessary remedial works relating to construction traffic undertaken.</p>
GREAT-8	7. Construction disruption 7.1. Pile driving - there are other ways to do this sort of construction (for example screw-drive piles) 7.2. Has sufficient attention been paid to 'receptors' (such as Castle Coote) in their analysis?	<p>Other piling techniques are available, however driven piles are the most likely foundation solution based on the ground conditions recorded onsite, and they also represent the worst case solution in respect of noise impacts. Therefore, to allow a realistic worst case assessment of noise to be undertaken in Chapter 12 - Noise and Vibration of the ES (PINS reference <a href="#">APP-042</a>), percussive piling has been assumed as the method of pile installation.</p> <p>An outline SPA Construction Noise Mitigation Plan (SPA CNMP) (PINS reference <a href="#">APP-243</a>) for birds has been proposed to minimise the potential impacts on breeding and wintering birds in the SPA.</p>
GREAT-9	8. Misleading consultation 8.1. Poor and misleading information during the consultation 8.2. Consultation meetings were inadequate in terms of answers to questions	<p>The Applicant will continue to engage with members of the local community to discuss any concerns raised.</p>

## 2.30 RR-779 Historic England

**Table 2.30: Applicants responses to RR-779**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
HE-1	Historic England is the government's statutory adviser on all matters relating to the historic environment. It is our duty under the provisions of the National Heritage Act 1983 (as amended) to secure the preservation and enhancement of the historic environment. Our objective therefore is to ensure that the historic environment is fully taken into account in the determination of this DCO. The proposal for an array of solar PV modules on a total developable area of 491.2 hectares affects a range of heritage assets, including listed buildings and a conservation area designated under the Planning (Listed Buildings and Conservation Areas) Act 1990 through development in their setting.	The Applicant acknowledges Historic England's role.
HE-2	The site is on former marshland (now reclaimed for agricultural fields) to the north and north-west of Graveney. Historic England assesses that the proposal would cause harm to several listed buildings including the grade I All Saints Church in Graveney and to the Graveney Conservation Area which encompasses the core of the medieval settlement. Graveney is a modest rural settlement which grew up from the production of salt on the North Kent Marshes and small scale farming in the area. Its focal point is All Saints Church which stands on a high point surrounded by agricultural fields and dispersed historic buildings including the grade II listed buildings Graveney Court, Murston Farm and Sparrow Court. While much of the marshland to its north and north-west has since been reclaimed for agricultural use the sense that All Saints sits in a rural landscape surrounded by dispersed historic buildings is a key part of its significance that helps explain its origins. In our view the visual impact of such a large number of solar PV modules and the associated infrastructure would harm the significance the grade I church derives from the rural character of its setting because this would be eroded by the proposal. Solar PV modules would be visible in long views towards the church from the north, northwest and west as it is approached and to a more limited extent in views out from the churchyard towards the site. We think this causes a moderate level of harm to the significance of the listed building.	Chapter 11 - Cultural Heritage and Archaeology of the ES (PINS reference <a href="#">APP-041</a> ) assesses the impact of the Development on heritage assets. A Heritage Statement is also provided (PINS reference <a href="#">APP-257</a> ) which provides conclusions on heritage impacts in planning terms.  The Heritage Statement concludes at section 3.1 that the harm to the significance of the listed building is less than substantial.
HE-3	We agree that the impact on significance to other nearby designated heritage including the Graveney Conservation Area is likely to be lower than the impact on All Saints church. However the impact to Sparrow Court (grade II listed building) may be greater than the minor level as assessed in the ES because the proposed development will be visible in long views from the east towards the listed building and this impacts on an appreciation of its rural setting and the significance it derives from this.	Section 11.5.2.3 of Chapter 11 - Cultural Heritage and Archaeology of the ES (PINS reference <a href="#">APP-041</a> ) includes an assessment of the indirect impact of the Development on Sparrow Court (para 167 - 169).  Following the changes to the Development design described in Chapter 4 -Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a> ), specifically the removal of solar PV panels from the sloping areas of the site (field Y), the effect on Sparrow Court is assessed as minor.

Ref.	Issues raised in the Relevant Representation	Applicant's Response
		Table 11.1a of Chapter 11 - Cultural Heritage and Archaeology explains how comments received from Historic England in response to the PEIR have been addressed in the ES in making this assessment.
HE-4	We also note that the effect on Graveney Court is assessed as minor in the ES. Graveney Court stands directly north of All Saints Church. Originally built for the Judge of the Court of Common Pleas it is now part of a working farm. The rural setting afforded to it including the site helps to explain its rural origins and its use associated with farming. While the listed building was clearly orientated towards the east (its rear west facing elevation is markedly informal in contrast to the principal east elevation), there are nevertheless long views from the west towards the building and adjacent church in which the building's wider rural setting would be eroded which we assess as causing moderate harm to its significance.	Chapter 11 - Cultural Heritage and Archaeology of the ES (PINS reference <a href="#">APP-041</a> ) assesses the impact of the Development on heritage assets. A Heritage Statement is also provided (PINS reference <a href="#">APP-257</a> ) which provides conclusions on heritage impacts in planning terms.  The Heritage Statement concludes at section 3.3 that the harm to the significance of the listed building is less than substantial.
HE-5	There are no designated heritage assets of archaeological interest, such as scheduled monuments, within the site nor do we think that any of these in the area around the site are likely to be adversely affected as a result of changes to their settings. The site does however have the potential for non-designated archaeological remains. In view of the potential remains, it is important that this is appropriately considered and dealt with in the DCO examination process.	These comments are noted.
HE-6	In view of the above Historic England would want to ensure that the examining authority have the necessary information in order to inform its decision on whether or not the proposal satisfies the requirements of NPS EN-1 to conserve the historic environment	Chapter 11 - Cultural Heritage and Archaeology of the ES (PINS reference <a href="#">APP-041</a> ) assesses the impact of the Development on heritage assets.  A Heritage Statement is also provided (PINS reference <a href="#">APP-257</a> ) which provides conclusions on heritage impacts in planning terms.

## 2.31 RR-798 Kent County Council

**Table 2.31: Applicants responses to RR-798**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
KCC-1	<p>Following the Planning Inspectorate's acceptance (14 December 2018) of an application for a Development Consent Order (DCO) for Cleve Hill Solar Park, Kent County Council (KCC) requests to be registered as an Interested Party at the Examination.</p> <p>This letter provides a summary of the main aspects of the proposal which KCC agrees and/or disagrees, together with an appropriate explanation, in accordance with the Planning Inspectorate Advice Note 8.3. In summary, an outline of the principal submissions that KCC intends to make in relation to the application will concern:</p>	The Applicant acknowledges KCC's response.

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	<ul style="list-style-type: none"> <li>- Highways and transportation, as the Local Highway Authority for Kent;</li> <li>- Public Rights of Way (PRoW);</li> <li>- Biodiversity;</li> <li>- Heritage; and</li> <li>- Sustainable Urban Drainage Systems (SUDS).</li> </ul>	
KCC-2	<p>Highways and Transportation</p> <p>KCC has been engaged in discussions with Cleve Hill Solar Park Ltd on the highways and traffic measures for the project. The condition of the highway, as a result of additional HGV traffic, is likely to be affected by the deterioration and the overrunning of the carriageway edges and verges. Road condition surveys will be required by the applicant to identify where construction traffic has caused damage and the applicant will be expected to rectify this.</p> <p>Within the proposed construction traffic and phasing, KCC agrees with the methodology used to predict the HGV and LGV traffic, using the known quantity of materials and activities planned in the construction phase. It also notes that the anticipated peak, of up to 80 two-way HGV movements, is significantly less than the 150 two-way HGV movements suggested at the PEIR (section 42) stage.</p> <p>KCC agrees, after reviewing the Environmental Statement (Chapter 14), that the cumulative effects are unlikely to generate traffic on the local road network. The mitigation measures suggested are of an appropriate level, as discussed in the Outline Construction and Traffic Management Plan (CTMP). The final CTMP will need to be agreed with KCC prior to commencement of the project.</p> <p>Whilst not identified in the CTMP, the spread of vehicles arriving on site is likely to be influenced by the nature of the materials being delivered. The applicant should further explain how the components transported by sea are expected to arrive by convoy, as all the HGVs will disembark within a short period.</p>	<p>ES Technical Appendix A14.1 - Outline Construction Traffic Management Plan (PINS reference <a href="#">APP-245</a>) has been produced as a 'live' document that is expected to be updated and agreed following further consultation with stakeholders including KCC.</p> <p>A commitment has been made within the outline CTMP to undertake road condition surveys before, during and after construction and any necessary remedial works undertaken.</p> <p>The spread of vehicles arriving at the site will be influenced by the nature of the material being delivered. Many of the deliveries made by sea will be held at the port of entry before onward transport to the site. It is expected that these deliveries can therefore be released from the port in a controlled manner.</p>
KCC-3	<p>Existing Public Access to the Countryside</p> <p>With regards to promoted routes, the Saxon Shore Way long distance walking route is currently aligned along Public Footpath ZR484/CW55. Natural England has proposed the England Coast Path National Trail should be aligned along this path. If approved, this coastal route may see an increase in public use, as a result of the National Trail status and enhanced promotion associated with the site.</p> <p>In response to the PEIR (section 42) consultation, KCC requested that people counters were installed by the applicant at key gateway locations on the PRoW network. These counters would help the</p>	<p>As described in Table 14.1a of Chapter 14 - Access and Traffic of the ES (PINS reference <a href="#">APP-044</a>), the method, location and timing of 'Non-Motorised User' (NMU) counts were discussed and agreed with public rights of way officers from KCC.</p> <p>All surveys were undertaken using video equipment by a specialist survey company recommended by KCC.</p> <p>The surveys were taken on multiple days both before and during the school summer holidays and are considered to be accurate reflection of PRoW usage.</p> <p>It is acknowledged that KCC would like to see</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	<p>applicant understand the existing levels of use on the PRoW network and monitor the future use of the paths during the construction, operation and decommissioning phases of the project.</p> <p>The applicant has acknowledged this request and commissioned 'Non-Motorised User' (NMU) surveys of paths that pass through or near the site. Whilst these surveys are welcomed, it is disappointing to note that electronic people counter sensors were not installed (instead of manual surveys), as these counters would have been able to operate 24 hours a day and capture sporadic path users. Caution must therefore be taken when referring to the results of the NMU Survey (Chapter 14, Table 14.8), as the figures obtained during the study may not be reflective of actual path use.</p>	<p>permanent counters installed along a number of PRoW to monitor the long-term impact of the solar park on path use, however, this would require intrusive works to install the equipment and associated infrastructure and it was not considered to be fundamental for the production of the ES.</p> <p>The Applicant looks forward to continuing discussions with KCC regarding public access to the site via the existing public right of way network and the proposed permissive footpath.</p>
KCC-4	<p>Construction Phase Impacts on the PRoW Network</p> <p>The applicant has provided an outline CTMP within the Environmental Statement (ES), which includes a specific section for PRoW. The CTMP indicates that the applicant intends to keep PRoW open and accessible during the construction phase of the project, where the PRoW pass directly through the development site (Technical Appendix A14.1, Appendix G). This approach is welcomed, as it would maintain network connectivity through the site and minimise disruption for path users.</p> <p>With regards to construction traffic, vehicles should not pass along or across PRoW without prior approval from the KCC PROW and Access Service. It would be the responsibility of the applicant to reinstate any vehicular damage to the surface of the right of way.</p> <p>The applicant is reminded that there must be no disturbance of the PRoW surface without the express permission of the KCC PROW and Access Service. This point is of significance when considering the laying of new cables across the site and future maintenance of this infrastructure.</p>	<p>The Applicant notes these comments and will liaise with KCC as required before, during and after construction.</p>
KCC-5	<p>Operational Phase Impacts on the PROW Network</p> <p>Following the response to the PEIR, the Glint and Glare study has been updated to consider the impacts on Public Footpaths ZR484 and ZR485. It is noted that the effects on PRoW users is considered low, such that no mitigation is required (Chapter 17).</p> <p>Whilst the nature of the visual changes may be subjective, it is acknowledged by the applicant that there would be a substantial change in views for users of the PRoW network (Chapter 13). Taking this loss of visual amenity into consideration, along with potential disruption during the construction and decommissioning phases of the project, appropriate</p>	<p>These comments are noted.</p> <p>Landscape and visual impacts are assessed in Chapter 7 - LVIA of the ES (PINS reference <a href="#">APP-037</a>). Section 7.6.2.2 provides an assessment of visual effects on public rights of way users in the area.</p>



Ref.	Issues raised in the Relevant Representation	Applicant's Response
	<p>PRoW network improvements should be provided by the applicant, to mitigate for the impacts on path users.</p>	
KCC-6	<p><b>Mitigation and PRoW Network Development</b></p> <p>The applicant has proposed a new Permissive Path through the site that would connect Public Footpaths ZR488 and ZR484. The creation of this route is supported, as the path would provide a useful addition to the existing PRoW network. It is understood that the applicant would be willing to enter into a licensed agreement with the County Council for the new Permissive Path. This approach is supported by the PRoW and Access Service, as the license would clarify the terms and conditions of public use and define future maintenance responsibilities.</p> <p>It is assumed that public access along the Permissive Path would cease to exist at the end of the Cleve Hill Solar Park Lease Agreement (Chapter 14, Table 14.1). It is recommended that the applicant should explore the possibility of extending the permissive path agreement beyond this date or consider dedicating the route as a Public Footpath.</p> <p>It is noted that the boundary of the application site has extended eastwards since the initial plans for the Cleve Hill Solar Park were proposed. This revision to the site boundary provides an opportunity to secure a permanent access link between Public Footpaths CW90 and CW55. KCC requests that this new route is dedicated as a Public Footpath through a Creation Agreement with the County Council (Highway Act 1980 s25). The proposed route should be included within the DCO application, to provide clarity for stakeholders and ensure the route is created for the public.</p>	<p>The Applicant looks forward to continuing discussions regarding the implementation of the permissive path.</p> <p>The link between public footpath CW90 and CW55 has been discussed with the relevant landowners in the area during other negotiations. The Applicant understands that there is an appetite from the landowners to pursue the adoption of this link regardless of the progress of the Development. The Applicant recognises the benefits of the adoption of this link and would be willing to support the landowners and KCC in securing this where appropriate and practicable. It is not considered necessary to include this within the draft DCO for the Development.</p>
KCC-7	<p><b>Ornithology Mitigation</b></p> <p>The Ornithological Technical Appendix (A9.1) provides details of the breeding bird surveys but does not provide any further information on the proposed mitigation. The development will result in the loss of ground-nesting bird habitat and the applicant needs to clarify the proposed mitigation. KCC acknowledges that arable land will be lost to the installation of solar PV panels and agrees that the adjacent habitats along the field margins and ditches should be retained.</p> <p>An Outline Landscape and Biodiversity Management Plan has been submitted as part of the DCO application. KCC requests that only one management plan should be produced for the DCO that incorporates all land management requirements, including surface water flooding. This will help prevent conflicting management works on the proposed site.</p>	<p>Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>) provides an assessment of the potential effects of the Development on bird species, including ground-nesting birds (section 9.5.3.26). Arable land developed for solar panels will be unavailable to ground-nesting birds; however, mitigation and biodiversity enhancement proposals are described in the outline LBMP (PINS reference <a href="#">APP-203</a>).</p> <p>The Applicant will endeavour to ensure that there is no conflicting management works on the propose site by minimising the number of management plan documents.</p>



Ref.	Issues raised in the Relevant Representation	Applicant's Response
KCC-8	<p>Habitat Regulations Assessment</p> <p>KCC recommends that the Planning Inspectorate will need to carry out the Habitat Regulations Assessment (HRA) and the applicant must provide the information to inform the assessment.</p>	<p>Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>) and the HRA documented in the RIAA (PINS reference <a href="#">APP-026</a>) provide all necessary information to inform the assessment by the Secretary of State.</p>
KCC-9	<p>Archaeology</p> <p>KCC recognises that there is an absence of local fieldwork undertaken to investigate the potential direct effects on archaeology in the proposed development area. Therefore, a worst-case scenario approach has been taken and KCC will continue to work with the applicant on further investigations needed. KCC agrees that a programme of archaeological works should be implemented to mitigate any effects and welcomes a written scheme of investigation to be agreed with KCC and Historic England.</p>	<p>These comments are noted.</p>
KCC-10	<p>Built Heritage</p> <p>KCC agrees that no designated built heritage assets will be directly affected by the development. However, several designated heritage assets are subject to indirect effects from the scheme.</p> <p>The DCO has included detail on mitigation measures for built heritage assets. This includes the retention of the WW2 pillbox and the removal of panels in certain areas to prevent visual impacts from designated assets. KCC also agrees there should be a full recording of the pillbox and its setting in advance of development works. Damage to the asset should be avoided and if modified, should be reversible on decommissioning.</p>	<p>These comments are noted.</p>
KCC-11	<p>Written Scheme of Investigation</p> <p>KCC agrees that direct effects on archaeology can be mitigated through a programme of archaeological works, secured through an agreed 'Written Scheme of Investigation'. If remains of high significance are discovered during the construction phase, design measures can then be applied to preserve the assets.</p> <p>KCC will continue to work with the applicant to further develop the Outline Written Scheme of Investigation and welcomes the intention to implement heritage information panels in appropriate locations across the proposed development site.</p>	<p>These comments are noted.</p>
KCC-121	<p>Sustainable Urban Drainage Systems (SUDS)</p> <p>KCC agrees with the methodology used for the Flood Risk Assessment and the potential increase in surface water runoff associated with the proposed development. The associated drainage strategy and</p>	<p>The Applicant welcomes KCC's comments regarding Flood Risk and SuDS. The final design of SuDS measures at the Development will be undertaken in consultation with KCC.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	mitigation is adequate for the development and KCC will continue to work with the applicant on these matters.	

## 2.32 RR-799 Gullands on behalf of the Kent Wildfowling and Conservation Association

**Table 2.32: Applicants responses to RR-799**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
KWCA-1	<p>We represent Colin Roger Mount and Robert Clifford Sharman, the trustees of the Kent Wildfowling and Conservation Association (KWCA) who wish to be registered as an interested party for the forthcoming examination of the Cleve Hill Solar Park Development Consent Order application.</p> <p>The KWCA is a members' club whose primary interests include the sport of wildfowling and the management and conservation of the relevant natural habitat.</p>	These comments are noted.
KWCA-2	<p>The area to be taken for the Cleve Hill development forms a feeding, staging and roosting area for a variety of bird species. The impact of the Cleve Hill Solar Park will be detrimental to the KWCA's ability to allow its members to quietly enjoy the rights in the manner to which they are currently used. The loss of such a large area of habitat and its positioning in relation to KWCA land may remove certain species from that area, and will create a significant blight and detriment. The wildlife management area to the eastern end of the development site is too remote to the KWCA land to offer any benefit.</p>	<p>Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>) and the HRA documented in the RIAA (PINS reference <a href="#">APP-026</a>) provide an assessment of the potential effects of the Development on bird species, including those associated with The Swale SSSI/SPA/Ramsar Site. Mitigation and biodiversity enhancement proposals are described in the outline LBMP (PINS reference <a href="#">APP-203</a>).</p> <p>The assessment does not conclude that there will be removal of species from the area.</p>
KWCA-3	<p>So far as is relevant to the DCO the KWCA holds three parcels of land in the vicinity as follows:</p> <ol style="list-style-type: none"> <li>1. Freehold ownership of saltings in Faversham Creek;</li> <li>2. Leasehold of shooting rights to the north of the KWCA freehold land in perpetuity; and</li> <li>3. Lease of shooting rights on Graveney Foreshore from the Faversham Oyster Fishery Company</li> </ol> <p>The draft DCO includes a Compulsory Purchase Order in which a number of plots of land are identified on which the ownership/rights etc of the KWCA at Point 1. above are intended to be acquired by CHSPL.</p> <p>The KWCA might also make a relevant claim under Section 57 of the 2008 Act (Category 3).</p>	These comments are noted.
KWCA-4	<p>Whilst the KWCA has been aware of previous consultations by the applicant, the nature and extent of the interests the applicant intends to acquire have only recently become apparent and their potential impacts on their interests are still</p>	These comments are noted.

