

**From:** [REDACTED]  
**To:** [Cleve Hill Solar Park](#)  
**Subject:** Cleve Hill Solar Park  
**Date:** 23 June 2019 08:21:47

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Dear Sir/Madam

I write in response to the ExA's Written Questions.

**A) ExQ 1.0.8 – “Policy”**

Strategically the government may decide that extensive solar facilities on the land may have an opportunity cost, in terms of land use, which is too high to be a strategic source of power.

From a casual reading of NPS EN-1 and NPS EN-5 they should be considered. However, they are no more important and relevant to this case as other strategic papers.

It was interesting to note that the NPS states that an application should not breach any international obligations.

Many planning applications quote from a National Policy to support their application. As an example, The National Planning Policy Framework (NPPF) states that there is a presumption to approve developments. However, the NPPF also looks at the wider position in that it states that any development must be sustainable and many applications, especially in rural area, are not sustainable.

The application references acceptable noise levels quoted in the NPS. It is easy to cherry-pick statements from such policy documents to make a case. The spirit of these policy documents is to give a wide balanced view.

On the 9<sup>th</sup> June 2019 the government announced - “New laws to guarantee payment for solar homes providing excess electricity”. In that announcement the Energy and Clean Growth Minister Chris Skidmore, said:

“The future of energy is local and the new smart export guarantee will ensure households that choose to become green energy generators will be guaranteed a payment for electricity supplied to the grid.

We want the energy market to innovate and it's encouraging to see some suppliers already offering competitive export tariffs to reduce bills. We want more to follow suit, encouraging small-scale generation without adding to consumer bills, as we move towards a subsidy-free energy system and a net zero emissions economy.”

The strategic view of solar generation and battery storage is still evolving so perhaps the emphasis on the NPS is simply a consideration rather than being used as the framework in which the decision should be taken.

## **B) ExQ 1.1.18 ; 1.2.6 and 1.4.14 – “sea wall”**

Being a farmer reliant on the sea defences I was already aware of the Environmental Agency Report - Estuary and Swale Strategy (MEASS). I was surprised that this had not been considered in the applicant's initial plans. To move the control, or exercise undue influence, of the sea defences from a statutory body to a private organisation seems inappropriate.

To demonstrate this I have reproduce an extract from the Environment Agency Report  
Medway Estuary and Swale Strategy  
A Summary of Consultation Responses Report  
MMD-347800-S-RE-005-C  
Report Version C June 2018

As can be seen from the contents page below, in the Summary of key finding, Managed Realignment is the very first comment.

The details of the Managed Realignment comments are:-

### 4.1. General comments

Some areas should include more Managed Realignment sites and less hard defences - is it suitable and sustainable to continue to protect our coastline? In general, the Strategy aims to work with the natural coastal and estuarine processes and has assessed many options for each frontage. Our priority is to optimise working with nature, and provide wider benefits (ecological, recreation, heritage) without causing adverse impacts on properties and people. However, as many areas of the Strategy are low lying land, flooding that occurs here can spread and impact areas relatively far from the coastline. We have ensured that numerical modelling has driven where defences are required to adequately protect different assets.

The Environment Agency is stating that their priority is to optimise working with nature etc. It may be appropriate to know how other developers have been dealt with where they have requested control of a seawall when The Environmental Agency had already planned a Managed Realignment.

## **C) ExQ 1.1.23 and 1.1.36 “control of habitat”**

As a suggestion to how to control the farming obligations - these could be dealt with under a farming Management Agreement. This would be with Natural England (NE). The process of establishing if the obligations of such a farming Management Agreement would be possible would confirm, or otherwise, if the area can be managed by commercial farming.

#### **D) 1.7.4. "noise"**

I wondered if I could help with the background noise levels.

I have a note of the background noise readings from a 1996 application for a waste disposal site adjacent to the Oare Nature Reserve (ONR). This application was refused. ONR is the westerly neighbour to the proposed Solar Park.

These were taken by Thurlow & Carrington on behalf of Bretts. The background readings that are comparable are below. I have enclosed an equivalent location in brackets and added a brief comment.

37 - Harty Ferry Cottages which are on a road adjacent to ONR (Nagden/Warm House)  
– as could be expected this is a similar reading to Nagden/Warm House, although, given the proximity of the road to Harty Ferry Cottages, higher

32 - Entrance of track to Court Lodge Farm (Coney Banks)  
– a very low reading but no readings were taken even though a receptor is shown at Coney Banks on the map

30 - Coastal Path which is adjacent to ONR (Northerly border of proposed Solar Park)  
– a very low reading but no readings were taken from the seawall area

Given how well noise travels across marshland perhaps a review, with some additional readings to cover the main area especially the western side, may be appropriate. It would also be interesting to understand Swale Borough Councils rationale to their scoping meeting given the importance of Ramsar site.

Stephen Ledger