

From: [REDACTED]
To: [Cleve Hill Solar Park](#)
Subject: Cleve Hill Solar Park: RSPB Written Representation.
Date: 26 June 2019 16:19:33
Attachments: [REDACTED]

Hi,

Please find attached the RSPB's written representation for the Cleve Hill Solar Park proposal
Please let me know if you need any more information.

Regards,

Alan

Alan Johnson

RSPB South East Conservation Manager

[REDACTED]

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**Written Representation
for the
Royal Society for the Protection of Birds**

**Submitted for Deadline 2
26 June 2019**

Planning Act 2008 (as amended)

In the matter of:

**Application by Cleve Hill Solar Park Limited for an
Order Granting Development Consent for the
Cleve Hill Solar Park Project**

**Planning Inspectorate Ref: EN010085
Registration Identification Ref: 20022134**

1. Introduction

- 1.1. This Written Representation sets out a summary of the RSPB's position with regard to the Cleve Hill Solar Park Project application (the development), based on its Relevant Representation. It also provides the RSPB's answer to one of the Examining Authorities Written Questions.
- 1.2. Due to short term, but acute, resource constraints the RSPB will be unable to make further submissions to the Examination and will defer to the Kent Wildlife Trust and Natural England on relevant matters relating to our objection below. We will use our currently constrained resources to continue to input to the Habitat Management Steering Group and thereby support the Kent Wildlife Trust and Natural England in that respect.

2. Summary of the RSPB's position

- 2.1 The RSPB objects to the development. The reasons for this objection (set out in the RSPB's Relevant Representation) are summarised as follows:
 - 2.1.1 The development will result in 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. 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. 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.
 - 2.1.2 Acknowledging a background of continued declines in biodiversity (Hayhow et al., (2016) State of Nature 2016), the RSPB considers we need to make good decisions about how we use land, particularly in the vicinity of protected landscapes with high-value habitats. The Lawton Review (Lawton et al (2010) Making Space for Nature) identified the need to create bigger, better and more connected landscapes if we are to provide a sustainable future for our threatened species. The Greater Thames Estuary is a landscape of international importance that is under threat from development, recreational disturbance and sea level rise and urgently needs a long-term plan that includes the creation of new habitat. The 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.

- 2.1.3 The need for a full understanding of the impacts of the development on the nature conservation interest (current and potential) described above.
- 2.1.4 Should the development proceed, the need for a package of measures designed to avoid an adverse effect on the integrity of those protected areas and their features, with all the necessary legal, financial and planning guarantees in place. This includes ensuring that the package of measures:
- provides a sufficient area of functionally available habitat for each impacted species;
 - contains detailed design, prescription, management and monitoring for the habitat area;
 - appropriate legal, financial and planning guarantees securing the mitigation and compensation measures, to be tied in to the Development Consent Order.
- 2.1.5. Finally, in line with DEFRA's 25-year plan, we expect the development to demonstrate a clear net-gain for biodiversity.

3. Examining Authority's Written Questions

- 3.1 With regards to the Examining Authority's written questions and requests for information, we have the following comment.

EXQ 1.1.8 (part)

In relation to potential bird mortality or injury through collision with solar panels or fences, are the Applicant, Natural England, Kent Wildlife Trust, RSPB or the Local Authorities aware of any relevant monitoring studies at existing solar farm sites?

- 3.2 The following webpage provides a review of evidence and gaps in knowledge: 'Impacts of Operational Solar Farms on Biodiversity: a Review of Studies and Call for Evidence - BSG Ecology' <https://www.bsg-ecology.com/impacts-of-operational-solar-farms-on-biodiversity/> A key concern is the displacement of birds: in the context of the development this would include species which require open vistas, for example wintering grassland waders and geese.

References

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