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	<p>being evaluated.</p> <p>There has been one meeting between the KWCA and CHSPL following which draft Heads of Terms have been prepared by CHSPL but no accord has yet been reached in respect of them.</p>	
KWCA-5	<p>The KWCA may wish to make further written representations on issues that are of concern to it including: the nature and extent of the land and/or interests being acquired; the justification for compulsory acquisition; the funding statement; the impact of the project on the conservation and recreational interests associated with wildfowl; other impacts of the project and the policies relevant to the determination of the application.</p>	<p>These comments are noted.</p> <p>The environmental impacts of the Development have been subject to EIA, the findings of which are reported in the ES submitted with the application.</p> <p>Recreational amenity effects are assessed in Chapter 13 - Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a>).</p> <p>Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>) and the HRA documented in the RIAA (PINS reference <a href="#">APP-026</a>) provide an assessment of the potential effects of the Development on bird species.</p>

### 2.33 RR-800 Kent Wildlife Trust

**Table 2.33: Applicants responses to RR-800**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
KWT-1	<p>Kent Wildlife Trust is the county's leading nature conservation charity which manages over 60 nature reserves covering over 8,000 hectares across Kent. We are supported by over 31,000 members and some 1,000 registered volunteers. KWT aims to protect and improve habitats in the countryside, coasts, seas and towns for the benefit of wildlife.</p> <p>We have had a number of meetings with the applicant as members of the Habitat Management Steering Group. The following is a summary of some of our key concerns that have led to our opposition to the proposals, and that we wish to be discussed during examination. The brevity requested in this Relevant Representation necessitates that further detail is left to a later stage in examination, which may also be influenced by subsequent meetings of the Habitat Management Steering Group.</p>	<p>The Applicant welcomes the engagement made by Kent Wildlife Trust during the pre-application process.</p>
KWT-2	<p>Impact Upon 'Functionally Linked' land</p> <p>It is clear from the survey results that the site of the proposed solar park plays a role in supporting populations of species for which the Special Protection Area (SPA) is notified, and is therefore 'Functionally Linked'. As such, we believe it is incumbent on the Statutory Agencies to consider revision of the SPA boundary to include this land.</p>	<p>The Applicant has recognised that the land proposed for development is functionally linked to The Swale SPA/Ramsar Site. The assessment presented in Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>) and the HRA documented in the RIAA (PINS reference <a href="#">APP-026</a>) have taken it into consideration.</p> <p>The pre-submission Statement of Common Ground between the Applicant and Natural England (PINS reference <a href="#">APP-256</a>) submitted with the DCO Application includes agreement (page 7) that a SPA boundary review has not taken place for the Swale</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
		and there is no evidence of a timetable for it taking place.
KWT-3	<p><b>Brent Geese Mitigation</b></p> <p>The success of the Habitat Mitigation Area for Brent geese relies upon achieving a density of 2,097 goose days per hectare, a very specific figure from a study of various management techniques in East Anglia. We do not think it wise to just adopt such a figure without understanding more of the variables that might affect it, not least of which is that the study site was established grassland, rather than arable reversion as is the case here. While a number of studies are also cited, including re-seeding using clover that achieved 1,258 goose days per hectare, as none are directly applicable we consider the approach insufficiently precautionary for mitigation of a SPA feature.</p> <p>Concerns have been raised previously regarding the conflict between stated increases in water quality from the cessation of fertiliser use, and the use of fertiliser to maintain grassland biomass for brent geese. In response it is stated that application of fertiliser is restricted in spatial application in fields to avoid spreading near the field boundaries. However, reference to this in the document referred to appears to be missing, or at least we have not found it. Regardless, it is unclear if the necessary exclusion of the ditches and boundaries to them have been excluded from the functional area of the HMA.</p>	<p>A number of studies into the density of foraging brent geese on grassland were identified and reviewed, including others with higher capacity than 2,097 goose-days per hectare. For example, Owen (1977) reported capacity of 2,250 goose days per hectare; Summers and Critchley (1990) recommended that alternative feeding areas to alleviate grazing on cereals should be an area of 50 ha for 1,000 brent geese – equivalent to 120,000 goose-days for the core winter period which exceeds the 101,940 goose-days requiring mitigation). The measure of bird days on the site also uses a precautionary peak-mean statistic to provide confidence in the predicted success of the AR HMA to host at least as many goose-days as the arable land within the site as a whole.</p> <p>The precise details of fertiliser application in the AR HMA will be developed as the project progresses and the 'live' LBMP (PINS reference <a href="#">APP-203</a>) will be updated accordingly. It is anticipated that spreading of organic fertiliser will be restricted beyond 10 m of wet field boundaries, in line with government guidance. It is not expected that this will substantively reduce the total functional capacity of the AR HMA to support brent geese.</p>
KWT-45	<p><b>Impacts Upon Marsh Harrier</b></p> <p>It is unclear what impact the significant change to the landscape will have on Marsh Harrier, which at present forages across the site. While we appreciate the distance between the ditch bank tops and the fence line has been increased compared to the original design – giving more habitat that can be managed for Marsh harrier and increasing the distance between areas of panels – there remains uncertainty as to if the effectiveness of this.</p>	<p>Section 9.6.3.25 of Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>) describes and assesses the potential effects of the Development on marsh harrier.</p>
KWT-5	<p><b>Habitat Management</b></p> <p>There remain a number of questions regarding the aims of some of the areas of new habitats and how these might be achieved, for example cutting vs grazing, stocking densities (based on 'traditional' solar farms), ivermectins in cattle dung etc. that would be hard to summarise here. These may or may not be resolved via further discussions of the HMSG, but it would be worth allowing for these to be discussed at examination as a number of the conclusions in the ES are based upon their success.</p>	<p>The Applicant welcomed the opportunity to develop further details of the management prescriptions set out in the outline LBMP (PINS reference <a href="#">APP-203</a>) to optimise the benefits for wildlife, in line with CHSPL's Environmental Policy Statement: The Applicant is committed to the development being a 'good neighbour' to the adjacent habitats around the site, and to developing ongoing land management practices onsite with input from members of the Habitat Management Steering Group (HMSG) to achieve mutual biodiversity aims and objectives. This is in addition to the wider ecological benefits of decarbonisation through renewable electricity generation.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
KWT-6	<p>Managed Realignment</p> <p>The Medway Estuary and Swale Strategy proposes Managed Realignment at the development site in order to compensate for habitat loss in the SPA from coastal squeeze. The site provides a unique opportunity for Managed Realignment in the area, and creating a continuum of habitats from mud flat to grazing marsh is a more appropriate use of the site, consistent with wider national aims with regard the environment, biodiversity and landscape. The solar park would prevent this.</p>	<p>The Applicant acknowledges these comments, whilst noting that it has undertaken extensive consultation with the Environment Agency in respect of the MEASS.</p>
KWT-7	<p>Kent Wildlife Trust's objective is to secure the best possible outcome for wildlife, and for the reasons above we believe refusal of the application would achieve that. However, should the Planning Inspectorate and Secretary of State grant the DCO, we will continue to work in good faith with all parties in the interests of biodiversity.</p> <p>Kent Wildlife Trust is also neighbouring landowner, and one over which the applicant is seeking to acquire rights. We are engaging with them in good faith to try to address the problems this could raise, though negotiations are at an early stage.</p>	<p>The Applicant is committed to the development being a 'good neighbour' to the adjacent habitats around the site, and to developing ongoing land management practices onsite with input from members of the Habitat Management Steering Group (HMSG) to achieve mutual biodiversity aims and objectives. This is in addition to the wider ecological benefits of decarbonisation through renewable electricity generation.</p> <p>This is noted by the Applicant. KWT's active and continuing engagement is appreciated.</p>

## 2.34 RR-808 Charles Russell Speechlys LLP on behalf of London Array Limited

**Table 2.34: Applicants responses to RR-808**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
LAL-1	<p>The representations are made by Charles Russell Speechlys LLP on behalf of our client, London Array Limited who represent the consortium participants in the London Array wind farm project (being Orsted London Array II Limited, E.on Climate &amp; Renewables UK London Array Limited, Masdar Energy UK Limited and Boreas (Investment) Limited)) (together referred to in this letter as the Participants). As you are aware, the Participants have the benefit of interests in land proposed to be subject to compulsory purchase in connection with the solar farm development consent order (DCO). The Participants object to the proposed DCO and the seeking of compulsory purchase powers in respect of their interests, the exercise of which could materially and adversely impact the operation of the off-shore wind farm (during both the construction and operation of any solar park). The Participants concerns include the following:</p>	<p>These comments are noted.</p>
LAL-2	<p>1. Grid Connection: the Participants own soil below 0.7m in an area proposed to be subject to compulsory acquisition (plot 3/05 on Land Plan November 2018 Revision A). These cables are essential for the operation of the wind farm and allow for the transfer of electricity from the wind farm to the substation. In addition the Participants have rights over the top soil to be subject to</p>	<p>The Applicant acknowledges these comments and has taken the presence of the cables into account in the design of the Development by ensuring that no infrastructure will be located above them.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	compulsory acquisition to facilitate maintenance of this equipment. It is imperative to the operation of the wind farm that the integrity of these cables is protected.	
LAL-3	2. There are substations located on land over which the acquisition of rights is proposed (plot 3/07A on Land Plan November 2018 Revision A) and the grant of rights may adversely impact on the operation of those substations, which are let to parties to whom the Participants have ongoing landlord obligations.	These comments are noted.
LAL-4	3. Access for Construction: there is a private road owned by the Participants which is used to access the substation. Any use of this road by HGVs/ other vehicles in the construction of the solar farm may cause obstruction or damage to this road and may affecting the ongoing operation and maintenance of the substation.	<p>It is proposed that passing places are introduced along the access road to ensure vehicles are not obstructed and are able to pass in each direction.</p> <p>Furthermore, traffic marshals and banksmen will be positioned on the entrance to the access road to ensure the free flow of vehicles along it.</p> <p>The condition of the access road will be monitored throughout the construction of the solar park and any remedial works undertaken.</p>
LAL-56	4. Flood defences: We understand that works will be required to flood defences which protect the property owned by the Participants and over which the Participants enjoy rights. The integrity of these defences is crucial to ongoing operation of the Participants' business.	<p>The draft Development Consent Order includes powers for maintenance but not modification of the flood defences.</p> <p>The draft Development Consent Order submitted with the Application (<a href="#">APP-016</a>) includes the powers and rights necessary for the Applicant to maintain the existing flood defences throughout the operational lifetime of the Development.</p>
LAL-6	London Array Limited and the Participants are ready, willing and able to enter into an agreement with the promoters of the solar farm such that the use of compulsory purchase powers is not necessary and look forward to continuing discussions with the promoters.	The Applicant acknowledges these comments and looks forward to continuing discussions.

### 2.35 RR-817 Marine Management Organisation

**Table 2.35: Applicants responses to RR-**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
MMO-1	<p>This document comprises the Marine Management Organisation's ("MMO") initial comments in respect of the above Development Consent Order ("DCO") application in the form of a relevant representation. This is without prejudice to any future representation the MMO may make about the DCO application throughout the examination process. This is also without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO.</p> <p>The MMO is an interested party for the examination of DCO applications for Nationally Significant</p>	The Applicant acknowledges the role of the MMO.

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	<p>Infrastructure Projects ("NSIPs") in the marine area. The MMO received notification dated 19 December 2018 stating that the Planning Inspectorate ("PINS") (on behalf of the Secretary of State for Business, Energy and Industrial Strategy) has accepted an application from Cleve Hill Solar Park Ltd (the "Applicant"), for a DCO to construct, operate and maintain Cleve Hill Solar Park (the "Project").</p>	
MMO-2	<p>The MMO was established by the Marine and Coastal Access Act 2009 (the "2009 Act") to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas.</p> <p>The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Northern Ireland offshore waters by way of a marine licence. Inshore waters include any area which is submerged at mean high water spring ("MHWS") tide. They also include the waters of every estuary, river or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area.</p> <p>In the case of NSIPs, the Planning Act 2008 (the "2008 Act") enables DCO's for projects which affect the marine environment to include provisions which deem marine licences.</p> <p>As a prescribed consultee under the 2008 Act, the MMO advises developers during pre-application on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works.</p> <p>Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence ("DML") enable the MMO to fulfil these obligations.</p> <p>Further information on licensable activities can be found on the MMO's website. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note.</p>	The Applicant acknowledges the role of the MMO.
MMO-3	<p>Cleve Hill Solar Park</p> <p>The proposed development site is located near Graveney, approximately 2 km north east of</p>	These comments are noted.



Ref.	Issues raised in the Relevant Representation	Applicant's Response
	<p>Faversham and 5 km west of Whitstable on the north Kent coast, where Faversham Creek forms the western site boundary and The Swale Channel forms the northern boundary. The proposed development site extends over 491.2 hectares and includes areas of arable land, freshwater grazing marsh, flood defences and the existing Cleve Hill substation.</p> <p>The MMO understands that the Project will comprise an electricity generating facility (by way of a Solar Photovoltaic Array) and an electrical energy storage facility, with a total capacity exceeding 50 Megawatts ('MW'), together with associated infrastructure and development required by the project. At present, the only aspect of this project that would fall within the remit of the MMO is understood to comprise of maintenance of existing flood defence system currently maintained by the Environment Agency.</p>	
MMO-4	<p>Pre-application consultation</p> <p>The MMO was not consulted on the original scoping opinion for the project, as the site boundary at that time was entirely above MHWS. Subsequently, it was identified by the applicant that there was a requirement to maintain the existing coastal flood defences which run around the northern and western sides of the proposed development site. Such flood defence maintenance activities would include works below MHWS, and therefore fall under the remit of the MMO.</p> <p>Following an amendment to the site boundary, the MMO was consulted by the Applicant under section 42 of the 2008 Act in May 2018. A response was provided by the MMO in June 2018 and November 2018.</p>	These comments are noted.
MMO-5	<p>The MMO notes that the Applicant intends to take responsibility for the existing flood defences within the development site, and therefore any associated maintenance works which may be needed, as and when required, throughout the lifetime of the Project. These flood defences are currently maintained by the Environment Agency under article 19 (Maintenance of coast protection, drainage and flood defence works) of the Marine Licensing (Exempted Activities) Order 2011.</p> <p>Under article 19 (Maintenance of coast protection, drainage and flood defence works) of the Marine Licensing (Exempted Activities) Order 2011 a licence is not required for an activity carried out by, or on behalf of the Environment Agency for maintaining coast protection works, drainage works or flood defence works. This exemption is subject to the condition that the activity is carried out within the existing boundaries of the works being maintained, and that it does not apply to any activity that consists of beach replenishment.</p>	These comments are noted.

Ref.	Issues raised in the Relevant Representation	Applicant's Response
MMO-6	<p>Part 6, s29 of the draft DCO includes provisions for the Applicant to apply the above marine licence exemption to any maintenance works undertaken in relation to the Project by the Applicant, as if it had been carried out by the Environment Agency.</p> <p>The MMO has significant concerns around a proposal which purports to extend the exemptions intended to cover activities carried out by statutory authorities for statutory purposes to private companies. As such, the MMO is unable to support the inclusion of the above provision.</p> <p>The Applicant is aware of the MMO's concerns regarding Part 6 s29 of the draft DCO, and that it is our preference to include a DML to permit ongoing maintenance activities. To support this, the Applicant has also included a draft DML within their application. Further work is required on this document to ensure that it is fit for purpose to enable the MMO to carry out its obligations relating to post consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment.</p>	<p>The Applicant acknowledges these comments whilst noting that the EA regularly outsources maintenance works to private companies. Similarly, the Applicant notes that disapplication and modification of existing legislation is common within DCOs.</p> <p>The Applicant will continue to discuss this position with the MMO to give comfort that the disapplication of legislation as proposed is legally and practically deliverable and appropriate.</p> <p>The EA and the Applicant agreed a joint position statement in August 2018 which supports this position and was submitted as Appendix 26 of the Consultation Report (PINS reference <a href="#">APP-022</a>). Please note this position statement was incorrectly omitted from the application submission and was submitted separately to PINS on 8 February 2019.</p> <p>The MMO was consulted on the dDML included in the dDCO prior to the submission of the Application and confirmed that the content of the dDML was acceptable to the MMO. Indeed, the dDML was based on a precedent helpfully provided to the Applicant by the MMO. Therefore, the Applicant is surprised that the MMO has now expressed concern about the content of the dDCO/DML, but will continue to work with the MMO to resolve such outstanding issues as may exist.</p>
MMO-7	<p>The MMO will continue to engage with the Applicant regarding the drafting of the DML and the development of Statements of Common Ground (SoCG) but would like to highlight the following issues in the first instance;</p> <p>Any activities permitted under a DML must be detailed within the DCO and supporting information. This includes methodologies on how these activities are likely to be undertaken. Whilst we accept that finite details of works may only be confirmed in the future (i.e. via a post-consent licence condition), there is very little to no coverage of works in the current DCO and supporting Environmental Statement ("ES").</p>	<p>Section 5.4.6 of Chapter 5 - Development Description of the ES (PINS reference <a href="#">APP-035</a>) sets out the design parameters for flood defence maintenance. Paragraphs 130 to 132 of this chapter explain the approach to assessment of these activities in the ES. The Applicant notes that the approach taken to description of permitted works in the draft DCO and DML accords with past DCOs granted by the Secretary of State.</p>
MMO-8	<p>Additionally, in order to ensure that the impacts of activities authorised within the DML have been mitigated via the inclusion of relevant and specific conditions within the DML, a robust assessment of impacts must be undertaken within the ES. The MMO is unable to find any assessment of the impacts of the flood defence maintenance activities within the submitted ES. It may be considered that the environmental impacts are 'minimal' as the proposed works are only 'maintenance' of existing flood defence already undertaken by the Environment Agency, but the ES should be updated to ensure that this has been considered. This is line with the high-level principles of EIA and the Rochdale Envelope where the worst-case 'project as a whole' is considered.</p>	<p>Section 5.4.6 of Chapter 5 - Development Description of the ES (PINS reference <a href="#">APP-035</a>) sets out the design parameters for flood defence maintenance. Paragraphs 130 to 132 of this chapter explain the approach to assessment of these activities in the ES.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
MMO-9	The MMO will engage with Environment Agency (and any other relevant parties we may deem necessary) to ensure that the activities proposed are sufficient to manage the existing flood defence and that provisions within the DML are sufficient.	These comments are noted.  The EA and the Applicant agreed a joint position statement in August 2018 which supports this position and was submitted as Appendix 26 of the Consultation Report (PINS reference <a href="#">APP-022</a> ). Please note this position statement was incorrectly omitted from the application submission and was submitted separately to PINS on 8 February 2019.
MMO-10	<p>Conclusion</p> <p>The MMO object to the inclusion of Part 6, s29 of the draft DCO, but do support the alternative proposal of inclusion of a DML. While some work is required to ensure that it is fit for purpose, we do not consider that this will be burdensome for the Applicant. We strongly recommend that the Applicant engage with the MMO throughout the process in order to ensure the assessment is as smooth as possible and agreements can be reached through a SoCG.</p> <p>The MMO reserves the right to modify its present advice or opinion in view of any additional matters or information that may come to our attention.</p> <p>The MMO would be grateful if you could ensure that those indicated below are added to the distribution list for PINS communications for this case.</p>	The Applicant confirms that it will continue to pursue both options and will seek agreement through a SoCG as suggested by the MMO.

## 2.36 RR-826 National Grid Electricity Transmission PLC

**Table 2.36: Applicants responses to RR-826**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
NGET-1	National Grid Electricity Transmission Plc ("National Grid") wishes to make a relevant representation to the Project in order to protect its position in relation to infrastructure and land which is within or in close proximity to the proposed Order limits. National Grid's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order limits should be maintained at all times and access to inspect and maintain such apparatus must not be restricted.	These comments are noted.
NGET-2	<p>The documentation and plans submitted for the Project have been reviewed in relation to impacts on National Grid's existing apparatus and land interests located within this area. National Grid has a high voltage electricity overhead transmission line, which forms an essential part of the electricity transmission network in England and Wales within, or in close proximity to, the Order limits:</p> <ul style="list-style-type: none"> <li>• ZV (400kV) overhead line route - Canterbury North to Kemsley</li> <li>- Cleve Hill to Kemsley</li> </ul>	The Applicant acknowledges these comments and looks forward to continuing discussions with National Grid.

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	<p>National Grid will require protective provisions to be included within the DCO to ensure that its interests are adequately protected and to ensure compliance with relevant safety standards.</p> <p>National Grid is liaising with the Promoter in relation to the protective provisions for inclusion within the DCO along with any supplementary agreements which may be required. National Grid will keep the Examining Authority updated in relation to these discussions.</p> <p>As a responsible statutory undertaker, National Grid's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations.</p> <p>National Grid reserves the right to make further representations as part of the examination process but in the meantime will negotiate with the Promoter with a view to reaching a satisfactory agreement.</p>	

### 2.37 RR-827 Natural England

**Table 2.37: Applicants responses to RR-827**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
NE-1	<p>Natural England's advice in these relevant representations is based on information submitted by Cleve Hill Solar Park Ltd (CHSPL) in support of its application for a Development Consent Order ('DCO') to construct and operate a solar photovoltaic array, energy storage facility and associated infrastructure ('the project'). Natural England has been working closely with CHSPL to provide advice and guidance since December 2016. CHSPL have included a Statement of Common Ground with Natural England in their application documents, which sets out the progress that has been made in agreeing the assessment methodology and mitigation measures. CHSPL has also convened a Habitat Management Steering Group, made up of the applicants, their consultants, Kent Wildlife Trust, the RSPB and Natural England. This has been helpful in progressing the mitigation habitat and future management, and advising on potential biodiversity enhancements. Natural England has also been working with the Environment Agency to provide coordinated advice.</p>	<p>The Applicant welcomes the engagement of Natural England during the pre-application process.</p> <p>Agreement reached to date is summarised in the pre-submission Statement of Common Ground between the Applicant and Natural England (PINS reference <a href="#">APP-256</a>) submitted with the DCO Application.</p>
NE-2	<p>These relevant representations contain a summary of what Natural England considers to be the main nature conservation, landscape and related issues<sup>1</sup> in relation to the DCO application, and indicate the principal submissions that it wishes to make at this point. Natural England will develop these points further as appropriate during the examination process. It may have further or additional points to make, particularly if further information about the project becomes</p>	<p>This is noted by the Applicant.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	available. This is not an exhaustive representation on all matters related to biodiversity, and any matters upon which we have not commented should not be taken to mean that there are no other impacts, rather that these are not the focus for our engagement. Other parties may wish to make comments on these points.	
NE-3	Sections 2, 3 and 4 of these representations set out the statutorily designated nature conservation interests and the potential impacts on those features. These are the significant issues which Natural England advises should be addressed by CHSPL and the Examining Authority as part of the examination process in order to ensure that the project can properly be consented. Overall, our view is that CHSPL has made significant progress since the consultation on the Preliminary Environmental Information Report (PEIR) in addressing impacts on statutorily designated nature conservation sites. However, there are still some points of detail where further discussion is required to flesh out mitigation proposals to provide a sufficient degree of confidence as to their efficacy. These are set out in section 3.	The Applicant welcomes Natural England's view that progress has been made between PEIR and submission of the Application and acknowledges that further discussion should be undertaken to finalise the details of the mitigation and enhancement proposals.
NE-4	Sections 5 to 8 set out Natural England's advice relating to other matters: landscape, access, biodiversity enhancements and impacts on wider biodiversity interests. However, these issues are not those on which we intend to make significant further comments.	This is noted by the Applicant.
NE-5	The natural features potentially affected by this application: The designated sites relevant to this application are: 2.1.1. The Swale Special Protection Area (SPA); 2.1.2. The Swale Wetland of International Importance under the Ramsar Convention (Ramsar site) 2.1.3. The Swale Site of Special Scientific Interest (SSSI) Natural England is satisfied that all other statutorily designated nature conservation sites can be screened out as not being significantly affected by the proposal.	This is noted by the Applicant and concurs with the conclusions of the RIAA (PINS reference <a href="#">APP-026</a> ).
NE-6	The Swale SPA is designated for it populations of wintering dunlin and dark-bellied brent geese (hereafter brent geese), its assemblage of wintering waterbirds, and its assemblage of breeding birds of damp grassland. Natural England has advised the applicant as to the species that are included in the assemblages. This advice is set out at section 5.2.4 of the Report to Inform an Appropriate Assessment (RIAA). We can confirm that these are the species that need to be assessed under the Habitats Regulations. Where there is a discrepancy between the species on the Standard Data Forms on the JNCC website, the species listed on the Conservation Objectives are the legally correct ones to assess, as these are derived from the citation, whereas the Standard Data Forms list the species that were present in qualifying numbers when the Form was	The Applicant welcomes Natural England's agreement regarding the qualifying interest species of The Swale SPA that are relevant to the HRA.  The Applicant welcomes Natural England's confirmation that the RIAA (PINS reference <a href="#">APP-026</a> ) considers the correct SPA features and acknowledges the clarification regarding the discrepancy in qualifying interest species on the Standard Data Form and in the Conservation Objectives.

