

From: [REDACTED]
To: [Cleve Hill Solar Park](#)
Cc: Francesca.Potter@kent.gov.uk; [James Freeman](#); [Graham Thomas](#); [Mike Bird](#)
Subject: Re: Written Representation of Swale Borough Council and the Council's Answers to Written Questions
Date: 26 June 2019 18:51:51
Attachments: [REDACTED]

Dear Sirs,

Please see the attached response to Examining Authority Written Questions.

Kind Regards,

Joanna Dymowska
Principal Planning Officer
Planning & Regeneration
Canterbury City Council

Please see the below answers to the Examination Questions for the Cleve Hill National Infrastructure Project.

Examining Question number	Answer
<p>Ex.Q.1.0.2. Are Swale District, Canterbury City and Kent County Councils content with the summary of local planning policies set out in Chapter 6 of the Environmental Statement and the analysis of local planning policies at Appendix A of the Planning Statement?</p>	<p>Additional policies from Canterbury District Local Plan 2017 should be added:</p> <ul style="list-style-type: none"> • Policy HE1 – Historic Environment and Heritage Assets, • Policy OS12 of the Local Plan 2017, • LB13 River Corridors, <p>In relation to Appendix A of the Planning Statement, CCC has the following comments to make:</p> <ul style="list-style-type: none"> • It is considered that paragraph 281 dealing with policy LB12 in particular, does not acknowledge that the test of the policy is to ‘restore, enhance and extend the ecological value of the Seasalter marshes’ • Chapter 6.1.2. of the Planning Statement on the Design, Landscape and Visual considerations do not acknowledge the policy LB2 dealing with the impact on the Area of High Landscape Value designations and policy LB3 seeking to protect the unspoilt scenic quality of the undeveloped coast.
<p>Ex.Q.1.0.8. The Applicant and Interested Parties are invited to comment on the applicability of NPSs to the policy framework within which the application should be determined, and to identify any particular policies in the NPSs that they consider to be important and relevant to this examination, as described under s105(2)(c) of the Planning Act 2008.</p>	<p>It is agreed that NPS EN1, EN3 and EN5 are relevant to the determination of this DCO application. Nonetheless, it is highlighted that EN-1 does not list the solar farm as a type of renewable energy within its scope, however it deals with a need for in general.</p>
<p>Ex.Q.1.1.1. Are Natural England, Kent Wildlife Trust, RSPB and the</p>	<p>CCC defers to KCC and Natural England.</p>

<p>Local Authorities content with the approach to defining study areas for wildlife surveys and assessment in Chapter 8 of the Environmental Statement [APP-038] and the appended survey reports?</p> <p>Are the same parties content with the explanation of how the zone of influence for ornithological study and assessment was determined, especially in relation to the functional linkage identified between affected habitats on the development site and interest features of the Swale SSSI, SPA and Ramsar site (Chapter 9 of the Environmental Statement [APP-039] and the RIAA [APP026])?</p>	
<p>Ex.Q.1.1.4. Are Natural England, Kent Wildlife Trust, RSPB and the Local Authorities content that the various 2015 protected species surveys, some of which were carried out in accordance with subsequently updated guidance, and the 2016 breeding bird and flight activity surveys are sufficiently up to date to facilitate an accurate assessment, noting the timing and results of the updated phase 1 habitat survey in February 2018?</p>	<p>CCC defers to KCC and Natural England.</p>
<p>Ex.Q.1.1.8. 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?</p>	<p>No comments to make; CCC defers to Natural England.</p>
<p>Ex.Q.1.5.11. Could the MMO, Natural England, Swale Borough Council, Kent County Council, Canterbury City Council and any other local authority please confirm whether they are content that all other developments, plans and projects that have potential to result in cumulative or in-combination effects</p>	<p>CCC agrees that all sites have been identified for CCC district.</p>

<p>together with the proposed development have been identified and appropriately assessed by the Applicant in the Environmental Statement (Table 2.2) [APP-032] and the RIAA [APP-026] (including any relevant marine licensed projects)?</p>	
<p>Ex.Q.1.6.1. Could Natural England, Swale Borough Council, Kent County Council and Canterbury City Council confirm that they are content with the locations of the viewpoints and photomontages presented in the LVIA?</p>	<p>CCC, together with KCC and Swale Borough requested that independent Landscape Visual Assessment is carried out which would assess the impact of the proposal and the methodology adopted for the LVIA submitted with DCO application.</p>
<p>Ex.Q.1.6.17. Do Swale Borough Council, Kent County Council or Canterbury City Council have any observations on the approach, scope and findings of the LVIA and RVAA, including the scope of proposed mitigation and monitoring?</p>	<p>The conclusions and findings of the report are questionable as there would be harm to the local landscape and its setting. An independent LVIA has been commissioned by KCC to assess the extent of the harm.</p>
<p>Ex.Q.1.7.3. Could the Applicant please explain why the noise assessment [APP-042] is apparently limited to residential receptors and birds. Were any users of rural paths, other amenity and recreational features, or community facilities not considered to be sensitive receptors? Do Swale Borough Council and Canterbury City Council agree with the scope of receptors selected for assessment?</p>	<p>CCC has no comments to make in relation to the scope of the selected receptors.</p>
<p>Ex.Q.1.8.2. Do Kent County Council and Swale Borough Council believe that there are any additional mitigation measures that could reduce the significance of effect to the amenity of users of the public rights of way across and adjacent to the site during construction?</p>	<p>CCC considers that there are no additional mitigation measures that could reduce the significance of effect to the amenity of users of the public right of way, given that fact that the quality of landscape views at present is derived from the undeveloped nature of the coast of a flat and tranquil land. Additional landscaping could result in total loss of such character and loss of</p>

sight lines from public rights of a way.