

From: [REDACTED]
To: [Cleve Hill Solar Park](#)
Cc: [REDACTED]
Subject: Deadline 5 Submission
Date: 20 September 2019 19:50:33
Attachments: [REDACTED]

Please find attached the second part of our Deadline 5 Submission.

[Harold Goodwin](#)

Chair of the Faversham Society

The DCO

In the Society's view, it is essential that the DCO provides a clear set of planning conditions to enable Swale Borough Council to fulfil its responsibilities. These conditions should be based on the **precautionary principle, enforceable requirements and guarantees on decommissioning.**

The developer appears unwilling to produce a simple list of requirements with which it will comply, "a very clear and straightforward route map." Given the number of consultants and the mass of paper which they have produced, it seems to us to be entirely reasonable to expect that they would provide a list of the requirements with which they would comply. If they intend that there should be flexibility, this could be made clear in the schedule of requirements. The maze of documents which they have generated would be rich pickings for an appeal, and this would be a constraint and deter Swale Borough Council's enforcement when faced with a well-funded and potentially litigious developer. There is reason to be concerned that this may be the intent. There are significant material risks from this development and Swale Borough Council should be provided with a clear schedule of requirements if they are to have any realistic prospect of exercising their responsibility for the Discharge of Requirements.

Precautionary Principle

As we have demonstrated in our other evidence submitted for Deadline 5, there is no imperative national need for this development. Today the Government has announced 12 new renewable energy projects which are set to deliver clean energy to seven million homes. The new projects, announced in the latest round of Whitehall's Contracts for Difference scheme, will provide around 6GW of capacity – 2.4GW more than the last round. <https://www.localgov.co.uk/Whitehall-announces-12-renewable-energy-projects/48182>

Agricultural Land

There is a substantial difference in the assessment of the quality of the land on the development site. In our view, in the context of food security and climate change, planners should adopt a precautionary approach and accept that the site has value as agricultural land.

Biodiversity

Climate change and biodiversity both threaten our species and our planet. The loss of habitat by turning the land over to industry, and likely rendering it sterile and polluted, may be more significant than the reduction in greenhouse gases that the CHSP may deliver. Intertidal habitat is squeezed between seawalls and rising sea levels and has already disappeared in parts of Essex.

Saltmarsh is not wasteland.

"Saltmarsh has a value that is related to its flood and coastal defence function and ecosystem and conservation importance, as well as its role in pollution control, waste disposal and the maintenance of water quality, fisheries, agriculture, recreation and tourism. This value is based on the interaction of its basic components (soil, water, flora and fauna), their physical shape (including channels and

saltmarsh surfaces) and the assemblage of plants and animals they hold.”¹ *Joint Defra / Environment Agency Flood and Coastal Erosion Risk Management R&D Programme*

Climate Change

The recent IPCC report on land use and climate change provides grounds for questioning whether greenhouse gas emissions might not be reduced further by a managed retreat strategy than by industrialising the land.

SF6 is a cheap and non-flammable, colourless, odourless, synthetic gas. It is also highly polluting 23,500 times more warming than carbon dioxide (CO2). Just one kilogram of SF6 warms the Earth to the same extent as 24 people flying London to New York return, and it persists for at least 1,000 years. SF6 is extensively used for switching gear.

If SF6 is to be used by the applicant or may be used by the applicant, then leakage should be included in their net carbon assessment. <https://www.bbc.co.uk/news/science-environment-49567197>

Pollution

Solar technology is not entirely clean, and there is a substantial risk of pollution from the solar panels and batteries. Dr Erasin’s paper details the heavy metal leaching which can be expected from the PV panels, and there have been several representations on the pollution risks arising from the very large battery installation. This pollution may enter the water table and the aquifer which provides Faversham’s water and degrade the land making it unsuitable for managed retreat and requiring that it is protected from inundation at public expense.

Flood Risk

There has been evidence presented on the flood risk to the site, which would spread any onsite pollution into the Swale, and the increased flood risk to Faversham presented in the latest Open Floor Hearings. We remain very concerned that managed retreat with all the environmental benefits that would bring is to be delayed and that the land could be polluted and rendered unsuitable for managed retreat.

Safety

There is still a remarkable lack of detail on the battery installation. Lithium-ion batteries at this scale is an emergent technology and one with considerable risk associated with it. These are risks which Swale Borough Council does not have the capacity to deal with adequately.

Dr Erasin’s submission makes clear the human health and environmental risks from hydrogen fluoride, and there is also a clear risk of groundwater poisoning by heavy metals leaching from the PV and from the batteries.

The Faversham Society’s view is that the DCO should require the applicant to secure clearance from appropriate regulatory, scientific and professional bodies that the proposed solar and battery installations are non-hazardous and safe. The developer should be required to secure a statement from the following bodies that they are certain that the technology is safe, will be operated and

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/290974/scho0307bmkh-e-e.pdf

maintained to a safe standard and that any incident can be dealt without endangering human life or damaging the environment, before submitting their application to Swale Borough Council:

Health & Safety Executive	Assurance that the proposal meets all health and safety standards and any anticipated changes in the next five year. Assurance that the proposed safety supervision and maintenance is adequate
Public Health England	Assurance that the development poses no threat to human life
Environment Agency	Assurance that they are satisfied that the pollution risks have been adequately addressed so that the risk is very low.
Kent Fire and Rescue Service	Assurance that they are equipped and trained to deal with any foreseeable incident. Assurance that the proposed fire safety supervision and maintenance is adequate
Kent Police Service	Assurance that the site is secure and that any terrorism threat is very low.
Insurance	Evidence that the development is fully insured for all risks in the construction and operational phases

Enforceable Requirements

The planning conditions, expressed as requirements, should be clear, specific and enforceable. It has become clear during the hearings that there are going to be staff permanently based on the site and with vehicle movements to support their work and to supply materials and new batteries and removal of defective batteries.

We feel strongly that the **Requirements** should include

Construction Phase

Approved Fire Prevention Plan

Approved Waste Management Plan

Number of vehicle movement per day by class of vehicle

Restrictions on movement past the school at start and end of day

Approved access and egress routes

Hours of operation

Defined limits on noise and monitoring points

Dust and Smoke limits

Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency,

Operational Phase

Approved Fire Prevention Plan

Number of vehicle movement per day by class of vehicle

Restrictions on movement past the school at the start and end of day

Approved access and egress routes

Hours of operation

Defined limits on noise and monitoring points

Dust and Smoke limits

Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency,

Approved Waste Management Plan

These are not intended to be exhaustive lists.

Decommissioning

There are many sites around the UK, and in Kent, left derelict by failed companies. As we understand the situation, the expectation is that after 40 years, the solar panels and batteries will be removed and the land will be returned to nature. It will then be allowed to become intertidal and the Environment Agency, or its successor, will adopt a managed retreat strategy. The land will no longer have any value and the current landowner, or heirs, will have no interest in the land, if it is to revert to marsh it will have no commercial value. There will be no motivation either to clear the land nor to decontaminate it.

In the absence of any information from the applicant, there is no reason to doubt Dr Erasin's estimate of £42m. In our submission at Deadline 4, we expressed concern about the apparently tight margins in this proposal; so tight that no community payment has been offered, one was provided in the London Array case. What we now know of the likely decommissioning costs increases our concern about decommissioning, a sinking fund or bond adequate to cover decommissioning is therefore essential.

CHSP may be bought and sold several times. Bankruptcy would ensure that responsibility for decommissioning could be avoided and the land would be left derelict and polluting.