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	generated.	
NE-7	The Swale Ramsar site is designated for its communities of wetland plants and invertebrates, its assemblage of wintering waterbirds, and a number of bird species occurring at levels of international importance (these are listed at section 5.2.3 of the RIAA). Natural England can confirm that these are the correct Ramsar features.	The Applicant welcomes Natural England's confirmation that the RIAA (PINS reference <a href="#">APP-026</a> ) considers the correct Ramsar features.
NE-8	The Swale SSSI is notified for its aggregations of breeding birds (avocet, bearded tit, gadwall, lapwing, marsh harrier, pochard, redshank and shoveler); aggregations of non-breeding birds (bearded tit, black-tailed godwit, dark-bellied brent goose, curlew, dunlin, gadwall, great-crested grebe, grey plover, hen harrier, knot, marsh harrier, oystercatcher, pintail, redshank, ringed plover, shelduck, shoveler, spotted redshank, teal, white-fronted goose and wigeon); its variety of passage and wintering waterbirds, and its assemblages of breeding birds of lowland damp grassland and lowland fen. The SSSI is also notified for its saltmarsh and brackish/freshwater habitats, and the invertebrate and plant communities associated with those habitats.	This is noted by the Applicant.
NE-9	The following European/Nationally protected species may be affected by the proposed project: great crested newts and water voles.	This is noted by the Applicant.
NE-10	The main issues raised by this application, in terms of impacts on statutorily designated nature conservation sites, are noise and visual disturbance, production of dust, and hydrological impacts during construction and/or decommissioning; and loss of functionally linked habitat during operation. Natural England's advice regarding these potential impacts is set out in section 3, below. Natural England agrees with the conclusion of table 3 in the RIAA, that all other potential impacts would not be likely to have a significant effect.	This is noted by the Applicant and concurs with the assessment set out in the RIAA (PINS reference <a href="#">APP-026</a> ).
NE-11	Noise and visual disturbance during construction: As noted in our response to the Preliminary Environmental Information Report (PEIR), Natural England does not advocate the use of noise thresholds as the impact of a particular noise stimulus on a bird population is site and species specific. Therefore, it is difficult to say with certainty, that below a certain threshold, disturbance to a particular bird species will not occur. Nevertheless, we accept that the use of noise levels can be helpful in understanding the area that will be potentially affected, and hence help devise mitigation measures.	The Applicant amended the assessment of noise disturbance in response to Natural England's comments on the PEIR in this regard. The amended assessment of noise disturbance in Section 6.1.1 of the RIAA (PINS reference <a href="#">APP-026</a> ) was not solely based on thresholds described by other studies, such as the Institute of Estuarine and Coastal Studies. It considered the application of thresholds in those other studies as well as the increase in noise levels above ambient levels. Precautionary values were used throughout the assessment to determine the levels at which different types of disturbance reactions might occur, including the use of L <sub>max</sub> rather than L <sub>Aeq</sub> .
NE-12	Wintering birds on intertidal habitat: Figure 3 in the RIAA shows that the 70dBL <sub>max</sub> noise contour does not reach the intertidal area. However, the 55dBL <sub>max</sub> contour extends 320m from the	The Applicant will continue to work with Natural England and the Habitat Management Steering Group (HMSG) to reach a satisfactory and workable construction plan to minimise disturbance to feeding

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	<p>source of the piling, and hence extends into the intertidal. Therefore, there is the potential for wintering birds to be impacted. Natural England recognises that only a relatively small proportion of the SPA is affected (paragraph 134 of the RIAA states that 10.6ha of intertidal habitat will be affected when the piling occurs closest to the SPA), and our view is that at low tide this is unlikely to result in an adverse impact. However, the birds of the SPA are more susceptible to disturbance at high tide when they are roosting, as they are confined to smaller areas closer to the source of disturbance and have fewer alternative sites. Therefore, whilst we welcome the mitigation measures set out in the Outline SPA Construction Noise Management Plan (CNMP), we would like to explore whether timing the piling work closest to the SPA, and in particular, close to Castle Coote, outside of high tide, would be possible.</p>	<p>and roosting birds in the intertidal area.</p>
NE-13	<p>Breeding birds of grazing marsh and reedbed: The grazing marsh and reedbed to the north and west of the solar farm site supports breeding birds which form components of the breeding bird assemblage of the SPA (and SSSI notified features, including bearded tit). These birds are susceptible to disturbance, which may affect their productivity, so mitigation measures are necessary. Paragraph 148 of the RIAA states that construction activities resulting in noise over 65dBLAmax will be avoided in the breeding season (1 March to 31 August inclusive). Whilst welcome the commitment to avoid disturbance in the breeding season, we question the use of this threshold and whether it provides sufficient certainty over the absence of potential impacts. Natural England will work with the applicant on this point and provide further advice during the examination. Greater clarity is also needed regarding the scheduling for construction, and whether this will enable the threshold mitigation measure to be complied with. This is because the Breeding Bird Protection Plan (Appendix B of the Outline Construction Environment Management Plan (CEMP)) states that 'where practicable' construction activities closest to The Swale will be avoided (paragraph 158), which does not give sufficient certainty.</p>	<p>The Applicant will continue to work with Natural England and the Habitat Management Steering Group (HMSG) to reach a satisfactory and workable construction plan to minimise disturbance to breeding birds in the grazing marsh/reedbed.</p>
NE-14	<p>Grazing marsh SPA to the east of the site: Natural England is satisfied that the construction traffic using the site access road adjacent to the SPA grazing marsh to the east of the development site will not cause significant disturbance to the birds using that part of the SPA in the breeding or wintering seasons.</p>	<p>This is noted by the Applicant.</p>
NE-15	<p>Marsh harriers: Marsh harriers are an important component of the SPA breeding bird assemblage. Therefore, Natural England welcomes the specific commitment to a 500m exclusion zone around any marsh harrier nest (paragraph 165 of the Breeding Bird Protection Plan), in order to avoid noise and visual disturbance.</p>	<p>This is noted by the Applicant.</p>



Ref.	Issues raised in the Relevant Representation	Applicant's Response
	Provided that construction activity is focussed on one field within the development site at a time, there will be areas remaining that will be available for foraging marsh harriers during construction.	
NE-16	<p>Wintering brent geese, lapwings and golden plovers: Surveys undertaken in support of the proposal indicate that large numbers of brent geese, lapwings and golden plovers use the arable land within the development site in the winter. Brent geese are named on The Swale SPA citation, and lapwings and golden plovers are main components of the wintering bird assemblage. Natural England agrees with the statement (in paragraph 163 of the RIAA) that these species will not be adversely impacted in the first winter of construction as there will be sufficient undeveloped area for them to continue to forage. However, there will be an impact in the second (and third) winter as the Arable Reversion Habitat Management Area (AR HMA) will be subject to construction disturbance. As this disturbance is temporary, we agree that it is not likely to lead to an adverse effect on wintering geese and plovers.</p>	This is noted by the Applicant.
NE-17	<p>Dust and water quality impacts:</p> <p>Natural England's view is that standard construction mitigation measures, as set out in the Outline CEMP, are sufficient to address potential dust emissions, and risks to water quality from the operation of plant and vehicles.</p>	This is noted by the Applicant.
NE-18	<p>The ES (for example at paragraph 169 of the Ornithology Chapter) states that the cessation of pesticide, fertiliser and herbicide use currently associated with the arable management of the land, will be a benefit. In order to assess the level of benefit to the Ramsar ditch plant and invertebrate communities, it would be helpful to understand the level of application that is currently employed.</p>	<p>This was investigated by the Applicant for the assessment, but excluded from the ES and RIAA, because specific values for each field (nor the CHSP area) in each season were unavailable; values for fertiliser application was only available at a farm scale. However, the Applicant will continue to work with Natural England and the Habitat Management Steering Group (HMSG) to estimate the appropriate value and assess the level of benefit from reduction in fertiliser application.</p>
NE-19	<p>Fertiliser (farmyard manure) is proposed to be applied to the AR HMA at a rate of 50 kgN/ha (however we recommend this is expressed in terms of 12 tonnes/ha/year, rather than in terms of inorganic fertiliser, as this would be the level of fertiliser use permitted in the low input grassland agri-environment scheme option). This is necessary to maximise the production of grass as food for the displaced brent geese (see below). This should not be applied close to the ditches, to minimise run-off into the watercourses. Natural England will provide advice, through the Habitat Management Steering Group, on appropriate application of fertiliser. However, in order to understand the impact of this fertiliser application on the Ramsar ditch communities, it would be helpful for the applicant to confirm whether this is more or less N than is currently applied.</p>	<p>The Applicant welcomes the clarification regarding application of farmyard manure and will update the relevant sections of the Outline LBMP (PINS reference <a href="#">APP-203</a>) and other live documents accordingly. As stated above, the Applicant will continue to work with Natural England and the HMSG to estimate the baseline fertiliser application for comparison with proposed levels of application in the AR HMA.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
NE-20	<p>Loss of habitat:</p> <p>As noted above, the development site supports significant numbers of brent geese, golden plovers and lapwings in the winter. The Ornithology Technical Appendix shows that numbers fluctuate according to the type of crop planted and other factors, including time of year. However, at times the number of birds on site is large, and a significant proportion of the respective SPA populations. The applicant's surveys, and data from the Kent Wildlife Trust (Table A9.6 of the Ornithology Technical Appendix), demonstrate that the development site is regularly used by wintering geese and plovers, and hence is functionally linked to the SPA/Ramsar. Natural England's view is that, in order to avoid an adverse effect on integrity, there should be no net loss of foraging resource as a result of the proposal. This has, therefore, been the prime focus of our discussions with the applicant to date.</p>	<p>This is noted by the Applicant.</p>
NE-21	<p>As noted in Natural England's response to the PEIR, JNCC's 3rd SPA Review<sup>2</sup> recommends that the boundaries of existing SPAs classified for dark-bellied brent geese, including The Swale, should be reviewed in order to ensure that important areas for feeding or other functional needs are included. The JNCC Review also recommends that the boundary of The Swale SPA (and other sites) is reviewed to ensure important functional areas for golden plover and lapwing are included, though it is noted that these species are not individually classified features of The Swale, but are part of the assemblage. The legal document against which the proposal should be assessed is the SPA/Ramsar citation, however the JNCC Review gives useful context to the importance of supporting habitat. Natural England's view is that to avoid an impact on The Swale, the function of the supporting habitat must be maintained.</p>	<p>The Applicant welcomes the clarification regarding the legal document against which the proposal should be assessed, which concurs with the assessment presented in section 5.2.1 of the RIAA (PINS reference <a href="#">APP-026</a>).</p>
NE-22	<p>As described in the Ornithology Technical Appendix, the applicant has used a 'bird-days' metric to assess the current use of the arable habitat, and compare this to the number of bird days that could be supported by the AR HMA. Natural England has provided advice to the applicant on the development of the metric, and our view is that this is an appropriate way of assessing losses and gains in habitat.</p>	<p>This is noted and welcomed by the Applicant.</p>
NE-23	<p>Paragraph 109 of the Ornithology Technical Appendix sets out the cropping regime for the development site over the last 10 seasons. This shows that at least 40% of the development site was planted with winter cereals (ie providing good foraging habitat for brent geese) in 7 out of 10 seasons. In the years that the bird surveys for the application were carried out, the</p>	<p>This is noted and welcomed by the Applicant.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	development site was planted with at least 40% winter cereals in 3 out of 4 years. Therefore, Natural England is satisfied that the surveys were undertaken during a representative part of the crop rotation, and hence that the inter-annual mean of the intra-annual mean of the peak monthly counts (as described at paragraph 104 of the Ornithology Technical Appendix) is an appropriate way to calculate bird days.	
NE-24	<p><b>Brent Goose Functionally Linked Land:</b></p> <p>Natural England has advised the applicant that the AR HMA should maximise its production of grass for brent geese. This is because geese are more site faithful and have a shorter foraging distance than lapwings or golden plovers. Experimental manipulation of management prescriptions for brent geese and accurate survey has shown that grass cut five times and fertilised with 50kgN/ha can support 2097 goose-days/ha. Therefore, we can have confidence in the predicted number of goose-days for the AR HMA, if this management regime is followed. However, Natural England would welcome further discussion with the applicant, through the Habitat Management Steering Group, as to whether the management for geese, and in particular the fertiliser application, would compromise any other ecological interests.</p>	The Applicant will continue to work with Natural England and the HMSG to develop the most appropriate management prescriptions for the AR HMA, including further analysis of the proposed application of fertiliser compared with the baseline.
NE-25	Paragraph 195 of the RIAA states that based on 2097 goose-days/ha, then 48.6ha of mitigation land is required. Taking account of a 50m buffer along the edge of the solar park, the AR HMA would provide 50.1ha of habitat available to geese. Provided that 2097 goose days/ha can be achieved without affecting other ecological interests, Natural England is satisfied that the AR HMA is large enough to avoid an adverse effect on foraging brent geese.	This is noted and welcomed by the Applicant.
NE-26	<p><b>Lapwing and Golden Plover Functionally Linked Land:</b></p> <p>Lapwings and golden plovers feed on soil and surface invertebrates. Therefore, they do not compete for the same food as brent geese and can potentially be accommodated on the same piece of mitigation land. The bird-days calculations for these species (described at paragraph 131 of the Ornithology Technical Appendix) indicate that 56ha of mitigation land is required for lapwings and 18.5ha for golden plovers, ie there is a small shortfall for lapwings, but over-provision for golden plovers.</p>	This is noted by the Applicant.
NE-27	<p>However, there are a number of uncertainties around the bird-days calculations for these species.</p> <ul style="list-style-type: none"> <li>• The bird days are based on work in arable habitats so it is not clear that grassland will provide the same capacity;</li> <li>• Established grassland can have a greater earthworm biomass than arable (though the applicant has</li> </ul>	The literature review suggested that permanent grassland will have higher capacity for these species than farmland; hence in the PEIR, the ability of the AR HMA to host lapwing and golden plover was calculated on higher capacity factors. However, following advice received in response to PEIR to follow a more precautionary approach, the capacity

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	<p>followed Natural England's advice in not using a multiplier to increase the number of bird days).</p> <ul style="list-style-type: none"> <li>If the AR HMA is managed to produce a dense sward for brent geese, it is not clear that the soil invertebrates would be easily available to lapwings and golden plover, even if there was a higher biomass in the soil. Notwithstanding these uncertainties, the applicant suggests that the shortfall in lapwing capacity can be made up by the over provision for golden plovers, as the two species feed in the same areas, and the mitigation requirements are not additive. Natural England has not been able to provide a specialist review of the metric calculation and conclusions for lapwings and golden plovers, but will work with the applicant to resolve these uncertainties and provide further advice as the Examination progresses.</li> </ul>	<p>factors were reduced in the ES chapter (PINS reference <a href="#">APP-039</a>) and RIAA (PINS reference <a href="#">APP-026</a>) to be the same as those for arable cereal crops.</p> <p>Sward density is typically naturally higher in permanent grassland than arable cereal crops, by virtue of its permanence. However, the evidence from the literature suggests that permanent grassland will have a higher capacity to host lapwing and golden plover than arable cereal crops, indicating that the denser sward of grassland does not compromise the availability of invertebrates to these species.</p> <p>The Applicant will continue to work with Natural England and the HMSG to resolve any outstanding uncertainties in this respect.</p>
NE-28	<p>Marsh Harrier Functionally Linked Land:</p> <p>The flight activity surveys undertaken in support of the application show that the ditches within the development site are regularly used by foraging marsh harriers. Since the PEIR consultation, the applicant has increased the set back distance of the solar arrays from the ditches from a minimum of 5m to a minimum of 15m. Natural England's view is that this is an improvement as it reduces the risk that 'pinch points' along the ditches would pose a barrier to foraging marsh harriers. Natural England recommends the grassland between the ditch and solar array is managed to maximise the habitat for terrestrial small mammals to encourage plentiful prey for the harriers.</p>	<p>Natural England's view that an increase in offset between the ditches to the solar arrays as an improvement, is noted by the Applicant.</p> <p>The outline LBMP (PINS reference <a href="#">APP-203</a>) sets out the management prescriptions for the grassland between the solar panel arrays in each field, which are designed to provide good conditions for invertebrates, small mammals and birds.</p>
NE-29	<p>Future land uses:</p> <p>Natural England notes the representations made by the Environment Agency regarding the impact of the proposal on the Medway Estuary and Swale Coastal Flood and Erosion Strategy (MEASS). The Habitats Regulations Assessment for MEASS requires that intertidal habitat is created to compensate for losses due to sea level rise and coastal squeeze. Therefore, it is imperative that the Cleve Hill site is available for managed realignment in the future. Natural England, therefore, supports the Environment Agency's recommendation of a time limit on the proposal.</p>	<p>The Applicant expects the Development to operate for a finite period, anticipated to be 40 years. Whilst the draft DCO does not contain a limit on the lifetime of the Development, the Applicant would accept a suitably worded DCO requirement which would result in the end of the operational phase of the Development after 40 years of operation subject to the EA (or equivalent body at the time) demonstrating that the MR proposals can be delivered on the Cleve Hill site.</p>
NE-30	<p>The Swale SSSI:</p> <p>Natural England's view is that the mitigation measures set out in section 3, above, are sufficient to address potential impacts on the notified features of The Swale SSSI.</p>	<p>This is noted by the Applicant.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
NE-31	<p><b>Protected Species:</b></p> <p>The development site supports populations of great crested newts and water voles. The applicant will need a licence from Natural England for works that will affect these species. We are working with the applicant on the requirements for this. Once the applicant has drafted a licence application, Natural England will supply a Letter of No Impediment.</p>	This is noted by the Applicant.
NE-32	<p><b>Landscape:</b></p> <p>The potential impacts of the proposal on views from the Kent Downs Area of Outstanding Natural Beauty (AONB) has been assessed in Chapter 7 of the ES. Viewpoint 20, at Shepherd's Hill in the AONB, is around 7.6km from the development site, and as such there are only distant views of the site. Therefore, Natural England concurs with the assessment (at paragraph 414) that the proposal would result in moderate/minor effects on the AONB which are not significant.</p>	This is noted by the Applicant.
NE-33	<p><b>Access and Recreation:</b></p> <p>Natural England has a duty to provide coastal access on foot around the whole of the English coast and is aiming to complete this by 2020. This is a new National Trail with an associated margin of land predominantly seawards of this, for the public to access and enjoy. Natural England takes great care in considering the interests of both land owners/occupiers and users of the England Coast Path, aiming to strike a fair balance when working to open a new stretch. We follow an approach set out in the approved Coastal Access Scheme.</p> <p>Natural England submitted proposals for the Whitstable to Iwade stretch of the England Coast Path, for approval by the Secretary of State for Environment, Food and Rural Affairs, in June 2017. In the vicinity of the development site, the proposal is for the England Coast Path to follow the route of the Saxon Shore Way</p> <p>Chapter 7 of the ES includes an assessment of the visual impact of the proposal on the Saxon Shore Way (and hence the England Coast Path once opened). Natural England notes that the proposal would have a major (years 1-10) and major/moderate (10 years onwards) visual impact on users of the England Coast Path, which is significant. We recognise the attempts made by the applicant to mitigate this visual impact by softening the edges of the solar park, as indicated in the Outline Landscape and Biodiversity Management Plan (LBMP).</p> <p>Natural England will continue to work with the applicants on the Outline LBMP and advise on the</p>	<p>The Applicant will continue to liaise with Natural England regarding the planting scheme to ensure this reflects the landscape character of the surrounding area.</p> <p>The intention for the scrub planting was to replicate the natural regeneration of low-density scrub found within adjacent marshland for example Oare Marshes where such scrub provides intermittent and variant habitat for birds, and that found on the banks either side of the Saxon Shore Way. The density specified is such that the scrub would resemble single regenerating scrubby trees at 50 plants per hectare. Scrub density and species was informed by a survey of existing vegetation as set out in Appendix G of the outline LBMP (PINS reference <a href="#">APP-203</a>).</p> <p>We will continue to liaise with Natural England regarding riparian planting proposals which include reed species as an alternative as suggested.</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	planting scheme. Our view is that the amount of scrub proposed is inappropriate in this landscape. In particular, there is extensive planting in the SE corner along Faversham Creek, which is presently open landscape. Natural England would advocate reedbed planting as an alternative, which would have a softening effect on the edge of the solar park, but would be more in keeping with the marsh landscape and current biodiversity interests.	
NE-34	<p>Biodiversity Enhancements:</p> <p>The applicant has included part of The Swale SPA/Ramsar/SSSI within the red-line boundary. This is welcomed as it gives the opportunity to manage this part of the designated site, and the AR HMA, together. Natural England will continue to work with the applicant on the management prescriptions for the designated site, but hydrological and grazing management in this unit will constitute an enhancement for biodiversity.</p>	<p>This is noted by the Applicant. The Applicant will continue to work with Natural England and the HMSG to develop the most appropriate management prescriptions for the two SSSI units at the east of the site: S15 M ATTWOOD CLEVE MARSH (049) and CLEVE MARSH WEST (063).</p>
NE-35	<p>The Outline LBMP sets out the management of various habitats within and outside the solar park area, including management of land to mitigate the impacts of the proposal on designated nature conservation sites. Natural England will continue to work with the applicant, and other partners, on the LBMP through the Habitat Management Steering Group, in order to maximise the opportunities for wildlife as a result of the proposal.</p>	<p>This is noted by the Applicant. The Applicant will continue to work with Natural England and the HMSG to develop the most appropriate management prescriptions for the various areas of the site to maximise opportunities for wildlife, in line with the Applicant's Environmental Policy Statement: The Applicant is committed to the development being a 'good neighbour' to the adjacent habitats around the site, and to developing ongoing land management practices onsite with input from members of the Habitat Management Steering Group (HMSG) to achieve mutual biodiversity aims and objectives. This is in addition to the wider ecological benefits of decarbonisation through renewable electricity generation.</p>
NE-36	<p>In particular, Natural England would like to discuss the grazing regime for the areas between the panels and ditches, and where the fence line will be situated. We would like to see rough grassland that maximised the habitat for small terrestrial mammals, to encourage foraging marsh harriers.</p>	<p>This is noted by the Applicant. The Applicant will continue to work with Natural England and the HMSG to develop the most appropriate management prescriptions for the areas between the solar panel tables and arrays.</p>
NE- 37	<p>We would also like to see the Outline LBMP include prescriptions for the water level control, vegetation management and reprofiling of the ditches within the site, to promote more extensive reedbed development.</p>	<p>This is noted by the Applicant. The Applicant will continue to work with Natural England and the HMSG to develop management prescriptions in the Aquatic Habitats Management Plan, Appendix H of the outline LBMP (PINS reference <a href="#">APP-203</a>) for water level control and ditch habitat management.</p> <p>We are happy to continue to liaise with Natural England regarding biodiversity management and promoting an extensive reedbed system.</p>



Ref.	Issues raised in the Relevant Representation	Applicant's Response
NE-38	<p>Impacts on wider biodiversity:</p> <p>The development site supports a good range of farmland birds, and those associated with lowland damp grassland and fens. However, this is not because the farmland is managed particularly to encourage wildlife. The importance of the site is down to its location, bordered on three sides by The Swale SPA/Ramsar/SSSI. Therefore, birds supported by the more natural habitats of the designated sites 'spill over' into the development site. Those species associated with the ditches and reedbed habitat, eg bearded tit, Cetti's warbler and reed bunting, will likely benefit from the proposal as ditch habitat will be improved as clearance will happen less often and marginal plants will be encouraged. However, there will be a loss to those species (other than the SPA species that are the specific focus of the AR HMA) that use the arable fields or are attracted by the arable farming operations. For example, the 2016 breeding bird survey recorded 25 yellow wagtail and 75 skylark territories, some of which will be able to use the HMAs, but there will be a net loss overall, simply due to the reduction in area available. Similarly, the arable fields support occasionally very large flocks of wintering farmland birds: 1000 skylarks in autumn 2017 following cultivation, and a peak of 10000 starlings in winter 17/18. The AR HMA and lowland meadow HMA will provide foraging opportunities for these species, though it is uncertain as to whether such large flocks will be supported as those that were seen as a result of the arable farming operations.</p>	<p>The Applicant agrees that some bird species will benefit from the habitat changes implemented with the proposal, while there will be losses for other bird species; this is reflected in the assessment in sections 9.5.3.29 to 9.5.3.29 of Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a>).</p>

## 2.38 RR-842 Royal Society for the Protection of Birds

**Table 2.38: Applicants responses to RR-842**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
RSPB-1	<p>The RSPB objects to the proposed solar farm at Cleve Hill. Our primary areas of concern are:</p> <ul style="list-style-type: none"> <li>• The loss of a key coastal site upon which birds from the adjacent European and national protected Swale estuary depend, and which should be considered for inclusion in future extensions of those protected areas;</li> <li>• The lost opportunity for long-term sustainable management of this section of coast to address threats posed by sea-level rise;</li> <li>• The need for a full understanding of the impacts of the development on those nature conservation interests;</li> <li>• The need for a package of measures designed to avoid damage to the protected areas and their interest features, with all necessary legal, financial and planning guarantees in place.</li> </ul>	<p>This is noted by the Applicant. The Applicant welcomes the engagement made by the RSPB during the pre-application process.</p>



Ref.	Issues raised in the Relevant Representation	Applicant's Response
RSPB-2	<p>Nature conservation value of the area</p> <p>The Cleve Hill site is relied upon by birds from The Swale Estuary Special Protection Area and Ramsar site (the SPA/Ramsar site), especially for feeding and roosting by important populations of non-breeding waterbirds. The SPA/Ramsar site is integral to the Greater Thames Estuary, one of the most important places for wildlife in Europe, providing crucial feeding and roosting habitat for the second largest aggregation of wintering ducks, geese and waders in the UK and breeding habitat for 75% of South East England's breeding wader population. Even though most of this area is protected as an SPA and/or Ramsar site, it remains vulnerable to threats from disturbance, sea level rise and incremental development.</p>	<p>This is noted by the Applicant.</p>
RSPB-3	<p>The Cleve Hill site is particularly important for at least three SPA species (dark-bellied brent goose, golden plover, lapwing). As such, the RSPB believes it should be in the area of search for any future SPA extension for these species when Natural England reviews its boundary. This would be consistent with the conclusions of JNCC's 2001 and 2016 reviews of the UK SPA network. The RSPB respectfully disagrees with the applicant's characterisation of these reviews as having no legal standing. The 2001 Review was approved by Government: any changes identified in it should be treated as potential SPAs. The 2016 Review assumes the 2001 Review has and will be properly implemented. It also identifies the Swale Estuary as an SPA whose boundary should be reviewed to determine which areas should be added to protect important feeding and roosting areas for these species.</p> <p>Development of Cleve Hill would represent a lost opportunity to secure the long-term sustainability of the SPA/Ramsar site. Cleve Hill is located within the Graveney Marshes area, one of the very best options for wetland and intertidal habitat creation on the North Kent Marshes. This would enable the adjacent estuarine habitat to adapt over time, providing sustainable, long-term solutions for the breeding and non-breeding bird populations dependent on them. This would also align with the Government's aspirations in DEFRA's A Green Future: Our 25 Year Plan to Improve the Environment to create a 'Nature Recovery Network', consisting of new habitat outside designated areas. The proposed development would deny this opportunity at a critical point for a vulnerable landscape – the RSPB considers action is needed now, not in 40 years' time.</p>	<p>The Applicant agrees that the JNCC Reviews have provided a legal mechanism for review of the SPA network, but these have not yet been implemented. The statement in the RIAA (PINS reference <a href="#">APP-026</a>) was made in respect of the qualifying interest features listed under the 2001 Review, as published on the JNCC web site. Natural England has clarified that the species listed on the Conservation Objectives are the legally correct ones to assess, as these are derived from the citation.</p> <p>The Applicant acknowledges these comments in respect of the MEASS, whilst noting that extensive consultation with the Environment Agency has been undertaken in respect of the delivery of the MEASS.</p> <p>The pre-submission Statement of Common Ground between the Applicant and Natural England (PINS reference <a href="#">APP-256</a>) submitted with the DCO Application includes agreement (page 7) that a SPA boundary review has not taken place for the Swale and there is no evidence of a timetable for it taking place.</p>
RSPB-4	<p>Our involvement with Cleve Hill Solar Farm</p> <p>Notwithstanding our objection, we recognise that a decision may be made to consent the proposed scheme. On that basis, the RSPB has engaged constructively in discussions with the applicant as a member of its Habitat Management Steering Group, alongside other nature conservation groups (Kent</p>	<p>This is noted by the Applicant. The Applicant welcomes the engagement made by RSPB in the pre-application process and draws attention to the conclusions of the RIAA (PINS reference <a href="#">APP-026</a>).</p>

Ref.	Issues raised in the Relevant Representation	Applicant's Response
	Wildlife Trust and Natural England), to ensure that any proposed package of mitigation and compensation measures is fit for purpose. Despite welcome constructive pre-application consultation and discussions, serious concerns with the application remain. As it stands, we do not agree that the current impact assessment enables a conclusion of no adverse effect on integrity of the SPA/Ramsar site to be reached.	
RSPB-5	<p>Below we set out the key issues that remain to be negotiated and agreed:</p> <ul style="list-style-type: none"> <li>• Nature and magnitude of the impacts of the development on the SPA/Ramsar site, including temporal impacts associated with delays in the provision of fully functioning mitigation habitat e.g. habitat maturation, construction noise;</li> <li>• The total area of functionally available habitat that is required for each impacted species versus that which is proposed, with particular reference to brent goose (e.g. carrying capacity, avoidance distances, preferences for land in proximity to sea walls);</li> <li>• Detailed design, prescription, management and monitoring for the habitat area; and</li> <li>• Appropriate legal, financial and planning guarantees securing the mitigation and compensation measures, to be tied in to the Development Consent Order.</li> </ul>	<p>The Applicant welcomes the opportunity to continue to work with RSPB through the HMSG to develop details of the management prescriptions set out in the outline LBMP (PINS reference <a href="#">APP-203</a>).</p> <p>Issues listed that remain to be agreed are acknowledged by the Applicant.</p>
RSPB-6	The RSPB will continue to engage constructively to agree a package of measures that address these concerns. Such a package of measures would ensure the Examining Authority and, subsequently, the Secretary of State can be satisfied that the measures will be implemented in full. In its absence, the RSPB does not consider it safe to conclude there would be no adverse effect on the integrity of the SPA/Ramsar site.	The Applicant welcomes the opportunity to continue to work with RSPB through the HMSG to develop details of the management prescriptions set out in the outline LBMP (PINS reference <a href="#">APP-203</a> ).
RSPB-6	We are also aware that the Kent Wildlife Trust will be raising concerns relating to, among other things, breeding marsh harrier and defer to them on that species which has also been identified as requiring addition to the SPA's features.	This is noted by the Applicant.
RSPB-7	Finally, in line with DEFRA's 25-year plan, we expect the development to demonstrate a clear net-gain for biodiversity.	This is noted by the Applicant.
RSPB-8	Please note that the RSPB reserves the right to add to and/or amend its position in light of any new information and/or analysis submitted to the Examination.	This is noted by the Applicant.

## 2.39 RR-858 Swale Footpaths Group

**Table 2.39 - Applicants responses to RR-858**

Ref.	Issues raised in the Relevant Representation	Applicant's Response
SFG-1	As a Registered Charity (No. 261252) we must confine our comments to matters relevant to the objectives stated in our Constitution, i.e. the protection of public rights of way in Swale.	These comments are noted.
SFG-2	The public footpath that follows the coast from the "Sportsman" to Nagden is currently part of the Saxon Shore Way and will soon also be part of the England Coast Path. For those who would find it too long or who would like a circular walk, another public footpath crosses the site of the proposed development and cuts off the large "loop" at its west end. As I saw last Saturday afternoon, the coastal path is popular with walkers and bird watchers for the extensive views, both across the Swale to Sheppey and inland across low, open countryside as far as the wooded hills to the south and east as far as the Dunkirk Pylon and Perry Woods. The proposed development would replace these with a lengthy (albeit reduced from the original plan), repetitive and far less interesting array of solar panels and fences as I invite whoever is to make the decision to see for themselves. This is about the only part of the coastal path from Nagden to Herne Bay that is not already developed.	<p>Recreational amenity effects are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a>).</p> <p>Landscape and visual impacts are assessed in Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a>).</p> <p>In particular, section 7.6.2.2 refers to the assessment of visual effects on the Saxon Shore Way, and section 7.3.2.4 the existing landscape character.</p> <p>A permissive footpath is proposed as part of the Development to increase the amount of publicly accessible areas within the Development site and create new circular routes as well as another alternative route inland from the Saxon Shore Way.</p>
SFG-3	At the meeting of our Committee which authorised me to send this representation some members expressed the view that it would be better for solar panels to go on the roofs of buildings rather than in open countryside.	These comments are noted.

### 3 SUMMARY OF PUBLIC RELEVANT REPRESENTATIONS AND THE APPLICANT'S RESPONSES

7. The relevant representations received from members of the public have been classified by topic and are summarised in the following sections. All broad topics raised in RRs have been recorded, even if only one response has raised it.
8. The summaries of main issues raised in the RRs are not an exhaustive review of the RRs received from members of the public, but are a broad summary of the main issues raised. The Applicant's responses provide the location of the information in the Application which addresses the points raised.
9. 45 topics have been identified giving consideration to a wide breadth of issues raised. 22 of the topics covered were raised by less than 10 respondents.
10. The sections are listed in descending order by number of comments received per topic.

#### 3.1 Ecology

11. 547 public comments were received in relation to ecology.

**Table 3.1: Applicant's Responses to RRs relating to ecology**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-001 RR-003 RR-006 RR-007 RR-008 RR-010 RR-012 RR-015 RR-018 RR-020 RR-021 RR-022 RR-023 RR-024 RR-025 RR-026 RR-027 RR-029 RR-030 RR-031 RR-033 RR-034 RR-035 RR-036 RR-037 RR-041 RR-042 RR-043 RR-044 RR-050 RR-051 RR-054 RR-058 RR-059 RR-060 RR-061 RR-064 RR-065 RR-067 RR-068 RR-070 RR-071 RR-072 RR-073 RR-075 RR-078 RR-080 RR-081 RR-082 RR-083 RR-085 RR-086 RR-089 RR-091 RR-092 RR-095 RR-096 RR-097 RR-098 RR-099 RR-100 RR-101 RR-105 RR-106 RR-107 RR-108 RR-110 RR-111 RR-112 RR-113 RR-116 RR-118 RR-122 RR-123 RR-124 RR-125 RR-126 RR-127 RR-128 RR-130 RR-131 RR-133 RR-134 RR-135 RR-137 RR-141 RR-142 RR-143 RR-145 RR-146 RR-148 RR-149 RR-152 RR-153 RR-154 RR-155 RR-158 RR-159 RR-160 RR-161 RR-162 RR-163 RR-164 RR-165 RR-166 RR-167 RR-168 RR-169 RR-170 RR-171 RR-172	PUB-001 PUB-003 PUB-005 PUB-006 PUB-007 PUB-009 PUB-011 PUB-014 PUB-017 PUB-018 PUB-019 PUB-020 PUB-021 PUB-022 PUB-023 PUB-024 PUB-025 PUB-027 PUB-028 PUB-029 PUB-031 PUB-032 PUB-033 PUB-034 PUB-035 PUB-038 PUB-039 PUB-040 PUB-041 PUB-047 PUB-048 PUB-050 PUB-054 PUB-055 PUB-056 PUB-057 PUB-059 PUB-060 PUB-062 PUB-063 PUB-065 PUB-066 PUB-067 PUB-068 PUB-070 PUB-073 PUB-075 PUB-076 PUB-077 PUB-078 PUB-080 PUB-081 PUB-084 PUB-086 PUB-087 PUB-090 PUB-091 PUB-092 PUB-093 PUB-094 PUB-095 PUB-096 PUB-100 PUB-101 PUB-102 PUB-103 PUB-105 PUB-106 PUB-107 PUB-108 PUB-110 PUB-112 PUB-116 PUB-117 PUB-118 PUB-119 PUB-120 PUB-121 PUB-122 PUB-124 PUB-125 PUB-127 PUB-128 PUB-129 PUB-131 PUB-134 PUB-135 PUB-136 PUB-138 PUB-139 PUB-141 PUB-142 PUB-145 PUB-146 PUB-147 PUB-148 PUB-151 PUB-152 PUB-153 PUB-154 PUB-155 PUB-156 PUB-157 PUB-158 PUB-159 PUB-160 PUB-161 PUB-162 PUB-163 PUB-164 PUB-165	Negative impact on flora and fauna on the site.  Negative impact on biodiversity on site.  Ecological importance of the North Kent marshes and wetlands.  Negative impacts upon bats.	The effects of the Development on habitats, birds and other wildlife are assessed in Chapter 8 - Ecology, and Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-038</a> and <a href="#">APP-039</a> ).  Mitigation and biodiversity enhancement measures included with the Development are described in the outline LBMP (PINS reference <a href="#">APP-203</a> ).

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-173 RR-174 RR-176 RR-177 RR-178 RR-179 RR-180 RR-181 RR-182 RR-183 RR-184 RR-187 RR-189 RR-190 RR-191 RR-192 RR-193 RR-195 RR-196 RR-197 RR-198 RR-199 RR-200 RR-201 RR-202 RR-203 RR-204 RR-205 RR-206 RR-207 RR-209 RR-210 RR-212 RR-214 RR-215 RR-217 RR-218 RR-219 RR-220 RR-223 RR-226 RR-227 RR-229 RR-231 RR-233 RR-234 RR-235 RR-236 RR-237 RR-238 RR-239 RR-240 RR-241 RR-242 RR-243 RR-244 RR-245 RR-247 RR-248 RR-249 RR-250 RR-251 RR-252 RR-253 RR-256 RR-257 RR-259 RR-260 RR-261 RR-262 RR-263 RR-266 RR-267 RR-268 RR-270 RR-271 RR-273 RR-275 RR-276 RR-277 RR-278 RR-280 RR-281 RR-282 RR-283 RR-284 RR-285 RR-288 RR-290 RR-291 RR-292 RR-293 RR-294 RR-296 RR-297 RR-298 RR-299 RR-300 RR-301 RR-302 RR-303 RR-305 RR-306 RR-308 RR-309 RR-310 RR-315 RR-316 RR-317 RR-319 RR-320 RR-322 RR-323 RR-324 RR-325 RR-326 RR-327 RR-328 RR-329 RR-330 RR-332 RR-333 RR-334 RR-335 RR-336 RR-337 RR-338 RR-339 RR-340 RR-341 RR-343 RR-344 RR-345 RR-347 RR-349 RR-350 RR-351 RR-352 RR-353 RR-354 RR-355 RR-357 RR-358 RR-359 RR-361 RR-362 RR-363 RR-364 RR-366 RR-367 RR-368 RR-369 RR-370 RR-374 RR-375 RR-376 RR-377 RR-379 RR-380 RR-381 RR-382 RR-384 RR-385 RR-387 RR-388 RR-389 RR-390 RR-391 RR-393 RR-394 RR-395 RR-401 RR-402 RR-403 RR-406 RR-407 RR-409	PUB-166 PUB-167 PUB-169 PUB-170 PUB-171 PUB-172 PUB-173 PUB-174 PUB-175 PUB-176 PUB-177 PUB-180 PUB-182 PUB-183 PUB-184 PUB-185 PUB-186 PUB-188 PUB-189 PUB-190 PUB-191 PUB-192 PUB-193 PUB-194 PUB-195 PUB-196 PUB-197 PUB-198 PUB-199 PUB-200 PUB-202 PUB-203 PUB-205 PUB-207 PUB-208 PUB-210 PUB-211 PUB-212 PUB-213 PUB-216 PUB-219 PUB-220 PUB-222 PUB-224 PUB-225 PUB-226 PUB-227 PUB-228 PUB-229 PUB-230 PUB-231 PUB-232 PUB-233 PUB-234 PUB-235 PUB-236 PUB-237 PUB-239 PUB-240 PUB-241 PUB-242 PUB-243 PUB-244 PUB-245 PUB-247 PUB-248 PUB-250 PUB-251 PUB-252 PUB-253 PUB-254 PUB-257 PUB-258 PUB-259 PUB-261 PUB-262 PUB-264 PUB-265 PUB-266 PUB-267 PUB-268 PUB-270 PUB-271 PUB-272 PUB-273 PUB-274 PUB-275 PUB-278 PUB-280 PUB-281 PUB-282 PUB-283 PUB-284 PUB-286 PUB-287 PUB-288 PUB-289 PUB-290 PUB-291 PUB-292 PUB-293 PUB-295 PUB-296 PUB-298 PUB-299 PUB-300 PUB-305 PUB-306 PUB-307 PUB-309 PUB-310 PUB-311 PUB-312 PUB-313 PUB-314 PUB-315 PUB-316 PUB-317 PUB-318 PUB-319 PUB-321 PUB-322 PUB-323 PUB-324 PUB-325 PUB-326 PUB-327 PUB-328 PUB-329 PUB-330 PUB-332 PUB-333 PUB-334 PUB-336 PUB-338 PUB-339 PUB-340 PUB-341 PUB-342 PUB-343 PUB-344 PUB-346 PUB-347 PUB-348 PUB-350 PUB-351 PUB-352 PUB-353 PUB-355 PUB-356 PUB-357 PUB-358 PUB-359 PUB-363 PUB-364 PUB-365 PUB-366 PUB-368 PUB-369 PUB-370 PUB-371 PUB-373 PUB-374 PUB-376 PUB-377 PUB-378 PUB-379 PUB-380 PUB-382 PUB-383 PUB-384 PUB-390 PUB-391 PUB-392 PUB-395 PUB-396 PUB-398		

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-410 RR-412 RR-414 RR-415 RR-416 RR-417 RR-420 RR-424 RR-426 RR-428 RR-430 RR-431 RR-435 RR-436 RR-440 RR-443 RR-447 RR-452 RR-454 RR-455 RR-456 RR-458 RR-461 RR-464 RR-468 RR-469 RR-472 RR-473 RR-474 RR-475 RR-479 RR-482 RR-483 RR-485 RR-486 RR-490 RR-491 RR-496 RR-502 RR-503 RR-504 RR-505 RR-506 RR-510 RR-513 RR-515 RR-517 RR-518 RR-523 RR-525 RR-529 RR-530 RR-531 RR-532 RR-533 RR-534 RR-535 RR-536 RR-537 RR-538 RR-540 RR-544 RR-545 RR-546 RR-549 RR-551 RR-554 RR-555 RR-558 RR-559 RR-560 RR-561 RR-562 RR-563 RR-564 RR-567 RR-569 RR-571 RR-573 RR-574 RR-577 RR-578 RR-579 RR-582 RR-583 RR-585 RR-586 RR-587 RR-588 RR-590 RR-591 RR-592 RR-593 RR-595 RR-596 RR-597 RR-598 RR-601 RR-603 RR-605 RR-608 RR-610 RR-612 RR-614 RR-617 RR-618 RR-620 RR-621 RR-622 RR-623 RR-624 RR-625 RR-628 RR-629 RR-630 RR-633 RR-634 RR-636 RR-638 RR-640 RR-642 RR-643 RR-645 RR-646 RR-647 RR-648 RR-649 RR-650 RR-651 RR-652 RR-655 RR-659 RR-661 RR-662 RR-663 RR-664 RR-665 RR-666 RR-667 RR-668 RR-670 RR-672 RR-674 RR-675 RR-676 RR-677 RR-679 RR-680 RR-681 RR-682 RR-683 RR-684 RR-686 RR-689 RR-690 RR-692 RR-693 RR-694 RR-696 RR-697 RR-700 RR-701 RR-702 RR-705 RR-710 RR-713 RR-715 RR-718 RR-719 RR-723 RR-726 RR-727 RR-728 RR-730 RR-732 RR-733 RR-737	PUB-399 PUB-401 PUB-403 PUB-404 PUB-405 PUB-406 PUB-408 PUB-412 PUB-414 PUB-416 PUB-418 PUB-419 PUB-423 PUB-424 PUB-428 PUB-431 PUB-435 PUB-440 PUB-442 PUB-443 PUB-444 PUB-446 PUB-449 PUB-452 PUB-456 PUB-457 PUB-460 PUB-461 PUB-462 PUB-463 PUB-467 PUB-469 PUB-470 PUB-472 PUB-473 PUB-476 PUB-477 PUB-482 PUB-487 PUB-488 PUB-489 PUB-490 PUB-491 PUB-494 PUB-496 PUB-498 PUB-500 PUB-501 PUB-505 PUB-507 PUB-511 PUB-512 PUB-513 PUB-514 PUB-515 PUB-516 PUB-517 PUB-518 PUB-519 PUB-520 PUB-522 PUB-526 PUB-527 PUB-528 PUB-531 PUB-533 PUB-536 PUB-537 PUB-539 PUB-540 PUB-541 PUB-542 PUB-543 PUB-544 PUB-545 PUB-548 PUB-550 PUB-552 PUB-554 PUB-555 PUB-558 PUB-559 PUB-560 PUB-563 PUB-564 PUB-566 PUB-567 PUB-568 PUB-569 PUB-571 PUB-572 PUB-573 PUB-574 PUB-576 PUB-577 PUB-578 PUB-579 PUB-582 PUB-584 PUB-586 PUB-589 PUB-591 PUB-593 PUB-595 PUB-598 PUB-599 PUB-601 PUB-602 PUB-603 PUB-604 PUB-605 PUB-606 PUB-608 PUB-609 PUB-610 PUB-613 PUB-614 PUB-616 PUB-618 PUB-620 PUB-622 PUB-623 PUB-625 PUB-626 PUB-627 PUB-628 PUB-629 PUB-630 PUB-631 PUB-632 PUB-635 PUB-639 PUB-641 PUB-642 PUB-643 PUB-644 PUB-645 PUB-646 PUB-647 PUB-648 PUB-650 PUB-652 PUB-654 PUB-655 PUB-656 PUB-657 PUB-659 PUB-660 PUB-661 PUB-662 PUB-663 PUB-664 PUB-666 PUB-669 PUB-670 PUB-672 PUB-673 PUB-674 PUB-676 PUB-677 PUB-680 PUB-681 PUB-682 PUB-684 PUB-689 PUB-690 PUB-691 PUB-694 PUB-695 PUB-698 PUB-701 PUB-702 PUB-703 PUB-705 PUB-707 PUB-708 PUB-712		

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-738 RR-740 RR-742 RR-743 RR-745 RR-747 RR-748 RR-753 RR-754 RR-755 RR-756 RR-757 RR-758 RR-759 RR-760 RR-761 RR-763 RR-766 RR-767 RR-768 RR-769 RR-770 RR-773 RR-774 RR-775 RR-776 RR-777 RR-780 RR-781 RR-782 RR-783 RR-784 RR-785 RR-793 RR-795 RR-796 RR-797 RR-801 RR-802 RR-804 RR-805 RR-807 RR-809 RR-810 RR-811 RR-812 RR-813 RR-814 RR-815 RR-819 RR-820 RR-822 RR-823 RR-824 RR-825 RR-828 RR-829 RR-830 RR-831 RR-832 RR-833 RR-834 RR-837 RR-838 RR-840 RR-843 RR-844 RR-845 RR-846 RR-847 RR-848 RR-849 RR-850 RR-851 RR-852 RR-853 RR-854 RR-855 RR-856 RR-861 RR-862 RR-867	PUB-713 PUB-714 PUB-716 PUB-717 PUB-719 PUB-721 PUB-722 PUB-726 PUB-727 PUB-728 PUB-729 PUB-730 PUB-731 PUB-732 PUB-733 PUB-734 PUB-736 PUB-737 PUB-738 PUB-739 PUB-740 PUB-741 PUB-743 PUB-744 PUB-745 PUB-746 PUB-747 PUB-749 PUB-750 PUB-751 PUB-752 PUB-753 PUB-754 PUB-762 PUB-764 PUB-765 PUB-766 PUB-767 PUB-768 PUB-770 PUB-771 PUB-773 PUB-774 PUB-775 PUB-776 PUB-777 PUB-778 PUB-779 PUB-780 PUB-783 PUB-784 PUB-786 PUB-787 PUB-788 PUB-789 PUB-790 PUB-791 PUB-792 PUB-793 PUB-794 PUB-795 PUB-796 PUB-799 PUB-800 PUB-802 PUB-804 PUB-805 PUB-806 PUB-807 PUB-808 PUB-809 PUB-810 PUB-811 PUB-812 PUB-813 PUB-814 PUB-815 PUB-816 PUB-817 PUB-821 PUB-822 PUB-827		

### 3.2 Scale

12. 348 public comments were received in relation to the scale of the Development.

**Table 3.2: Applicant's Responses to RRs relating to the scale of the Development**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-002 RR-006 RR-008 RR-011 RR-012 RR-013 RR-014 RR-017 RR-020 RR-024 RR-025 RR-027 RR-028 RR-030 RR-031 RR-032 RR-034 RR-037 RR-038 RR-040 RR-041 RR-042 RR-051 RR-059 RR-060 RR-061 RR-065 RR-071 RR-075 RR-076 RR-077 RR-081 RR-082 RR-084 RR-085 RR-086 RR-087 RR-088 RR-091 RR-093 RR-094 RR-099 RR-100 RR-107 RR-109 RR-113 RR-115 RR-116 RR-118 RR-129 RR-131 RR-136 RR-139 RR-143 RR-144 RR-145 RR-146 RR-147 RR-166 RR-172 RR-173 RR-174 RR-176	PUB-002 PUB-005 PUB-007 PUB-010 PUB-011 PUB-012 PUB-013 PUB-016 PUB-018 PUB-022 PUB-023 PUB-025 PUB-026 PUB-028 PUB-029 PUB-030 PUB-032 PUB-035 PUB-036 PUB-037 PUB-038 PUB-039 PUB-048 PUB-055 PUB-056 PUB-057 PUB-060 PUB-066 PUB-070 PUB-071 PUB-072 PUB-076 PUB-077 PUB-079 PUB-080 PUB-081 PUB-082 PUB-083 PUB-086 PUB-088 PUB-089 PUB-094 PUB-095 PUB-102 PUB-104 PUB-108 PUB-109 PUB-110 PUB-112 PUB-123 PUB-125 PUB-130 PUB-132 PUB-136 PUB-137 PUB-138 PUB-139 PUB-140 PUB-159 PUB-165 PUB-166 PUB-167 PUB-169	The large and unprecedented scale of the Development.	The Applicant notes these comments. The Statement of Need (PINS reference <a href="#">APP-253</a> ) submitted with the DCO Application, and its March 2019 Addendum, set out the benefits of generating electricity at the scale proposed.



RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-180 RR-182 RR-183 RR-184 RR-185 RR-186 RR-193 RR-194 RR-196 RR-197 RR-200 RR-210 RR-212 RR-213 RR-215 RR-216 RR-217 RR-219 RR-223 RR-224 RR-225 RR-226 RR-231 RR-233 RR-235 RR-240 RR-241 RR-242 RR-245 RR-246 RR-249 RR-250 RR-251 RR-252 RR-253 RR-254 RR-260 RR-263 RR-264 RR-268 RR-271 RR-272 RR-273 RR-276 RR-279 RR-282 RR-283 RR-284 RR-288 RR-291 RR-293 RR-294 RR-296 RR-297 RR-299 RR-301 RR-304 RR-306 RR-307 RR-308 RR-309 RR-310 RR-311 RR-313 RR-316 RR-317 RR-318 RR-320 RR-323 RR-327 RR-328 RR-332 RR-333 RR-337 RR-340 RR-342 RR-343 RR-344 RR-345 RR-346 RR-348 RR-352 RR-353 RR-355 RR-356 RR-357 RR-360 RR-363 RR-364 RR-367 RR-368 RR-369 RR-370 RR-371 RR-372 RR-375 RR-378 RR-379 RR-381 RR-382 RR-386 RR-387 RR-389 RR-390 RR-394 RR-395 RR-398 RR-403 RR-404 RR-405 RR-407 RR-420 RR-422 RR-428 RR-430 RR-431 RR-444 RR-445 RR-449 RR-450 RR-451 RR-453 RR-456 RR-460 RR-463 RR-466 RR-468 RR-471 RR-477 RR-479 RR-483 RR-486 RR-488 RR-493 RR-502 RR-506 RR-507 RR-510 RR-511 RR-514 RR-515 RR-519 RR-520 RR-523 RR-525 RR-529 RR-531 RR-533 RR-537 RR-540 RR-541 RR-543 RR-546 RR-549 RR-550 RR-553 RR-554 RR-555 RR-559 RR-560 RR-562 RR-563 RR-566 RR-570 RR-572 RR-573 RR-574 RR-581 RR-583 RR-587 RR-590 RR-593 RR-594 RR-595 RR-598 RR-601 RR-603	PUB-173 PUB-175 PUB-176 PUB-177 PUB-178 PUB-179 PUB-186 PUB-187 PUB-189 PUB-190 PUB-193 PUB-203 PUB-205 PUB-206 PUB-208 PUB-209 PUB-210 PUB-212 PUB-216 PUB-217 PUB-218 PUB-219 PUB-224 PUB-225 PUB-227 PUB-232 PUB-233 PUB-234 PUB-237 PUB-238 PUB-241 PUB-242 PUB-243 PUB-244 PUB-245 PUB-246 PUB-251 PUB-254 PUB-255 PUB-259 PUB-262 PUB-263 PUB-264 PUB-266 PUB-269 PUB-272 PUB-273 PUB-274 PUB-278 PUB-281 PUB-283 PUB-284 PUB-286 PUB-287 PUB-289 PUB-291 PUB-294 PUB-296 PUB-297 PUB-298 PUB-299 PUB-300 PUB-301 PUB-303 PUB-306 PUB-307 PUB-308 PUB-310 PUB-312 PUB-316 PUB-317 PUB-321 PUB-322 PUB-326 PUB-329 PUB-331 PUB-332 PUB-333 PUB-334 PUB-335 PUB-337 PUB-341 PUB-342 PUB-344 PUB-345 PUB-346 PUB-349 PUB-352 PUB-353 PUB-356 PUB-357 PUB-358 PUB-359 PUB-360 PUB-361 PUB-364 PUB-367 PUB-368 PUB-370 PUB-371 PUB-375 PUB-376 PUB-378 PUB-379 PUB-383 PUB-384 PUB-387 PUB-392 PUB-393 PUB-394 PUB-396 PUB-408 PUB-410 PUB-416 PUB-418 PUB-419 PUB-432 PUB-433 PUB-437 PUB-438 PUB-439 PUB-441 PUB-444 PUB-448 PUB-451 PUB-454 PUB-456 PUB-459 PUB-465 PUB-467 PUB-470 PUB-473 PUB-474 PUB-479 PUB-487 PUB-491 PUB-492 PUB-494 PUB-495 PUB-497 PUB-498 PUB-502 PUB-503 PUB-505 PUB-507 PUB-511 PUB-513 PUB-515 PUB-519 PUB-522 PUB-523 PUB-525 PUB-528 PUB-531 PUB-532 PUB-535 PUB-536 PUB-537 PUB-540 PUB-541 PUB-543 PUB-544 PUB-547 PUB-551 PUB-553 PUB-554 PUB-555 PUB-562 PUB-564 PUB-568 PUB-571 PUB-574 PUB-575 PUB-576 PUB-579 PUB-582 PUB-584		

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-604 RR-605 RR-607 RR-609 RR-611 RR-612 RR-615 RR-617 RR-620 RR-621 RR-624 RR-631 RR-635 RR-638 RR-639 RR-641 RR-642 RR-644 RR-645 RR-646 RR-654 RR-655 RR-656 RR-658 RR-661 RR-664 RR-667 RR-676 RR-677 RR-678 RR-682 RR-683 RR-686 RR-687 RR-689 RR-691 RR-693 RR-694 RR-695 RR-697 RR-699 RR-700 RR-708 RR-710 RR-713 RR-715 RR-716 RR-724 RR-725 RR-727 RR-729 RR-730 RR-731 RR-732 RR-735 RR-741 RR-742 RR-745 RR-748 RR-750 RR-751 RR-753 RR-758 RR-759 RR-762 RR-766 RR-767 RR-770 RR-773 RR-774 RR-776 RR-777 RR-780 RR-781 RR-782 RR-784 RR-788 RR-789 RR-792 RR-794 RR-796 RR-801 RR-804 RR-805 RR-806 RR-807 RR-810 RR-812 RR-814 RR-815 RR-818 RR-821 RR-822 RR-825 RR-828 RR-831 RR-835 RR-836 RR-837 RR-841 RR-843 RR-846 RR-847 RR-848 RR-852 RR-855 RR-856 RR-859	PUB-585 PUB-586 PUB-588 PUB-590 PUB-592 PUB-593 PUB-596 PUB-598 PUB-601 PUB-602 PUB-605 PUB-611 PUB-615 PUB-618 PUB-619 PUB-621 PUB-622 PUB-624 PUB-625 PUB-626 PUB-634 PUB-635 PUB-636 PUB-638 PUB-641 PUB-644 PUB-647 PUB-656 PUB-657 PUB-658 PUB-662 PUB-663 PUB-666 PUB-667 PUB-669 PUB-671 PUB-673 PUB-674 PUB-675 PUB-677 PUB-679 PUB-680 PUB-687 PUB-689 PUB-690 PUB-691 PUB-692 PUB-699 PUB-700 PUB-702 PUB-704 PUB-705 PUB-706 PUB-707 PUB-710 PUB-715 PUB-716 PUB-719 PUB-722 PUB-724 PUB-725 PUB-726 PUB-731 PUB-732 PUB-735 PUB-737 PUB-738 PUB-741 PUB-743 PUB-744 PUB-746 PUB-747 PUB-749 PUB-750 PUB-751 PUB-753 PUB-757 PUB-758 PUB-761 PUB-763 PUB-765 PUB-767 PUB-770 PUB-771 PUB-772 PUB-773 PUB-775 PUB-777 PUB-779 PUB-780 PUB-782 PUB-785 PUB-786 PUB-789 PUB-790 PUB-793 PUB-797 PUB-798 PUB-799 PUB-803 PUB-804 PUB-807 PUB-808 PUB-809 PUB-813 PUB-816 PUB-817 PUB-819		

### 3.3 Ornithology

13. 281 public comments were received in relation to ornithology.

**Table 3.3: Applicant's Responses to RRs relating to ornithology**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-003 RR-004 RR-006 RR-008 RR-009 RR-011 RR-015 RR-018 RR-021 RR-022 RR-023 RR-026 RR-029 RR-030 RR-031 RR-032 RR-044 RR-051 RR-060 RR-073 RR-076 RR-087 RR-089 RR-090 RR-094 RR-095 RR-096 RR-097 RR-099 RR-100 RR-101 RR-105 RR-111 RR-113 RR-116 RR-119 RR-120 RR-125 RR-128	PUB-003 PUB-004 PUB-005 PUB-007 PUB-008 PUB-010 PUB-014 PUB-017 PUB-019 PUB-020 PUB-021 PUB-024 PUB-027 PUB-028 PUB-029 PUB-030 PUB-041 PUB-048 PUB-056 PUB-068 PUB-071 PUB-082 PUB-084 PUB-085 PUB-089 PUB-090 PUB-091 PUB-092 PUB-094 PUB-095 PUB-096 PUB-100 PUB-106 PUB-108 PUB-110 PUB-113 PUB-114 PUB-119 PUB-122	Negative impact upon the adjacent reserves and sites of special scientific interest.  Negative impact upon migratory birds.  Negative impact upon marsh harrier / raptors.  Negative impacts on bird habitats.	Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a> ) and the HRA documented in the RIAA (PINS reference <a href="#">APP-026</a> ) provide an assessment of the potential effects of the Development on bird species, including the impact of loss of functionally linked land, as well as describing the measures implemented with the Development in the

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-130 RR-131 RR-137 RR-141 RR-143 RR-145 RR-146 RR-148 RR-150 RR-151 RR-152 RR-154 RR-156 RR-159 RR-160 RR-164 RR-165 RR-166 RR-169 RR-170 RR-172 RR-173 RR-175 RR-180 RR-181 RR-183 RR-184 RR-186 RR-187 RR-188 RR-191 RR-192 RR-193 RR-194 RR-196 RR-200 RR-202 RR-204 RR-205 RR-208 RR-212 RR-214 RR-215 RR-223 RR-228 RR-236 RR-237 RR-238 RR-240 RR-241 RR-243 RR-244 RR-245 RR-248 RR-249 RR-251 RR-253 RR-254 RR-257 RR-259 RR-261 RR-263 RR-265 RR-266 RR-267 RR-268 RR-273 RR-277 RR-278 RR-282 RR-286 RR-288 RR-291 RR-292 RR-293 RR-297 RR-298 RR-299 RR-300 RR-301 RR-304 RR-305 RR-308 RR-315 RR-317 RR-318 RR-320 RR-322 RR-323 RR-326 RR-329 RR-330 RR-332 RR-333 RR-334 RR-336 RR-338 RR-343 RR-345 RR-346 RR-347 RR-349 RR-351 RR-358 RR-359 RR-365 RR-374 RR-375 RR-377 RR-380 RR-384 RR-385 RR-388 RR-389 RR-390 RR-393 RR-396 RR-397 RR-417 RR-424 RR-426 RR-432 RR-433 RR-434 RR-436 RR-439 RR-441 RR-442 RR-445 RR-446 RR-457 RR-460 RR-461 RR-465 RR-466 RR-467 RR-470 RR-477 RR-483 RR-485 RR-490 RR-491 RR-499 RR-501 RR-503 RR-513 RR-515 RR-527 RR-529 RR-532 RR-534 RR-535 RR-537 RR-538 RR-547 RR-548 RR-549 RR-555 RR-571 RR-579 RR-581 RR-586 RR-588 RR-590 RR-592 RR-601 RR-604 RR-605 RR-608 RR-614 RR-618 RR-625 RR-630 RR-633 RR-634 RR-638 RR-640	PUB-124 PUB-125 PUB-131 PUB-134 PUB-136 PUB-138 PUB-139 PUB-141 PUB-143 PUB-144 PUB-145 PUB-147 PUB-149 PUB-152 PUB-153 PUB-157 PUB-158 PUB-159 PUB-162 PUB-163 PUB-165 PUB-166 PUB-168 PUB-173 PUB-174 PUB-176 PUB-177 PUB-179 PUB-180 PUB-181 PUB-184 PUB-185 PUB-186 PUB-187 PUB-189 PUB-193 PUB-195 PUB-197 PUB-198 PUB-201 PUB-205 PUB-207 PUB-208 PUB-216 PUB-221 PUB-228 PUB-229 PUB-230 PUB-232 PUB-233 PUB-235 PUB-236 PUB-237 PUB-240 PUB-241 PUB-243 PUB-245 PUB-246 PUB-248 PUB-250 PUB-252 PUB-254 PUB-256 PUB-257 PUB-258 PUB-259 PUB-264 PUB-267 PUB-268 PUB-272 PUB-276 PUB-278 PUB-281 PUB-282 PUB-283 PUB-287 PUB-288 PUB-289 PUB-290 PUB-291 PUB-294 PUB-295 PUB-298 PUB-305 PUB-307 PUB-308 PUB-310 PUB-311 PUB-312 PUB-315 PUB-318 PUB-319 PUB-321 PUB-322 PUB-323 PUB-325 PUB-327 PUB-332 PUB-334 PUB-335 PUB-336 PUB-338 PUB-340 PUB-347 PUB-348 PUB-354 PUB-363 PUB-364 PUB-366 PUB-369 PUB-373 PUB-374 PUB-377 PUB-378 PUB-379 PUB-382 PUB-385 PUB-386 PUB-406 PUB-412 PUB-414 PUB-420 PUB-421 PUB-422 PUB-424 PUB-427 PUB-429 PUB-430 PUB-433 PUB-434 PUB-445 PUB-448 PUB-449 PUB-453 PUB-454 PUB-455 PUB-458 PUB-465 PUB-470 PUB-472 PUB-476 PUB-477 PUB-484 PUB-486 PUB-488 PUB-496 PUB-498 PUB-509 PUB-511 PUB-514 PUB-516 PUB-517 PUB-519 PUB-520 PUB-529 PUB-530 PUB-531 PUB-537 PUB-552 PUB-560 PUB-562 PUB-567 PUB-569 PUB-571 PUB-573 PUB-582 PUB-585 PUB-586 PUB-589 PUB-595 PUB-599 PUB-606 PUB-610 PUB-613 PUB-614 PUB-618 PUB-620		outline LBMP (PINS reference <a href="#">APP-203</a> ) to mitigate potentially harmful impacts and provide biodiversity enhancements.

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-645 RR-646 RR-661 RR-666 RR-668 RR-673 RR-674 RR-675 RR-680 RR-684 RR-685 RR-689 RR-690 RR-696 RR-702 RR-703 RR-705 RR-708 RR-709 RR-719 RR-723 RR-727 RR-732 RR-737 RR-738 RR-740 RR-742 RR-748 RR-756 RR-757 RR-759 RR-763 RR-766 RR-769 RR-773 RR-775 RR-778 RR-780 RR-781 RR-782 RR-784 RR-785 RR-788 RR-796 RR-797 RR-802 RR-805 RR-807 RR-809 RR-812 RR-822 RR-823 RR-824 RR-825 RR-829 RR-830 RR-840 RR-841 RR-847 RR-849 RR-851 RR-855 RR-856 RR-865 RR-867	PUB-625 PUB-626 PUB-641 PUB-646 PUB-648 PUB-653 PUB-654 PUB-655 PUB-660 PUB-664 PUB-665 PUB-669 PUB-670 PUB-676 PUB-682 PUB-683 PUB-684 PUB-687 PUB-688 PUB-695 PUB-698 PUB-702 PUB-707 PUB-712 PUB-713 PUB-714 PUB-716 PUB-722 PUB-729 PUB-730 PUB-732 PUB-736 PUB-737 PUB-740 PUB-743 PUB-745 PUB-748 PUB-749 PUB-750 PUB-751 PUB-753 PUB-754 PUB-757 PUB-765 PUB-766 PUB-768 PUB-771 PUB-773 PUB-774 PUB-777 PUB-786 PUB-787 PUB-788 PUB-789 PUB-791 PUB-792 PUB-802 PUB-803 PUB-808 PUB-810 PUB-812 PUB-816 PUB-817 PUB-825 PUB-827		

### 3.4 Landscape

14. 278 public comments were received in relation to landscape.

**Table 3.4: Applicant's Responses to RRs relating to Landscape**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-003 RR-008 RR-010 RR-012 RR-023 RR-024 RR-026 RR-027 RR-031 RR-034 RR-036 RR-038 RR-043 RR-044 RR-051 RR-060 RR-064 RR-065 RR-067 RR-068 RR-073 RR-079 RR-080 RR-092 RR-095 RR-096 RR-097 RR-098 RR-100 RR-105 RR-106 RR-109 RR-112 RR-119 RR-131 RR-137 RR-146 RR-151 RR-159 RR-160 RR-162 RR-176 RR-177 RR-191 RR-193 RR-196 RR-200 RR-205 RR-209 RR-233 RR-241 RR-248 RR-249 RR-253 RR-256 RR-258 RR-259 RR-276 RR-278 RR-290 RR-293 RR-296 RR-297 RR-298 RR-299 RR-300 RR-306 RR-325 RR-326 RR-327 RR-330 RR-345 RR-346 RR-349 RR-353 RR-356 RR-357 RR-360 RR-361 RR-366 RR-367	PUB-003 PUB-007 PUB-009 PUB-011 PUB-021 PUB-022 PUB-024 PUB-025 PUB-029 PUB-032 PUB-034 PUB-036 PUB-040 PUB-041 PUB-048 PUB-056 PUB-059 PUB-060 PUB-062 PUB-063 PUB-068 PUB-074 PUB-075 PUB-087 PUB-090 PUB-091 PUB-092 PUB-093 PUB-095 PUB-100 PUB-101 PUB-104 PUB-107 PUB-113 PUB-125 PUB-131 PUB-139 PUB-144 PUB-152 PUB-153 PUB-155 PUB-169 PUB-170 PUB-184 PUB-186 PUB-189 PUB-193 PUB-198 PUB-202 PUB-225 PUB-233 PUB-240 PUB-241 PUB-245 PUB-247 PUB-249 PUB-250 PUB-266 PUB-268 PUB-280 PUB-283 PUB-286 PUB-287 PUB-288 PUB-289 PUB-290 PUB-296 PUB-314 PUB-315 PUB-316 PUB-319 PUB-334 PUB-335 PUB-338 PUB-342 PUB-345 PUB-346 PUB-349 PUB-350 PUB-355 PUB-356	A loss or change to the current landscape.  The industrialisation of the north Kent coast as a result of the Development.  A detrimental impact on the open landscape of the site as a result of the Development.	Landscape impacts are assessed in Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a> ).  The assessment is supported by figures (PINS reference <a href="#">APP-054</a> ) and visualisations (PINS reference <a href="#">APP-127</a> and <a href="#">APP-169</a> ).

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-368 RR-372 RR-373 RR-374 RR-384 RR-385 RR-387 RR-394 RR-395 RR-399 RR-400 RR-401 RR-402 RR-412 RR-413 RR-414 RR-416 RR-417 RR-420 RR-421 RR-425 RR-430 RR-432 RR-434 RR-435 RR-436 RR-438 RR-449 RR-458 RR-460 RR-461 RR-462 RR-470 RR-471 RR-472 RR-473 RR-474 RR-482 RR-485 RR-486 RR-490 RR-491 RR-492 RR-493 RR-495 RR-500 RR-502 RR-505 RR-506 RR-507 RR-509 RR-523 RR-526 RR-530 RR-531 RR-532 RR-533 RR-535 RR-540 RR-544 RR-546 RR-548 RR-552 RR-557 RR-559 RR-562 RR-564 RR-570 RR-571 RR-576 RR-578 RR-584 RR-589 RR-590 RR-591 RR-596 RR-598 RR-599 RR-604 RR-607 RR-608 RR-610 RR-611 RR-613 RR-614 RR-615 RR-616 RR-620 RR-621 RR-622 RR-625 RR-628 RR-629 RR-630 RR-636 RR-638 RR-639 RR-641 RR-643 RR-647 RR-650 RR-659 RR-660 RR-662 RR-663 RR-665 RR-669 RR-670 RR-671 RR-672 RR-673 RR-682 RR-685 RR-686 RR-687 RR-688 RR-689 RR-693 RR-695 RR-698 RR-703 RR-708 RR-709 RR-710 RR-713 RR-715 RR-719 RR-722 RR-723 RR-727 RR-729 RR-731 RR-735 RR-738 RR-741 RR-745 RR-746 RR-749 RR-754 RR-755 RR-756 RR-757 RR-758 RR-760 RR-761 RR-763 RR-766 RR-767 RR-772 RR-774 RR-777 RR-778 RR-781 RR-785 RR-786 RR-787 RR-789 RR-790 RR-791 RR-793 RR-794 RR-796 RR-803 RR-804 RR-806 RR-807 RR-809 RR-810 RR-811 RR-812 RR-813 RR-818 RR-819 RR-822 RR-823 RR-824 RR-825	PUB-357 PUB-361 PUB-362 PUB-363 PUB-373 PUB-374 PUB-376 PUB-383 PUB-384 PUB-388 PUB-389 PUB-390 PUB-391 PUB-401 PUB-402 PUB-403 PUB-405 PUB-406 PUB-408 PUB-409 PUB-413 PUB-418 PUB-420 PUB-422 PUB-423 PUB-424 PUB-426 PUB-437 PUB-446 PUB-448 PUB-449 PUB-450 PUB-458 PUB-459 PUB-460 PUB-461 PUB-462 PUB-469 PUB-472 PUB-473 PUB-476 PUB-477 PUB-478 PUB-479 PUB-481 PUB-485 PUB-487 PUB-490 PUB-491 PUB-492 PUB-493 PUB-505 PUB-508 PUB-512 PUB-513 PUB-514 PUB-515 PUB-517 PUB-522 PUB-526 PUB-528 PUB-530 PUB-534 PUB-538 PUB-540 PUB-543 PUB-545 PUB-551 PUB-552 PUB-557 PUB-559 PUB-565 PUB-570 PUB-571 PUB-572 PUB-577 PUB-579 PUB-580 PUB-585 PUB-588 PUB-589 PUB-591 PUB-592 PUB-594 PUB-595 PUB-596 PUB-597 PUB-601 PUB-602 PUB-603 PUB-606 PUB-608 PUB-609 PUB-610 PUB-616 PUB-618 PUB-619 PUB-621 PUB-623 PUB-627 PUB-630 PUB-639 PUB-640 PUB-642 PUB-643 PUB-645 PUB-649 PUB-650 PUB-651 PUB-652 PUB-653 PUB-662 PUB-665 PUB-666 PUB-667 PUB-668 PUB-669 PUB-673 PUB-675 PUB-678 PUB-683 PUB-687 PUB-688 PUB-689 PUB-690 PUB-691 PUB-695 PUB-697 PUB-698 PUB-702 PUB-704 PUB-706 PUB-710 PUB-713 PUB-715 PUB-719 PUB-720 PUB-723 PUB-727 PUB-728 PUB-729 PUB-730 PUB-731 PUB-733 PUB-734 PUB-736 PUB-737 PUB-738 PUB-742 PUB-744 PUB-747 PUB-748 PUB-750 PUB-754 PUB-755 PUB-756 PUB-758 PUB-759 PUB-760 PUB-762 PUB-763 PUB-765 PUB-769 PUB-770 PUB-772 PUB-773 PUB-774 PUB-775 PUB-776 PUB-777 PUB-778 PUB-782 PUB-783 PUB-786 PUB-787 PUB-788 PUB-789		

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-829 RR-830 RR-831 RR-833 RR-834 RR-835 RR-837 RR-838 RR-841 RR-843 RR-845 RR-847 RR-848 RR-849 RR-851 RR-856 RR-860 RR-861 RR-862 RR-864	PUB-791 PUB-792 PUB-793 PUB-795 PUB-796 PUB-797 PUB-799 PUB-800 PUB-803 PUB-804 PUB-806 PUB-808 PUB-809 PUB-810 PUB-812 PUB-817 PUB-820 PUB-821 PUB-822 PUB-824		

### 3.5 Site Selection

15. 239 public comments were received in relation to site selection.

**Table 3.5: Applicant's Responses to RRs relating to site selection**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-004 RR-006 RR-007 RR-008 RR-047 RR-050 RR-057 RR-059 RR-091 RR-103 RR-111 RR-118 RR-123 RR-127 RR-128 RR-135 RR-139 RR-173 RR-177 RR-178 RR-179 RR-183 RR-184 RR-185 RR-188 RR-189 RR-193 RR-198 RR-205 RR-210 RR-211 RR-214 RR-218 RR-233 RR-235 RR-237 RR-241 RR-244 RR-248 RR-251 RR-253 RR-261 RR-265 RR-267 RR-268 RR-270 RR-271 RR-273 RR-275 RR-280 RR-282 RR-284 RR-291 RR-297 RR-298 RR-301 RR-303 RR-304 RR-306 RR-310 RR-311 RR-313 RR-314 RR-319 RR-324 RR-326 RR-329 RR-331 RR-332 RR-337 RR-340 RR-345 RR-346 RR-347 RR-350 RR-356 RR-358 RR-359 RR-360 RR-361 RR-362 RR-363 RR-370 RR-371 RR-375 RR-377 RR-383 RR-384 RR-386 RR-387 RR-390 RR-391 RR-392 RR-393 RR-395 RR-397 RR-398 RR-399 RR-402 RR-405 RR-406 RR-410 RR-415 RR-420 RR-421 RR-423 RR-436 RR-437 RR-447 RR-457 RR-458 RR-459 RR-463 RR-464 RR-473 RR-476 RR-483 RR-486 RR-488 RR-492 RR-496 RR-498 RR-499 RR-501 RR-507 RR-510	PUB-004 PUB-005 PUB-006 PUB-007 PUB-044 PUB-047 PUB-053 PUB-055 PUB-086 PUB-098 PUB-106 PUB-112 PUB-117 PUB-121 PUB-122 PUB-129 PUB-132 PUB-166 PUB-170 PUB-171 PUB-172 PUB-176 PUB-177 PUB-178 PUB-181 PUB-182 PUB-186 PUB-191 PUB-198 PUB-203 PUB-204 PUB-207 PUB-211 PUB-225 PUB-227 PUB-229 PUB-233 PUB-236 PUB-240 PUB-243 PUB-245 PUB-252 PUB-256 PUB-258 PUB-259 PUB-261 PUB-262 PUB-264 PUB-265 PUB-270 PUB-272 PUB-274 PUB-281 PUB-287 PUB-288 PUB-291 PUB-293 PUB-294 PUB-296 PUB-300 PUB-301 PUB-303 PUB-304 PUB-309 PUB-313 PUB-315 PUB-318 PUB-320 PUB-321 PUB-326 PUB-329 PUB-334 PUB-335 PUB-336 PUB-339 PUB-345 PUB-347 PUB-348 PUB-349 PUB-350 PUB-351 PUB-352 PUB-359 PUB-360 PUB-364 PUB-366 PUB-372 PUB-373 PUB-375 PUB-376 PUB-379 PUB-380 PUB-381 PUB-382 PUB-384 PUB-386 PUB-387 PUB-388 PUB-391 PUB-394 PUB-395 PUB-399 PUB-404 PUB-408 PUB-409 PUB-411 PUB-424 PUB-425 PUB-435 PUB-445 PUB-446 PUB-447 PUB-451 PUB-452 PUB-461 PUB-464 PUB-470 PUB-473 PUB-474 PUB-478 PUB-482 PUB-483 PUB-484 PUB-486 PUB-492 PUB-494	Lack of consideration of alternative sites.  Inappropriate site location due to its proximity to sites of special scientific interest.  Inappropriate site due to it being greenfield land instead of brownfield land.  Inappropriate site due to being food producing land.  Inappropriate site due to being at risk of flooding.  Inappropriate site due to importance for overwintering birds.	Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a> ) includes section 4.2 which sets out the site identification process for the Development.

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-511 RR-515 RR-518 RR-519 RR-520 RR-526 RR-534 RR-540 RR-542 RR-543 RR-545 RR-546 RR-551 RR-552 RR-555 RR-558 RR-559 RR-560 RR-561 RR-565 RR-571 RR-573 RR-579 RR-581 RR-582 RR-583 RR-584 RR-586 RR-587 RR-588 RR-591 RR-595 RR-598 RR-606 RR-613 RR-616 RR-620 RR-622 RR-623 RR-625 RR-630 RR-631 RR-632 RR-633 RR-635 RR-637 RR-639 RR-642 RR-643 RR-646 RR-647 RR-648 RR-651 RR-652 RR-658 RR-660 RR-662 RR-664 RR-666 RR-667 RR-672 RR-675 RR-678 RR-681 RR-683 RR-685 RR-687 RR-688 RR-689 RR-690 RR-692 RR-693 RR-694 RR-696 RR-700 RR-702 RR-703 RR-705 RR-707 RR-710 RR-713 RR-721 RR-727 RR-728 RR-731 RR-732 RR-737 RR-738 RR-740 RR-741 RR-744 RR-746 RR-747 RR-754 RR-757 RR-758 RR-759 RR-761 RR-763 RR-766 RR-768 RR-769 RR-773 RR-775 RR-777 RR-780 RR-781 RR-785 RR-793 RR-794 RR-795 RR-796 RR-867	PUB-495 PUB-498 PUB-501 PUB-502 PUB-503 PUB-508 PUB-516 PUB-522 PUB-524 PUB-525 PUB-527 PUB-528 PUB-533 PUB-534 PUB-537 PUB-539 PUB-540 PUB-541 PUB-542 PUB-546 PUB-552 PUB-554 PUB-560 PUB-562 PUB-563 PUB-564 PUB-565 PUB-567 PUB-568 PUB-569 PUB-572 PUB-576 PUB-579 PUB-587 PUB-594 PUB-597 PUB-601 PUB-603 PUB-604 PUB-606 PUB-610 PUB-611 PUB-612 PUB-613 PUB-615 PUB-617 PUB-619 PUB-622 PUB-623 PUB-626 PUB-627 PUB-628 PUB-631 PUB-632 PUB-638 PUB-640 PUB-642 PUB-644 PUB-646 PUB-647 PUB-652 PUB-655 PUB-658 PUB-661 PUB-663 PUB-665 PUB-667 PUB-668 PUB-669 PUB-670 PUB-672 PUB-673 PUB-674 PUB-676 PUB-680 PUB-682 PUB-683 PUB-684 PUB-686 PUB-689 PUB-690 PUB-696 PUB-702 PUB-703 PUB-706 PUB-707 PUB-712 PUB-713 PUB-714 PUB-715 PUB-718 PUB-720 PUB-721 PUB-727 PUB-730 PUB-731 PUB-732 PUB-734 PUB-736 PUB-737 PUB-739 PUB-740 PUB-743 PUB-745 PUB-747 PUB-749 PUB-750 PUB-754 PUB-762 PUB-763 PUB-764 PUB-765 PUB-827		

### 3.6 Visual Impacts

16. 201 public comments were received in relation to visual impacts.

**Table 3.6: Applicant's Responses to RRs relating to visual impacts**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-006 RR-008 RR-009 RR-010 RR-012 RR-013 RR-014 RR-018 RR-023 RR-025 RR-026 RR-027 RR-029 RR-031 RR-034 RR-036 RR-038 RR-040 RR-041 RR-043 RR-044 RR-051 RR-061 RR-063 RR-064 RR-068 RR-080 RR-085 RR-089 RR-092 RR-095 RR-096 RR-097	PUB-005 PUB-007 PUB-008 PUB-009 PUB-011 PUB-012 PUB-013 PUB-017 PUB-021 PUB-023 PUB-024 PUB-025 PUB-027 PUB-029 PUB-032 PUB-034 PUB-036 PUB-037 PUB-038 PUB-040 PUB-041 PUB-048 PUB-057 PUB-058 PUB-059 PUB-063 PUB-075 PUB-080 PUB-084 PUB-087 PUB-090 PUB-091 PUB-092	The negative visual impact of the Development.  Concerns that the Development will look like a factory roof.  A negative visual impact upon users of the Saxon Shore Way.	Visual impacts are assessed in Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a> ).  The assessment is supported by figures (PINS reference <a href="#">APP-054</a> ) and visualisations (PINS reference <a href="#">APP-127</a> and <a href="#">APP-169</a> ).



RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-098 RR-099 RR-104 RR-105 RR-106 RR-107 RR-109 RR-112 RR-113 RR-115 RR-122 RR-129 RR-131 RR-132 RR-142 RR-152 RR-156 RR-158 RR-160 RR-168 RR-171 RR-176 RR-193 RR-195 RR-196 RR-199 RR-200 RR-201 RR-203 RR-206 RR-208 RR-209 RR-210 RR-215 RR-225 RR-226 RR-233 RR-234 RR-236 RR-237 RR-240 RR-241 RR-247 RR-248 RR-249 RR-256 RR-258 RR-259 RR-260 RR-275 RR-276 RR-278 RR-286 RR-288 RR-290 RR-292 RR-293 RR-296 RR-297 RR-298 RR-299 RR-300 RR-301 RR-306 RR-318 RR-326 RR-328 RR-330 RR-333 RR-340 RR-345 RR-346 RR-348 RR-349 RR-350 RR-351 RR-354 RR-357 RR-361 RR-384 RR-385 RR-387 RR-388 RR-389 RR-394 RR-397 RR-408 RR-413 RR-414 RR-416 RR-424 RR-433 RR-443 RR-475 RR-476 RR-478 RR-479 RR-483 RR-513 RR-532 RR-534 RR-541 RR-546 RR-548 RR-549 RR-553 RR-554 RR-558 RR-566 RR-569 RR-571 RR-572 RR-573 RR-588 RR-591 RR-598 RR-605 RR-615 RR-627 RR-628 RR-630 RR-635 RR-638 RR-645 RR-646 RR-653 RR-656 RR-664 RR-671 RR-678 RR-692 RR-705 RR-708 RR-717 RR-724 RR-726 RR-735 RR-738 RR-740 RR-742 RR-743 RR-750 RR-757 RR-762 RR-763 RR-772 RR-773 RR-777 RR-781 RR-784 RR-793 RR-796 RR-801 RR-807 RR-812 RR-813 RR-818 RR-833 RR-835 RR-836 RR-839 RR-847 RR-855 RR-856 RR-859 RR-862 RR-863 RR-867	PUB-093 PUB-094 PUB-099 PUB-100 PUB-101 PUB-102 PUB-104 PUB-107 PUB-108 PUB-109 PUB-116 PUB-123 PUB-125 PUB-126 PUB-135 PUB-145 PUB-149 PUB-151 PUB-153 PUB-161 PUB-164 PUB-169 PUB-186 PUB-188 PUB-189 PUB-192 PUB-193 PUB-194 PUB-196 PUB-199 PUB-201 PUB-202 PUB-203 PUB-208 PUB-218 PUB-219 PUB-225 PUB-226 PUB-228 PUB-229 PUB-232 PUB-233 PUB-239 PUB-240 PUB-241 PUB-247 PUB-249 PUB-250 PUB-251 PUB-265 PUB-266 PUB-268 PUB-276 PUB-278 PUB-280 PUB-282 PUB-283 PUB-286 PUB-287 PUB-288 PUB-289 PUB-290 PUB-291 PUB-296 PUB-308 PUB-315 PUB-317 PUB-319 PUB-322 PUB-329 PUB-334 PUB-335 PUB-337 PUB-338 PUB-339 PUB-340 PUB-343 PUB-346 PUB-350 PUB-373 PUB-374 PUB-376 PUB-377 PUB-378 PUB-383 PUB-386 PUB-397 PUB-402 PUB-403 PUB-405 PUB-412 PUB-421 PUB-431 PUB-463 PUB-464 PUB-466 PUB-467 PUB-470 PUB-496 PUB-514 PUB-516 PUB-523 PUB-528 PUB-530 PUB-531 PUB-535 PUB-536 PUB-539 PUB-547 PUB-550 PUB-552 PUB-553 PUB-554 PUB-569 PUB-572 PUB-579 PUB-586 PUB-596 PUB-607 PUB-608 PUB-610 PUB-615 PUB-618 PUB-625 PUB-626 PUB-633 PUB-636 PUB-644 PUB-651 PUB-658 PUB-672 PUB-684 PUB-687 PUB-693 PUB-699 PUB-701 PUB-710 PUB-713 PUB-714 PUB-716 PUB-717 PUB-724 PUB-730 PUB-735 PUB-736 PUB-742 PUB-743 PUB-747 PUB-750 PUB-753 PUB-762 PUB-765 PUB-767 PUB-773 PUB-777 PUB-778 PUB-782 PUB-795 PUB-797 PUB-798 PUB-801 PUB-808 PUB-816 PUB-817 PUB-819 PUB-822 PUB-823 PUB-827	Glint and glare from the solar panels.	

### 3.7 Impact on Public Amenity

17. 162 public comments were received in relation to impact on public amenity.

**Table 3.7: Applicant's Responses to RRs relating to public amenity**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-001 RR-003 RR-008 RR-012 RR-059 RR-075 RR-081 RR-158 RR-223 RR-224 RR-233 RR-256 RR-273 RR-284 RR-285 RR-305 RR-329 RR-332 RR-338 RR-344 RR-357 RR-361 RR-364 RR-372 RR-374 RR-378 RR-381 RR-382 RR-384 RR-387 RR-388 RR-389 RR-392 RR-394 RR-397 RR-423 RR-425 RR-429 RR-430 RR-433 RR-434 RR-436 RR-443 RR-448 RR-453 RR-454 RR-455 RR-459 RR-462 RR-479 RR-491 RR-504 RR-505 RR-511 RR-514 RR-515 RR-516 RR-519 RR-520 RR-521 RR-524 RR-531 RR-533 RR-534 RR-535 RR-540 RR-541 RR-544 RR-547 RR-549 RR-550 RR-555 RR-557 RR-559 RR-560 RR-561 RR-567 RR-568 RR-571 RR-573 RR-574 RR-576 RR-581 RR-582 RR-586 RR-587 RR-588 RR-589 RR-590 RR-593 RR-597 RR-599 RR-601 RR-603 RR-604 RR-606 RR-610 RR-613 RR-614 RR-616 RR-620 RR-621 RR-622 RR-625 RR-632 RR-633 RR-639 RR-640 RR-642 RR-643 RR-644 RR-646 RR-649 RR-651 RR-654 RR-656 RR-657 RR-660 RR-664 RR-667 RR-669 RR-671 RR-674 RR-676 RR-680 RR-683 RR-684 RR-685 RR-688 RR-691 RR-696 RR-699 RR-701 RR-702 RR-707 RR-709 RR-725 RR-728 RR-736 RR-738 RR-741 RR-742 RR-745 RR-749 RR-751 RR-754 RR-755 RR-758 RR-768 RR-769 RR-772 RR-773 RR-776 RR-781 RR-783 RR-784 RR-785 RR-787 RR-793 RR-795 RR-861 RR-867	PUB-001 PUB-003 PUB-007 PUB-011 PUB-055 PUB-070 PUB-076 PUB-151 PUB-216 PUB-217 PUB-225 PUB-247 PUB-264 PUB-274 PUB-275 PUB-295 PUB-318 PUB-321 PUB-327 PUB-333 PUB-346 PUB-350 PUB-353 PUB-361 PUB-363 PUB-367 PUB-370 PUB-371 PUB-373 PUB-376 PUB-377 PUB-378 PUB-381 PUB-383 PUB-386 PUB-411 PUB-413 PUB-417 PUB-418 PUB-421 PUB-422 PUB-424 PUB-431 PUB-436 PUB-441 PUB-442 PUB-443 PUB-447 PUB-450 PUB-467 PUB-477 PUB-489 PUB-490 PUB-495 PUB-497 PUB-498 PUB-499 PUB-502 PUB-503 PUB-504 PUB-506 PUB-513 PUB-515 PUB-516 PUB-517 PUB-522 PUB-523 PUB-526 PUB-529 PUB-531 PUB-532 PUB-537 PUB-538 PUB-540 PUB-541 PUB-542 PUB-548 PUB-549 PUB-552 PUB-554 PUB-555 PUB-557 PUB-562 PUB-563 PUB-567 PUB-568 PUB-569 PUB-570 PUB-571 PUB-574 PUB-578 PUB-580 PUB-582 PUB-584 PUB-585 PUB-587 PUB-591 PUB-594 PUB-595 PUB-597 PUB-601 PUB-602 PUB-603 PUB-606 PUB-612 PUB-613 PUB-619 PUB-620 PUB-622 PUB-623 PUB-624 PUB-626 PUB-629 PUB-631 PUB-634 PUB-636 PUB-637 PUB-640 PUB-644 PUB-647 PUB-649 PUB-651 PUB-654 PUB-656 PUB-660 PUB-663 PUB-664 PUB-665 PUB-668 PUB-671 PUB-676 PUB-679 PUB-681 PUB-682 PUB-686 PUB-688 PUB-700 PUB-703 PUB-711 PUB-713 PUB-715 PUB-716 PUB-719 PUB-723 PUB-725 PUB-727 PUB-728 PUB-731 PUB-739 PUB-740 PUB-742 PUB-743 PUB-746 PUB-750 PUB-752 PUB-753 PUB-754 PUB-756 PUB-762 PUB-764 PUB-821 PUB-827	Negative impacts upon the way the amenity is experienced in the area.  Changes to the experience of walking on the Saxon Shore Way.  Reduced visitor numbers as a result of the visual impact of the Development.  A reduction in the availability of open spaces for members of the public to enjoy the benefits of being outdoors.	Recreational amenity effects are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).  Visual impacts upon public amenity areas are assessed in Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a> ).  Tourism impacts are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).

### 3.8 Flood Risk

18. 150 public comments were received in relation to flood risk.

**Table 3.8: Applicant's Responses to RRs relating to flood risk**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-001 RR-008 RR-017 RR-021 RR-022 RR-026 RR-028 RR-037 RR-038 RR-041 RR-043 RR-046 RR-054 RR-058 RR-069 RR-073 RR-075 RR-086 RR-087 RR-092 RR-106 RR-113 RR-115 RR-137 RR-144 RR-148 RR-151 RR-153 RR-155 RR-156 RR-158 RR-159 RR-165 RR-170 RR-171 RR-177 RR-189 RR-193 RR-194 RR-196 RR-211 RR-218 RR-225 RR-229 RR-233 RR-246 RR-248 RR-251 RR-253 RR-259 RR-271 RR-280 RR-281 RR-290 RR-293 RR-296 RR-299 RR-300 RR-301 RR-306 RR-310 RR-312 RR-314 RR-316 RR-317 RR-322 RR-323 RR-329 RR-338 RR-341 RR-350 RR-353 RR-363 RR-369 RR-372 RR-373 RR-377 RR-378 RR-380 RR-384 RR-385 RR-387 RR-388 RR-391 RR-395 RR-396 RR-397 RR-401 RR-407 RR-408 RR-410 RR-422 RR-426 RR-430 RR-440 RR-444 RR-465 RR-483 RR-500 RR-502 RR-519 RR-534 RR-536 RR-544 RR-547 RR-582 RR-605 RR-608 RR-614 RR-620 RR-627 RR-628 RR-629 RR-639 RR-658 RR-663 RR-667 RR-668 RR-673 RR-677 RR-688 RR-694 RR-700 RR-701 RR-725 RR-726 RR-733 RR-741 RR-746 RR-753 RR-763 RR-772 RR-773 RR-774 RR-777 RR-784 RR-789 RR-797 RR-803 RR-807 RR-814 RR-816 RR-818 RR-829 RR-831 RR-838 RR-854 RR-855 RR-860 RR-866	PUB-001 PUB-007 PUB-016 PUB-019 PUB-020 PUB-024 PUB-026 PUB-035 PUB-036 PUB-038 PUB-040 PUB-043 PUB-050 PUB-054 PUB-064 PUB-068 PUB-070 PUB-081 PUB-082 PUB-087 PUB-101 PUB-108 PUB-109 PUB-131 PUB-137 PUB-141 PUB-144 PUB-146 PUB-148 PUB-149 PUB-151 PUB-152 PUB-158 PUB-163 PUB-164 PUB-170 PUB-182 PUB-186 PUB-187 PUB-189 PUB-204 PUB-211 PUB-218 PUB-222 PUB-225 PUB-238 PUB-240 PUB-243 PUB-245 PUB-250 PUB-262 PUB-270 PUB-271 PUB-280 PUB-283 PUB-286 PUB-289 PUB-290 PUB-291 PUB-296 PUB-300 PUB-302 PUB-304 PUB-306 PUB-307 PUB-311 PUB-312 PUB-318 PUB-327 PUB-330 PUB-339 PUB-342 PUB-352 PUB-358 PUB-361 PUB-362 PUB-366 PUB-367 PUB-369 PUB-373 PUB-374 PUB-376 PUB-377 PUB-380 PUB-384 PUB-385 PUB-386 PUB-390 PUB-396 PUB-397 PUB-399 PUB-410 PUB-414 PUB-418 PUB-428 PUB-432 PUB-453 PUB-470 PUB-485 PUB-487 PUB-502 PUB-516 PUB-518 PUB-526 PUB-529 PUB-563 PUB-586 PUB-589 PUB-595 PUB-601 PUB-607 PUB-608 PUB-609 PUB-619 PUB-638 PUB-643 PUB-647 PUB-648 PUB-653 PUB-657 PUB-668 PUB-674 PUB-680 PUB-681 PUB-700 PUB-701 PUB-708 PUB-715 PUB-720 PUB-726 PUB-736 PUB-742 PUB-743 PUB-744 PUB-747 PUB-753 PUB-758 PUB-766 PUB-769 PUB-773 PUB-779 PUB-781 PUB-782 PUB-791 PUB-793 PUB-800 PUB-815 PUB-816 PUB-820 PUB-826	Risk of flooding onsite damaging the Development.  The appropriateness of the site, given the requirement to manage the flood defences and raise the height of the solar panels.  The loss of a flood plain for Faversham resulting in an increased flood risk in Faversham.	A Flood Risk Assessment is provided as Technical Appendix A10.1 of the ES (PINS reference <a href="#">APP-227</a> ).  Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a> ) includes section 4.2 which sets out the site identification process for the Development.  No part of the Site acts as a functional floodplain as the agricultural land is protected by engineered flood defences, as outlined in section 10.3.1 of Chapter 10 - Hydrology, Hydrogeology, Flood Risk and Ground Conditions of the ES (PINS reference <a href="#">APP-040</a> ) and 1.3 of the FRA (PINS reference <a href="#">APP-227</a> ). As such, tidal waters do not flow into the site and no floodplain storage is offered by the site.

### 3.9 Traffic and Access

19. 146 public comments were received in relation to traffic and access.

**Table 3.9 - Applicant's Responses to RRs relating to traffic and access**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-008 RR-012 RR-013 RR-018 RR-026 RR-030 RR-042 RR-046 RR-051 RR-058 RR-064 RR-066 RR-070 RR-086 RR-092 RR-102 RR-113 RR-131 RR-146 RR-165 RR-170 RR-171 RR-176 RR-187 RR-190 RR-216 RR-218 RR-225 RR-233 RR-237 RR-251 RR-253 RR-257 RR-268 RR-273 RR-275 RR-290 RR-293 RR-296 RR-298 RR-299 RR-300 RR-310 RR-322 RR-324 RR-334 RR-338 RR-344 RR-347 RR-349 RR-353 RR-355 RR-358 RR-359 RR-364 RR-367 RR-368 RR-369 RR-370 RR-374 RR-378 RR-384 RR-385 RR-388 RR-397 RR-407 RR-414 RR-415 RR-423 RR-426 RR-436 RR-465 RR-469 RR-471 RR-483 RR-489 RR-499 RR-504 RR-505 RR-506 RR-513 RR-532 RR-534 RR-545 RR-547 RR-571 RR-572 RR-585 RR-601 RR-603 RR-610 RR-613 RR-616 RR-620 RR-625 RR-628 RR-630 RR-633 RR-639 RR-643 RR-646 RR-648 RR-653 RR-658 RR-662 RR-667 RR-671 RR-682 RR-698 RR-700 RR-703 RR-709 RR-722 RR-724 RR-725 RR-733 RR-735 RR-736 RR-741 RR-742 RR-747 RR-750 RR-751 RR-753 RR-763 RR-768 RR-776 RR-780 RR-781 RR-789 RR-790 RR-791 RR-792 RR-797 RR-802 RR-803 RR-809 RR-811 RR-830 RR-831 RR-836 RR-847 RR-851 RR-859 RR-862 RR-867	PUB-007 PUB-011 PUB-012 PUB-017 PUB-024 PUB-028 PUB-039 PUB-043 PUB-048 PUB-054 PUB-059 PUB-061 PUB-065 PUB-081 PUB-087 PUB-097 PUB-108 PUB-125 PUB-139 PUB-158 PUB-163 PUB-164 PUB-169 PUB-180 PUB-183 PUB-209 PUB-211 PUB-218 PUB-225 PUB-229 PUB-243 PUB-245 PUB-248 PUB-259 PUB-264 PUB-265 PUB-280 PUB-283 PUB-286 PUB-288 PUB-289 PUB-290 PUB-300 PUB-311 PUB-313 PUB-323 PUB-327 PUB-333 PUB-336 PUB-338 PUB-342 PUB-344 PUB-347 PUB-348 PUB-353 PUB-356 PUB-357 PUB-358 PUB-359 PUB-363 PUB-367 PUB-373 PUB-374 PUB-377 PUB-386 PUB-396 PUB-403 PUB-404 PUB-411 PUB-414 PUB-424 PUB-453 PUB-457 PUB-459 PUB-470 PUB-475 PUB-484 PUB-489 PUB-490 PUB-491 PUB-496 PUB-514 PUB-516 PUB-527 PUB-529 PUB-552 PUB-553 PUB-566 PUB-582 PUB-584 PUB-591 PUB-594 PUB-597 PUB-601 PUB-606 PUB-608 PUB-610 PUB-613 PUB-619 PUB-623 PUB-626 PUB-628 PUB-633 PUB-638 PUB-642 PUB-647 PUB-651 PUB-662 PUB-678 PUB-680 PUB-683 PUB-688 PUB-697 PUB-699 PUB-700 PUB-708 PUB-710 PUB-711 PUB-715 PUB-716 PUB-721 PUB-724 PUB-725 PUB-726 PUB-736 PUB-739 PUB-746 PUB-749 PUB-750 PUB-758 PUB-759 PUB-760 PUB-761 PUB-766 PUB-768 PUB-769 PUB-774 PUB-776 PUB-792 PUB-793 PUB-798 PUB-808 PUB-812 PUB-819 PUB-822 PUB-827	Traffic impacts on Graveney village during construction.  Concerns over the ability of the road network in Graveney village to accommodate the construction traffic HGVs.  Construction traffic resulting in deterioration of the road surface.  Noise and vibration impacts as a result of construction traffic.  The sensitivity of Graveney Primary School which lies on the construction traffic route.	Access and traffic impacts are assessed in Chapter 14 - Access and Traffic of the ES (PINS reference <a href="#">APP-044</a> ).  In this chapter, the primary school is classed as a high sensitivity receptor to changes in road traffic.  As set out in Table 14.6 of Chapter 14, 2018 baseline Annual Average Daily Traffic (AADT) flow data for HGVs on Head Hill Road (north) and Seasalter Road are 123 HGVs and 65 HGVs respectively, daily.  Measures proposed to manage construction traffic, including in the vicinity of the school are described within the outline Construction Traffic Management Plan, Technical Appendix A14.1 of the ES (PINS reference <a href="#">APP-245</a> ). Measures include restrictions on HGV movements to avoid school opening / closing time and a construction vehicle speed limit of 20 mph past the school.  The outline Construction Traffic Management Plan has been produced as a 'live' document which will continue to be updated on an ongoing basis through consultation with stakeholders during examination of the Application. This will then form the basis of a final CTMP to be approved by the relevant local authority.  Noise and vibration impacts from construction traffic are assessed in Chapter 12 - Noise and Vibration of the ES (PINS reference <a href="#">APP-042</a> ), section 12.5.3.

### 3.10 Change of Land Use

20. 107 public comments were received in relation to change of land use.

**Table 3.10: Applicant's Responses to RRs relating to change of land use**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-001 RR-008 RR-015 RR-016 RR-021 RR-027 RR-028 RR-034 RR-038 RR-050 RR-053 RR-075 RR-080 RR-091 RR-092 RR-094 RR-098 RR-124 RR-125 RR-126 RR-132 RR-136 RR-141 RR-142 RR-143 RR-149 RR-150 RR-155 RR-156 RR-157 RR-161 RR-162 RR-163 RR-169 RR-170 RR-173 RR-178 RR-179 RR-180 RR-183 RR-189 RR-193 RR-194 RR-195 RR-201 RR-203 RR-204 RR-205 RR-206 RR-213 RR-214 RR-216 RR-218 RR-220 RR-223 RR-224 RR-226 RR-227 RR-235 RR-237 RR-239 RR-243 RR-248 RR-254 RR-256 RR-257 RR-259 RR-260 RR-262 RR-268 RR-272 RR-275 RR-277 RR-281 RR-297 RR-301 RR-302 RR-304 RR-305 RR-310 RR-312 RR-316 RR-319 RR-322 RR-323 RR-334 RR-336 RR-341 RR-345 RR-350 RR-352 RR-355 RR-359 RR-365 RR-369 RR-378 RR-380 RR-388 RR-397 RR-437 RR-447 RR-471 RR-484 RR-490 RR-498 RR-614 RR-733	PUB-001 PUB-007 PUB-014 PUB-015 PUB-019 PUB-025 PUB-026 PUB-032 PUB-036 PUB-047 PUB-049 PUB-070 PUB-075 PUB-086 PUB-087 PUB-089 PUB-093 PUB-118 PUB-119 PUB-120 PUB-126 PUB-130 PUB-134 PUB-135 PUB-136 PUB-142 PUB-143 PUB-148 PUB-149 PUB-150 PUB-154 PUB-155 PUB-156 PUB-162 PUB-163 PUB-166 PUB-171 PUB-172 PUB-173 PUB-176 PUB-182 PUB-186 PUB-187 PUB-188 PUB-194 PUB-196 PUB-197 PUB-198 PUB-199 PUB-206 PUB-207 PUB-209 PUB-211 PUB-213 PUB-216 PUB-217 PUB-219 PUB-220 PUB-227 PUB-229 PUB-231 PUB-235 PUB-240 PUB-246 PUB-247 PUB-248 PUB-250 PUB-251 PUB-253 PUB-259 PUB-263 PUB-265 PUB-267 PUB-271 PUB-287 PUB-291 PUB-292 PUB-294 PUB-295 PUB-300 PUB-302 PUB-306 PUB-309 PUB-311 PUB-312 PUB-323 PUB-325 PUB-330 PUB-334 PUB-339 PUB-341 PUB-344 PUB-348 PUB-354 PUB-358 PUB-367 PUB-369 PUB-377 PUB-386 PUB-425 PUB-435 PUB-459 PUB-471 PUB-476 PUB-483 PUB-595 PUB-708	Development on greenfield land.  Loss of agricultural land.  Marshland should be protected.	The Development will result in the loss of agricultural land classified as grade 3b agricultural land, which is not categorised as Best and Most Versatile agricultural land. The Applicant notes that sheep will be grazed onsite, continuing the agricultural use of the site.  Chapter 4 - Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a> ) includes section 4.2 which sets out the site identification process for the Development.

### 3.11 Community Impact

21. 103 public comments were received in relation to community impact.

**Table 3.11: Applicant's Responses to RRs relating to community impact**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-043 RR-044 RR-051 RR-057 RR-060 RR-064 RR-065 RR-070 RR-073 RR-077 RR-078 RR-082 RR-089 RR-091 RR-092 RR-095 RR-096 RR-097 RR-100 RR-101 RR-102 RR-105 RR-108 RR-109 RR-113 RR-116 RR-117	PUB-040 PUB-041 PUB-048 PUB-053 PUB-056 PUB-059 PUB-060 PUB-065 PUB-068 PUB-072 PUB-073 PUB-077 PUB-084 PUB-086 PUB-087 PUB-090 PUB-091 PUB-092 PUB-095 PUB-096 PUB-097 PUB-100 PUB-103 PUB-104 PUB-108 PUB-110 PUB-111	The impact on the community of introducing an energy generating facility of the scale proposed to a small village.	Chapter 18 - Interrelationships and Accumulation of Effects of the ES (PINS reference <a href="#">APP-048</a> ) provides an assessment of the in combination effects on the local community.

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-120 RR-124 RR-125 RR-131 RR-136 RR-145 RR-162 RR-164 RR-165 RR-166 RR-167 RR-174 RR-175 RR-178 RR-179 RR-180 RR-184 RR-200 RR-207 RR-213 RR-218 RR-225 RR-231 RR-233 RR-236 RR-237 RR-241 RR-246 RR-258 RR-261 RR-262 RR-268 RR-273 RR-275 RR-276 RR-278 RR-284 RR-285 RR-291 RR-294 RR-298 RR-302 RR-305 RR-306 RR-308 RR-312 RR-315 RR-325 RR-330 RR-332 RR-338 RR-339 RR-340 RR-342 RR-343 RR-352 RR-356 RR-357 RR-361 RR-364 RR-366 RR-367 RR-368 RR-372 RR-373 RR-376 RR-378 RR-382 RR-388 RR-788 RR-790 RR-803 RR-805 RR-847 RR-849 RR-860	PUB-114 PUB-118 PUB-119 PUB-125 PUB-130 PUB-138 PUB-155 PUB-157 PUB-158 PUB-159 PUB-160 PUB-167 PUB-168 PUB-171 PUB-172 PUB-173 PUB-177 PUB-193 PUB-200 PUB-206 PUB-211 PUB-218 PUB-224 PUB-225 PUB-228 PUB-229 PUB-233 PUB-238 PUB-249 PUB-252 PUB-253 PUB-259 PUB-264 PUB-265 PUB-266 PUB-268 PUB-274 PUB-275 PUB-281 PUB-284 PUB-288 PUB-292 PUB-295 PUB-296 PUB-298 PUB-302 PUB-305 PUB-314 PUB-319 PUB-321 PUB-327 PUB-328 PUB-329 PUB-331 PUB-332 PUB-341 PUB-345 PUB-346 PUB-350 PUB-353 PUB-355 PUB-356 PUB-357 PUB-361 PUB-362 PUB-365 PUB-367 PUB-371 PUB-377 PUB-757 PUB-759 PUB-769 PUB-771 PUB-808 PUB-810 PUB-820		

### 3.12 Heritage and Archaeology

22. 75 public comments were received in relation to heritage and archaeology.

**Table 3.12: Applicant's Responses to RRs relating to heritage and archaeology**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-012 RR-040 RR-044 RR-051 RR-065 RR-106 RR-110 RR-170 RR-233 RR-278 RR-298 RR-326 RR-351 RR-378 RR-381 RR-385 RR-417 RR-427 RR-436 RR-440 RR-447 RR-471 RR-490 RR-505 RR-516 RR-530 RR-531 RR-533 RR-535 RR-539 RR-550 RR-565 RR-571 RR-579 RR-586 RR-589 RR-599 RR-601 RR-613 RR-614 RR-616 RR-625 RR-628 RR-630 RR-637 RR-642 RR-658 RR-670 RR-674 RR-675 RR-681 RR-688 RR-690 RR-693 RR-698 RR-721 RR-723 RR-735 RR-737 RR-746 RR-756 RR-758 RR-760 RR-778 RR-785 RR-806 RR-824 RR-833 RR-836	PUB-011 PUB-037 PUB-041 PUB-048 PUB-060 PUB-101 PUB-105 PUB-163 PUB-225 PUB-268 PUB-288 PUB-315 PUB-340 PUB-367 PUB-370 PUB-374 PUB-406 PUB-415 PUB-424 PUB-428 PUB-435 PUB-459 PUB-476 PUB-490 PUB-499 PUB-512 PUB-513 PUB-515 PUB-517 PUB-521 PUB-532 PUB-546 PUB-552 PUB-560 PUB-567 PUB-570 PUB-580 PUB-582 PUB-594 PUB-595 PUB-597 PUB-606 PUB-608 PUB-610 PUB-617 PUB-622 PUB-638 PUB-650 PUB-654 PUB-655 PUB-661 PUB-668 PUB-670 PUB-673 PUB-678 PUB-696 PUB-698 PUB-710 PUB-712 PUB-720 PUB-729 PUB-731 PUB-733 PUB-748 PUB-754 PUB-772 PUB-788 PUB-795 PUB-798	Insufficient consideration of local heritage assets.  The potential for valuable archaeological remains to be discovered onsite.  Significant impact upon the historic environment experienced when walking the Saxon Shore Way.	Chapter 11 - Cultural Heritage and Archaeology of the ES (PINS reference <a href="#">APP-041</a> ) assesses the impact of the Development on heritage assets. A Heritage Statement is also provided (PINS reference <a href="#">APP-257</a> ) which provides conclusions on heritage impacts in planning terms.



RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-840 RR-847 RR-851 RR-857 RR-862 RR-863	PUB-802 PUB-808 PUB-812 PUB-818 PUB-822 PUB-823		

### 3.13 Public Rights of Way

23. 72 public comments were received in relation to public rights of way.

**Table 3.13: Applicant's Responses to RRs relating to public rights of way.**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-003 RR-004 RR-008 RR-014 RR-030 RR-032 RR-036 RR-051 RR-055 RR-056 RR-061 RR-065 RR-066 RR-080 RR-084 RR-088 RR-090 RR-091 RR-099 RR-122 RR-129 RR-131 RR-152 RR-159 RR-162 RR-169 RR-170 RR-171 RR-216 RR-228 RR-247 RR-258 RR-276 RR-284 RR-297 RR-299 RR-301 RR-308 RR-315 RR-326 RR-366 RR-377 RR-424 RR-425 RR-427 RR-430 RR-470 RR-478 RR-486 RR-490 RR-495 RR-496 RR-547 RR-550 RR-709 RR-736 RR-741 RR-742 RR-748 RR-757 RR-791 RR-795 RR-803 RR-805 RR-820 RR-831 RR-835 RR-847 RR-851 RR-854 RR-856 RR-861	PUB-003 PUB-004 PUB-007 PUB-013 PUB-028 PUB-030 PUB-034 PUB-048 PUB-051 PUB-052 PUB-057 PUB-060 PUB-061 PUB-075 PUB-079 PUB-083 PUB-085 PUB-086 PUB-094 PUB-116 PUB-123 PUB-125 PUB-145 PUB-152 PUB-155 PUB-162 PUB-163 PUB-164 PUB-209 PUB-221 PUB-239 PUB-249 PUB-266 PUB-274 PUB-287 PUB-289 PUB-291 PUB-298 PUB-305 PUB-315 PUB-355 PUB-366 PUB-412 PUB-413 PUB-415 PUB-418 PUB-458 PUB-466 PUB-473 PUB-476 PUB-481 PUB-482 PUB-529 PUB-532 PUB-688 PUB-711 PUB-715 PUB-716 PUB-722 PUB-730 PUB-760 PUB-764 PUB-769 PUB-771 PUB-784 PUB-793 PUB-797 PUB-808 PUB-812 PUB-815 PUB-817 PUB-821	Negative impacts on public rights of way.  Negative visual impacts on the public right of way which runs through the site.	Recreational amenity effects are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).  Visual impacts upon public amenity areas are assessed in Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a> ).

### 3.14 Tourism

24. 68 public comments were received in relation to tourism.

**Table 3.14: Applicant's Responses to RRs relating to Tourism**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-113 RR-131 RR-145 RR-164 RR-166 RR-180 RR-251 RR-277 RR-278 RR-291 RR-292 RR-298 RR-301 RR-306 RR-326 RR-330 RR-340 RR-357 RR-376 RR-377 RR-381 RR-389 RR-403 RR-411 RR-413 RR-423 RR-427 RR-429 RR-430 RR-432 RR-448 RR-471 RR-473 RR-478 RR-490 RR-506 RR-519 RR-528 RR-531 RR-546 RR-561 RR-566	PUB-108 PUB-125 PUB-138 PUB-157 PUB-159 PUB-173 PUB-243 PUB-267 PUB-268 PUB-281 PUB-282 PUB-288 PUB-291 PUB-296 PUB-315 PUB-319 PUB-329 PUB-346 PUB-365 PUB-366 PUB-370 PUB-378 PUB-392 PUB-400 PUB-402 PUB-411 PUB-415 PUB-417 PUB-418 PUB-420 PUB-436 PUB-459 PUB-461 PUB-466 PUB-476 PUB-491 PUB-502 PUB-510 PUB-513 PUB-528 PUB-542 PUB-547	Reduction in tourism as a result of the Development.	Tourism impacts are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).



RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-580 RR-589 RR-598 RR-601 RR-602 RR-614 RR-628 RR-642 RR-654 RR-655 RR-656 RR-664 RR-675 RR-676 RR-708 RR-710 RR-723 RR-725 RR-728 RR-766 RR-784 RR-791 RR-796 RR-822 RR-855 RR-863	PUB-561 PUB-570 PUB-579 PUB-582 PUB-583 PUB-595 PUB-608 PUB-622 PUB-634 PUB-635 PUB-636 PUB-644 PUB-655 PUB-656 PUB-687 PUB-689 PUB-698 PUB-700 PUB-703 PUB-737 PUB-753 PUB-760 PUB-765 PUB-786 PUB-816 PUB-823		

### 3.15 Energy Storage

25. 67 public comments were received in relation to energy storage.

**Table 3.15: Applicant's Responses to RRs relating to energy storage**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-004 RR-007 RR-008 RR-030 RR-032 RR-046 RR-054 RR-058 RR-070 RR-084 RR-086 RR-088 RR-091 RR-115 RR-131 RR-136 RR-152 RR-156 RR-181 RR-182 RR-183 RR-189 RR-198 RR-212 RR-226 RR-259 RR-276 RR-278 RR-293 RR-307 RR-316 RR-322 RR-324 RR-328 RR-332 RR-338 RR-362 RR-365 RR-366 RR-395 RR-440 RR-467 RR-482 RR-484 RR-486 RR-513 RR-514 RR-519 RR-546 RR-595 RR-598 RR-600 RR-642 RR-656 RR-662 RR-679 RR-710 RR-713 RR-715 RR-717 RR-725 RR-730 RR-796 RR-803 RR-807 RR-860 RR-863	PUB-004 PUB-006 PUB-007 PUB-028 PUB-030 PUB-043 PUB-050 PUB-054 PUB-065 PUB-079 PUB-081 PUB-083 PUB-086 PUB-109 PUB-125 PUB-130 PUB-145 PUB-149 PUB-174 PUB-175 PUB-176 PUB-182 PUB-191 PUB-205 PUB-219 PUB-250 PUB-266 PUB-268 PUB-283 PUB-297 PUB-306 PUB-311 PUB-313 PUB-317 PUB-321 PUB-327 PUB-351 PUB-354 PUB-355 PUB-384 PUB-428 PUB-455 PUB-469 PUB-471 PUB-473 PUB-496 PUB-497 PUB-502 PUB-528 PUB-576 PUB-579 PUB-581 PUB-622 PUB-636 PUB-642 PUB-659 PUB-689 PUB-690 PUB-691 PUB-693 PUB-700 PUB-705 PUB-765 PUB-769 PUB-773 PUB-820 PUB-823	A lack of information in the application relating to the proposals for energy storage.	Chapter 5 - Development Description of the ES (PINS reference <a href="#">APP-035</a> ) clearly sets out the design parameters for the energy storage facility.  These parameters have then been subject to assessment in the technical chapters 7 to 18 of the ES.

### 3.16 Safety Concerns for Energy Storage

26. 57 public comments were received in relation to safety concerns for energy storage.

**Table 3.16: Applicant's Responses to RRs relating to safety concerns for energy storage**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-026 RR-083 RR-377 RR-484 RR-514 RR-517 RR-531 RR-539 RR-548 RR-558 RR-561 RR-562 RR-563 RR-565 RR-572 RR-576 RR-577 RR-579 RR-581 RR-585 RR-589 RR-599 RR-600 RR-601	PUB-024 PUB-078 PUB-366 PUB-471 PUB-497 PUB-500 PUB-513 PUB-521 PUB-530 PUB-539 PUB-542 PUB-543 PUB-544 PUB-546 PUB-553 PUB-557 PUB-558 PUB-560 PUB-562 PUB-566 PUB-570 PUB-580 PUB-581 PUB-582	Risk to local residents due to the potential for major incidents relating to the energy storage.  Risk of fire at the energy storage facility.	Chapter 17 - Miscellaneous Issues (PINS reference <a href="#">APP-047</a> ) of the ES includes an assessment of the potential for the development to cause major accidents or disasters at section 17.7, as well as an assessment of other health

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-603 RR-614 RR-628 RR-630 RR-644 RR-645 RR-646 RR-647 RR-660 RR-675 RR-679 RR-684 RR-697 RR-710 RR-717 RR-719 RR-723 RR-724 RR-725 RR-737 RR-749 RR-760 RR-778 RR-791 RR-797 RR-807 RR-811 RR-812 RR-818 RR-829 RR-831 RR-848 RR-849	PUB-584 PUB-595 PUB-608 PUB-610 PUB-624 PUB-625 PUB-626 PUB-627 PUB-640 PUB-655 PUB-659 PUB-664 PUB-677 PUB-689 PUB-693 PUB-695 PUB-698 PUB-699 PUB-700 PUB-712 PUB-723 PUB-733 PUB-748 PUB-760 PUB-766 PUB-773 PUB-776 PUB-777 PUB-782 PUB-791 PUB-793 PUB-809 PUB-810	Potential for hazardous waste to be created at the energy storage facility.	and safety considerations.  At the end of their operational life, the batteries may be classified as hazardous waste and would therefore be dealt with under the applicable regulations at the time. Other potentially hazardous waste which could be generated by the energy storage facility includes waste effluent from the welfare facilities within the electrical compound.

### 3.17 Noise

27. 53 public comments were received in relation to noise.

**Table 3.17: Applicant's Responses to RRs relating to noise**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-196 RR-245 RR-246 RR-249 RR-251 RR-253 RR-268 RR-278 RR-290 RR-293 RR-298 RR-341 RR-347 RR-359 RR-362 RR-367 RR-368 RR-378 RR-380 RR-385 RR-394 RR-396 RR-415 RR-416 RR-423 RR-483 RR-499 RR-544 RR-573 RR-591 RR-603 RR-614 RR-620 RR-628 RR-630 RR-633 RR-639 RR-658 RR-667 RR-672 RR-673 RR-688 RR-713 RR-723 RR-738 RR-750 RR-754 RR-763 RR-791 RR-797 RR-818 RR-819 RR-828	PUB-189 PUB-237 PUB-238 PUB-241 PUB-243 PUB-245 PUB-259 PUB-268 PUB-280 PUB-283 PUB-288 PUB-330 PUB-336 PUB-348 PUB-351 PUB-356 PUB-357 PUB-367 PUB-369 PUB-374 PUB-383 PUB-385 PUB-404 PUB-405 PUB-411 PUB-470 PUB-484 PUB-526 PUB-554 PUB-572 PUB-584 PUB-595 PUB-601 PUB-608 PUB-610 PUB-613 PUB-619 PUB-638 PUB-647 PUB-652 PUB-653 PUB-668 PUB-690 PUB-698 PUB-713 PUB-724 PUB-727 PUB-736 PUB-760 PUB-766 PUB-782 PUB-783 PUB-790	The impact of construction noise, piling in particular upon wildlife and local residents.  The noise generated by the energy storage facility.  Noise from the solar park (such as from inverters).	An outline SPA Construction Noise Mitigation Plan (SPA CNMP) (PINS reference <a href="#">APP-243</a> ) for birds has been proposed to minimise the potential impacts on breeding and wintering birds; the Plan does not result in any extension to the construction period outlined in Chapter 5 - Development Description of the ES.  Noise impacts are assessed in Chapter 12 - Noise (PINS reference <a href="#">APP-042</a> ) of the ES. The noise impact assessment has taken into account the existing level of background noise by undertaking measurements at representative locations surrounding the site, and setting assessment criteria relative to these existing levels.

### 3.18 Socio-economics

28. 53 public comments were received in relation to socio-economics.

**Table 3.18: Applicant's Responses to RRs relating to socio-economics**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-514 RR-517 RR-531 RR-539 RR-548 RR-558 RR-561 RR-562 RR-563 RR-565 RR-572 RR-576 RR-577 RR-579 RR-581 RR-585 RR-589 RR-599 RR-600 RR-601 RR-603 RR-614 RR-628 RR-630 RR-644 RR-645 RR-646 RR-647 RR-660 RR-675 RR-679 RR-684 RR-697 RR-710 RR-717 RR-719 RR-723 RR-724 RR-725 RR-737 RR-749 RR-760 RR-778 RR-791 RR-797 RR-807 RR-811 RR-812 RR-818 RR-829 RR-831 RR-848 RR-849	PUB-497 PUB-500 PUB-513 PUB-521 PUB-530 PUB-539 PUB-542 PUB-543 PUB-544 PUB-546 PUB-553 PUB-557 PUB-558 PUB-560 PUB-562 PUB-566 PUB-570 PUB-580 PUB-581 PUB-582 PUB-584 PUB-595 PUB-608 PUB-610 PUB-624 PUB-625 PUB-626 PUB-627 PUB-640 PUB-655 PUB-659 PUB-664 PUB-677 PUB-689 PUB-693 PUB-695 PUB-698 PUB-699 PUB-700 PUB-712 PUB-723 PUB-733 PUB-748 PUB-760 PUB-766 PUB-773 PUB-776 PUB-777 PUB-782 PUB-791 PUB-793 PUB-809 PUB-810	There will be no benefits to the local community.  Negatively impacts on the local economy as a result of people being discouraged from visiting the area.	Socio-economic impacts are assessed in Chapter 13 - Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).

### 3.19 Saxon Shore Way

29. 37 public comments were received in relation to the Saxon Shore Way.

**Table 3.19 - Applicant's Responses to RRs relating to Landscape**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-008 RR-099 RR-119 RR-129 RR-142 RR-152 RR-162 RR-171 RR-216 RR-241 RR-284 RR-308 RR-329 RR-378 RR-414 RR-430 RR-434 RR-470 RR-478 RR-479 RR-486 RR-495 RR-516 RR-535 RR-539 RR-557 RR-599 RR-657 RR-688 RR-753 RR-760 RR-777 RR-796 RR-801 RR-812 RR-851 RR-867	PUB-007 PUB-094 PUB-113 PUB-123 PUB-135 PUB-145 PUB-155 PUB-164 PUB-209 PUB-233 PUB-274 PUB-298 PUB-318 PUB-367 PUB-403 PUB-418 PUB-422 PUB-458 PUB-466 PUB-467 PUB-473 PUB-481 PUB-499 PUB-517 PUB-521 PUB-538 PUB-580 PUB-637 PUB-668 PUB-726 PUB-733 PUB-747 PUB-765 PUB-767 PUB-777 PUB-812 PUB-827	Impacts on the Saxon Shore Way.	Recreational amenity effects on public rights of way including the Saxon Shore Way are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).  Visual impacts upon public rights of way including the Saxon Shore Way are assessed in Chapter 7 - Landscape and Visual Impact Assessment (LVIA) of the ES (PINS reference <a href="#">APP-037</a> ).

### 3.20 Flood Defence Management

30. 18 public comments were received in relation to flood defence management.

**Table 3.20: Applicant's Responses to RRs relating to Landscape**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-018 RR-036 RR-058 RR-061 RR-113 RR-211 RR-299 RR-322 RR-332 RR-401 RR-422 RR-515 RR-688 RR-700 RR-772 RR-789 RR-807 RR-831	PUB-017 PUB-034 PUB-054 PUB-057 PUB-108 PUB-204 PUB-289 PUB-311 PUB-321 PUB-390 PUB-410 PUB-498 PUB-668 PUB-680 PUB-742 PUB-758 PUB-773 PUB-793	Concerns over the management of the flood defences by a private company.  Uncertainty over the source of funding for maintenance of the flood defences (should the operator of the solar farm be unable to afford it).	The draft Development Consent Order submitted with the Application ( <a href="#">APP-016</a> ) includes the powers and rights necessary for the Applicant to maintain the existing flood defences throughout the operational lifetime of the Development.  The draft Development Consent Order does not include power to raise the height of the flood defences.

### 3.21 Medway Estuary and Swale Strategy

31. 17 public comments were received in relation to the MEASS.

**Table 3.21: Applicant's Responses to RRs relating to MEASS**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-036 RR-058 RR-061 RR-113 RR-211 RR-299 RR-322 RR-332 RR-401 RR-422 RR-515 RR-688 RR-700 RR-772 RR-789 RR-807 RR-831	PUB-034 PUB-054 PUB-057 PUB-108 PUB-204 PUB-289 PUB-311 PUB-321 PUB-390 PUB-410 PUB-498 PUB-668 PUB-680 PUB-742 PUB-758 PUB-773 PUB-793	Conflict with the Environment Agency's plan for managed realignment.  Preference for managed realignment in accordance with MEASS.	The draft Development Consent Order submitted with the Application ( <a href="#">APP-016</a> ) includes the powers and rights necessary for the Applicant to maintain the existing flood defences throughout the operational lifetime of the Development.  The EA's "The Medway Estuary and Swale Strategy - A Summary of Consultation Responses - Report – MMD-347800-S-RE-005-C", section 4.2 (Comments on specific Benefit Areas) document <sup>6</sup> states that, "Should the plans for the solar farm at Cleve Hill be approved and this moves forward to construction, the following will replace the current policy: <ul style="list-style-type: none"><li>• We [the EA] will not take responsibility for continued maintenance of the defences in this area.</li><li>• A Managed Realignment site would be proposed in the longer term following the lifetime of the solar farm".</li></ul> As such, the Development is not in conflict with most recent version of

<sup>6</sup> Environmental Agency. Medway Estuary and Swale Strategy A Summary of Consultation Responses (June 2018). Available online at: [https://consult.environment-agency.gov.uk/ksles/medway-estuary-and-swale-strategy/user\\_uploads/summary-of-consultation-responses.pdf](https://consult.environment-agency.gov.uk/ksles/medway-estuary-and-swale-strategy/user_uploads/summary-of-consultation-responses.pdf) [accessed 25/02/2019]

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
			<p>the MEASS and the delivery of managed realignment can still occur after the lifetime of the Development.</p> <p>The EA has confirmed that they can delay managed realignment and still deliver their obligations under the Habitats Regulations.</p>

### 3.22 Health

32. 13 public comments were received in relation to health.

**Table 3.22: Applicant's Responses to RRs relating to Health**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-505 RR-581 RR-582 RR-606 RR-610 RR-637 RR-640 RR-728 RR-738 RR-748 RR-772 RR-818 RR-836	PUB-490 PUB-562 PUB-563 PUB-587 PUB-591 PUB-617 PUB-620 PUB-703 PUB-713 PUB-722 PUB-742 PUB-782 PUB-798	Negative impacts on people's mental and physical wellbeing by removing access to open space.	<p>Chapter 17 - Miscellaneous Issues (PINS reference <a href="#">APP-047</a>) of the ES includes an assessment of the effects of the Development on human health.</p> <p>Recreational amenity effects on public rights of way are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a>).</p> <p>A permissive footpath is proposed as part of the Development to increase the amount of publicly accessible areas within the Development site.</p>

### 3.23 Land Beneath the Panels

33. Eleven public comments were received in relation to the land beneath the panels.

**Table 3.23: Applicant's Responses to RRs relating to the land beneath the panels**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-011 RR-029 RR-091 RR-233 RR-237 RR-398 RR-465 RR-622 RR-642 RR-663 RR-726	PUB-010 PUB-027 PUB-086 PUB-225 PUB-229 PUB-387 PUB-453 PUB-603 PUB-622 PUB-643 PUB-701	Desertification of the land beneath the panels as a result of the dense east/west alignment of the panels.	<p>Technical Appendix A5.3 - Microclimate &amp; Vegetation Desk-Based Study (PINS reference <a href="#">APP-204</a>) provides an assessment of the likely effect on soil temperature and moisture and vegetation responses.</p>

### 3.24 Panel Heights

34. Seven public comments were received in relation to panel heights.

**Table 3.24: Applicant's Responses to RRs relating to panel heights**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-021 RR-027 RR-408 RR-410 RR-420 RR-442 RR-471	PUB-019 PUB-025 PUB-397 PUB-399 PUB-408 PUB-430 PUB-459	The panels are too high.  The panels are similar to the height of double-decker bus.	Section 4.4.2.1 of Chapter 4 -Site Selection, Development Design and Consideration of Alternatives of the ES (PINS reference <a href="#">APP-034</a> ) sets out the design process undertaken for the Development.

### 3.25 Alternative Energy Sources

35. Six public comments were received in relation to alternative energy sources.

**Table 3.25: Applicant's Responses to RRs relating to alternative energy sources**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-536 RR-607 RR-697 RR-791 RR-855 RR-860	PUB-518 PUB-588 PUB-677 PUB-760 PUB-816 PUB-820	There are more suitable alternative energy sources than solar.	The Statement of Need (PINS reference <a href="#">APP-253</a> ) submitted with the DCO application, and its March 2019 Addendum, (which is attached to this Response document), explain the factors that have influenced drivers for the scale of the Development in relation to the energy market.

### 3.26 Cumulative Impacts

36. Six public comments were received in relation to cumulative impacts.

**Table 3.26: Applicant's Responses to RRs relating to cumulative impacts**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-027 RR-237 RR-363 RR-437 RR-662 RR-744	PUB-025 PUB-229 PUB-352 PUB-425 PUB-642 PUB-718	Lack of consideration of cumulative impacts with developments proposed in Faversham.	A list of cumulative developments considered for assessment (including several in Faversham) is provided in Chapter 2 - EIA of the ES (PINS reference <a href="#">APP-032</a> ). This list was updated from the list included in Chapter 2 of the PEIR, consulted on in June and July 2018.

### 3.27 Consultation

37. Five public responses were received in relation the consultation undertaken.

**Table 3.27: Applicant's Responses to RRs relating to Consultation**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-054 RR-092 RR-241 RR-628 RR-706	PUB-050 PUB-087 PUB-233 PUB-608 PUB-685	The consultation undertaken by the Applicant was misleading.	The consultation was undertaken in accordance with the Statement of Community Consultation provided as an appendix to the Consultation Report



RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
			(PINS reference <a href="#">APP-022</a> ) and relevant legislation (including the Planning Act 2008). The local planning authorities within which the Development is situated all confirmed adequacy of consultation at the time of acceptance of the application.

### 3.28 Impact on Property Prices

38. Four public comments were received in relation to the impact on property prices.

**Table 3.28: Applicant's Responses to RRs relating to the impact on property prices**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-436 RR-443 RR-454 RR-455	PUB-424 PUB-431 PUB-442 PUB-443	Reduced value of properties neighbouring the Development.	This is not a material consideration for the Secretary of State considering the impacts of the Development.

### 3.29 Electric and Magnetic Fields

39. Four public comments were received in relation to EMFs.

**Table 3.29 - Applicant's Responses to RRs relating to EMFs**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-198 RR-339 RR-364 RR-719	PUB-191 PUB-328 PUB-353 PUB-695	Concerns about electro-magnetic radiation emitted by infrastructure, particularly the energy storage facility.	<p>Section 17.4 of Chapter 17 – Miscellaneous Issues of the ES (<a href="#">APP-047</a>) includes an assessment of the effects of electro-magnetic fields (EMFs) from the Development.</p> <p>The only part of the Development with the potential to emit EMFs which exceed Health Protection Agency guideline levels is the 400 kV export connection from the Development substation to the existing Cleve Hill Substation.</p> <p>This part of the Development site is not publicly accessible. Even directly above this cable under maximum load, neither the occupational or public levels will be breached.</p>

### 3.30 Hydrology

40. Four public comments were received in relation to Hydrology.

**Table 3.30: Applicant's Responses to RRs relating to Hydrology**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-148 RR-380 RR-614 RR-663	PUB-141 PUB-369 PUB-595 PUB-643	Contamination of the local waterways and ditch networks by pollution from the Development relating to the	Hydrological impacts are assessed in Chapter 10 - Hydrology, Hydrogeology, Flood Risk and Ground Conditions of



RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
		infrastructure and pesticide use.	the ES (PINS reference <a href="#">APP-040</a> ).  As set out in Chapter 8 - Ecology of the ES (PINS reference <a href="#">APP-038</a> ), pesticide use is expected to decrease substantially during operation of the Development with resultant beneficial effects for ecological receptors.

### 3.31 DCO Parameters

41. Three public comments were received in relation to the DCO parameters.

**Table 3.31: Applicant's Responses to RRs relating to Landscape**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-467 RR-479 RR-823	PUB-455 PUB-467 PUB-787	Lack of specific parameters for the energy storage facility.	Chapter 5 - Development Description of the ES (PINS reference <a href="#">APP-035</a> ) clearly sets out the design parameters for the energy storage facility.  These parameters have then been subject to assessment in the technical chapters 7 to 18 of the ES.

### 3.32 Air Pollution

42. Three public comments were received in relation to air pollution.

**Table 3.32: Applicant's Responses to RRs relating to air pollution**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-396 RR-426 RR-436	PUB-385 PUB-414 PUB-424	Air pollution in Faversham as a result of construction traffic.  Dust and air pollution at Graveney Primary School as a result of construction traffic.	Air quality, including impacts as a result of increased traffic volumes has been assessed in Chapter 16 - Air Quality of the ES (PINS reference <a href="#">APP-046</a> ) which does not identify any likely significant effects on air quality as a result of the Development during construction, operation or decommissioning.

### 3.33 The Sportsman

43. Three public comments were received in relation to The Sportsman.

**Table 3.33: Applicant's Responses to RRs relating to Landscape**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-061 RR-106 RR-403	PUB-057 PUB-101 PUB-392	A negative impact upon The Sportsman's restaurant business.	Socio-economic, recreation and tourism impacts are assessed in Chapter 13: Socio-economics, Tourism, Recreation and Land-Use of the ES (PINS reference <a href="#">APP-043</a> ).

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### 3.34 Long Term Land Management

44. Two public comments were received in relation to long term management of the site.

**Table 3.34: Applicant's Responses to RRs relating to long term management**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-220 RR-474	PUB-213 PUB-462	A lack of clarity on who will manage the land in the future, and how this will be policed.	<p>The land will be managed by the Applicant.</p> <p>The DCO includes requirements (similar to conditions on a local planning application) which provide for the parameters of the Development. Where there are schemes or plans required relating to the detail of the Development, its construction or operation are to be discharged under the requirements, will be considered and discharged by the local planning authority (Swale Borough Council). The local planning authority will also be vested with powers of oversight and enforcement of the DCO as it would for a scheme approved under the Town and Country Planning Act 1990.</p>

### 3.35 Security

45. Two public comments were received in relation to security.

**Table 3.35: Applicant's Responses to RRs relating to security**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-058 RR-564	PUB-054 PUB-545	<p>CCTV violating residents civil rights.</p> <p>Concerns that the Development could be a danger to local residents.</p>	<p>Paragraph 140 of Chapter 5 - Development Design of the ES (PINS reference <a href="#">APP-035</a>) sets out how privacy of residents can be ensured.</p> <p>Security is covered within section 5.4.7 of Chapter 5, and also section 17.3.6 of Chapter 17 - Miscellaneous Issues of the ES (PINS reference <a href="#">APP-047</a>).</p>

### 3.36 Access to Chalets

46. Two public comments were received in relation to access to chalets.

**Table 3.36: Applicant's Responses to RRs relating to Access to Chalets**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-055 RR-056	PUB-051 PUB-052	Seek confirmation that access will not be altered.	Access to the chalets will not be impeded by the Development.

### 3.37 Ordnance Datum

47. One public comment was received in relation to ordnance datum.

**Table 3.37: Applicant's Responses to RRs relating to ordnance datum**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-481	PUB-468	Clarity needed on data used for flood modelling.	The parameters for flood modelling were agreed with the EA prior to the assessment reported in ES Technical Appendix A10.1 - FRA (PINS reference <a href="#">APP-227</a> ).

### 3.38 Decommissioning of Energy Storage

48. One public comment was received in relation to flight assessment surveys.

**Table 3.38: Applicant's Responses to RRs relating to Landscape**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-004 RR-007 RR-322 RR-717	PUB-004 PUB-006 PUB-311 PUB-693	More information and guarantees required on how the energy storage facility will be decommissioned.	An outline decommissioning and restoration plan is provided with the application (PINS reference <a href="#">APP-206</a> ).

### 3.39 Project Lifetime

49. One public comment was received in relation to the project lifetime.

**Table 3.39 - Applicant's Responses to RRs relating to Landscape**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-474	PUB-462	A lack of clarity on the lifetime of the project.	The draft DCO submitted with the application ( <a href="#">APP-016</a> ) is not time limited.  For some assessments, an anticipated lifetime is required, and where this is the case, the length of the land lease has been used which is up to 40 years.

### 3.40 Agricultural Land Classification

50. One public comment was received in relation to ALC.

**Table 3.40: Applicant's Responses to RRs relating to Agricultural Land Classification**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-104	PUB-099	The Agricultural Land Classification survey may not have been compliant with MAFF guidelines.	The MAFF guidelines are referred to in the ALC report, provided as Technical Appendix A13.1 of the ES (PINS reference <a href="#">APP-244</a> ).

### 3.41 Heat Island Effect

51. One public comment was received in relation to heat island effect.

**Table 3.41: Applicant's Responses to RRs relating to Heat Island Effect**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-341	PUB-330	The Development will result in a 'heat island' effect in the area.	<p>Technical Appendix A5.3 - Microclimate &amp; Vegetation Desk-Based Study (PINS reference <a href="#">APP-204</a>) provides an assessment of the likely effect on soil temperature and moisture.</p> <p>Whilst the energy storage facility will also have the potential to emit heat to the atmosphere, this is considered to be very unlikely to result in any heat island effect other than in immediate proximity to the point of emission.</p>

### 3.42 Flight Assessment Surveys

52. One public comment was received in relation to flight assessment surveys.

**Table 3.42: Applicant's Responses to RRs relating to Flight Assessment Surveys**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-499	PUB-484	Disagreement with methodology used for bird flight assessment surveys.	The methodology for the surveys was agreed in consultation with Natural England as reported in Chapter 9 - Ornithology of the ES (PINS reference <a href="#">APP-039</a> ).

### 3.43 Fiery Clearwing Moth

53. One public comment was received in relation to the fiery clearwing moth.

**Table 3.43: Applicant's Responses to RRs relating to Fiery Clearwing Moth**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-718	PUB-694	This area is important for the fiery clearwing moth.	The effects of the Development on invertebrates are assessed in Chapter 8 - Ecology of the ES (PINS reference <a href="#">APP-038</a> ). In particular, section 8.5.4 provides an assessment of impacts during construction and operation. All impacts, including during construction are assessed as negligible, except for the minor beneficial effect of the proposed habitat enhancements set out in the outline LBMP (PINS reference <a href="#">APP-203</a> ) and the moderate beneficial effect of cessation of pesticide application targeted at invertebrates.

### 3.44 National Planning Policy Framework

54. One public comment was received in relation to the NPPF.

**Table 3.44: Applicant's Responses to RRs relating to National Planning Policy Framework**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-773	PUB-743	The application is not supported by NPPF.	The Planning Statement (PINS reference <a href="#">APP-254</a> ) submitted as part of the Application provides a detailed assessment of the Development against the policies identified in Chapter 4 - Planning of the ES (PINS reference <a href="#">APP-034</a> ).

### 3.45 Flooding at Chalet Property

55. One public comment was received in relation to flooding at a chalet property.

**Table 3.45: Applicant's Responses to RRs relating to Flooding at Chalet Property**

RR Reference	CHSPL Ref.	Summary of Main Issues Raised in the Relevant Representation	Applicant's Response
RR-816	PUB-781	Chalets will be more susceptible to flooding.	<p>The risk of flooding will not change as a result of the Development relative to the baseline scenario.</p> <p>The Applicant has agreed with the EA that the existing flood defences to the north of the site would continue to be maintained throughout the lifetime of the Development and the funding for this would be provided by the Applicant.</p> <p>A Flood Risk Assessment is provided as Technical Appendix A10.1 of the ES (PINS reference <a href="#">APP-227</a>).</p>



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