

From: [REDACTED]
To: [Cleve Hill Solar Park](#)
Cc: [REDACTED]
Subject: Second Deadline 7 Submission from CPRE Kent
Date: 13 November 2019 17:58:38
Attachments: [REDACTED]

Dear Cleve Hill Solar Team,

Please find attached the second of our representations for Deadline 7, covering Biodiversity and the MEASS. As always, grateful for acknowledgement.

Kind regards
Hilary

From: Hilary Newport
Sent: 12 November 2019 13:36
To: CleveHillSolarPark@planninginspectorate.gov.uk
Subject: Deadline 7 Submission from CPRE Kent

Dear Cleve Hill Solar Team,

Please find attached a further submission in advance of Deadline 7. This comprises a response to CHSP's submission of EN010085-001607-Cleve Hill Solar Park - AS re: Drax Repower & Energy Storage consultation, and Additional Information.

We expect to make one more additional submission before tomorrow's deadline. As ever, I would be most grateful for acknowledgment of receipt.

Kind regards
Hilary

Dr Hilary Newport
Director
The Kent Branch of CPRE
[REDACTED]



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National Infrastructure Planning
Cleve Hill Solar Park
CPRE Kent (Reference 20022146)

Deadline 7 Submission: Biodiversity and MEASS

Biodiversity

Marsh harriers: In past responses from CPRE Kent and other interested parties and experts many scientific papers were cited that strongly indicate that the Graveney marsh harriers are highly likely to be negatively affected by the solar farm were it to go ahead. This army of evidence already cited gives a strong indication that there will be an AEoI (Adverse effect on integrity) of the Swale SPA despite any view of Government bodies. There should be a sound scientific basis on which decisions are based and any established functionally linked land should be given the same degree of consideration as a SPA. If the marsh harrier were to be displaced and dissipate over the Swale possibly to the Isle of Sheppey and beyond, this can't help but increase pressure on the marsh harriers that already occupy a suitable niche. This in turn is likely to increase pressure on any delicate predator prey balance. The high risk of this occurring would, without much doubt in our opinion, negatively impact the integrity of the Swale SPA.

Report on the Implications for European Sites, Page 42, 4.2.138: The developer stated that there is rarely absolute certainty, which leading case law on the HRA process accepts is '*almost impossible to attain*'. However, when weighing up the science that is available (although limited), the balance of probability tips heavily towards adversely affecting the integrity of the SPA. CPRE Kent cannot stress this strongly enough.

Furthermore, the HRA goes on to say; '*A key requirement of the Habitats Directive is to determine whether the Plan is likely to have a significant effect when considered in combination with other plans and projects. The main driver for addressing plans in combination is ensuring that cumulative effects are captured. For example, the effects of a plan on air quality may be insignificant when considered alone, but when combined with the effects of increased air pollution from other plans, may lead to significant adverse impacts on site integrity*'.

This clearly indicates that the sheer scale of solar panels on their own are likely to cause significant harm to the integrity of the SPA despite being only one Plan. Therefore, when also taking into consideration the noise/human activity during

construction/decommissioning and operation, human disturbance, light pollution, fencing, glint and glare, loss of habitat etc. then anyone, regardless of academic background, is likely to conclude that there will be a significant negative affect on the marsh harrier and other SPA species.

So far, the developer has not offered any tangible compensation in the event of the displacement of marsh harriers nor any tangible mitigation to prevent the displacement of marsh harriers. Indeed, CHS seem to be adopting a reckless approach, content to take a gamble, as it is of no consequence to them if the marsh harrier stays or is driven away, were the solar park to go ahead.

This indicates that the developer's main concern and priority is driven by cost and profit and not the integrity of the SPA, and that the Graveney Marshes are nothing more than a convenient place to hook up to the grid with the marsh harrier serving no other purpose other than being a mere inconvenience to them along with the Brent Geese, golden plover, lapwing and other flora and fauna. CHS have not demonstrated nor given any reassurance along this process that they value nature or indeed Graveney Marshes; to the contrary, the mere statement they made *that 'there is no requirement for absolute certainty, rather the requirement is to demonstrate beyond reasonable scientific doubt there will not be a significant adverse effect on a SPA...'* demonstrates their intention to do only the bare minimum necessary regarding the overwhelming science suggesting otherwise. Despite this, the scientific evidence clearly weighs heavily against harm to the SPA along with the assembly of experts who have disagreed with CHS.

In verbal communications with Natural England they stated that it is a 'population' that gives a SPA its significance. This may be so, but you cannot have a population without individual birds to make that population. A study led by Dr Alex Sansom illustrates just how damaging bad decisions can be when development is allowed in a sensitive area. This study found that the numbers of golden plover dropped by 80 per cent within a wind farm during just the first two years of operation.¹

Lead researcher Dr Alex Sansom was quoted as saying: *'Golden plovers breed in open landscapes and it is likely that the presence of wind turbines in these areas leads to birds avoiding areas around the turbines. This study shows that such displacement may cause large declines in bird numbers within wind farms.'*

Whilst CHS project is not a wind farm, this study clearly shows what a devastating effect an ill thought out project can have on a protected bird species and in this case, send a once healthy population into catastrophic decline.

Brent Geese, Golden Plover and Lapwing: The 'lumping together' of these three species, again for the developer's convenience, be it cost or not wanting to give up more space for mitigation or buy more land for the purpose of mitigation, will inevitably put a strain on the

¹ <https://onlinelibrary.wiley.com/doi/abs/10.1111/ibi.12364>

available land thus increasing the competition for resources. The bird days, whilst an industry accepted way of working out mitigation, is nevertheless a mathematical model and does not in reality, necessarily reflect the diversity and dynamics of biology. Graveney marshes have sustained around 3,000 brent geese in recent years. The land given over for mitigation won't support this figure. Furthermore, pooling the lapwings and golden plover onto the same piece of mitigation places a further added strain on the mitigation site, despite the birds occupying different niches. Overcrowding can increase the parasitical burden on the land. Therefore, yet further pressure on the integrity of the SPA and serves to add to the accumulative negative effects. CPRE Kent fails to see any biodiversity net gain and in fact suggests the land given over for mitigation severely compromises, stifles and limits any natural biodiversity growth.

Insects: Recent reports bring together the current scientific research studies from around the world. Some of the key findings of this synthesis of data include that we may have lost 50% or more of our insects since 1970, while 41% of the Earth's remaining five million insect species are now 'threatened with extinction'.²³

In the UK:

- 23 species of bee and flower-visiting wasp have become extinct in the UK since 1850
- The geographic ranges of many bumblebee species have more than halved between 1960 and 2012.
- Numbers of butterflies fell by 46% between 1976 and 2017, with declines running at 77% in 'habitat specialist species' such as marsh fritillaries and wood white butterflies.
- The abundance of larger moths such as the garden tiger dwindled by 28% between 1968 and 2007, with Southern England experiencing a 40% drop in numbers.

Whilst it has been suggested that no insecticide is likely to be sprayed, which will undoubtedly help with certain species of insects, it has been well documented that aquatic insects, including dragonflies mentioned as one of the insects most at risk (see footnote 2) are attracted to solar panels. As the panels are to be placed in a predominately aquatic environment it's highly likely that the panels will have an adverse effect on the efficacy of flying aquatic insects including some rare species already mentioned on site.

MEASS

Risk of flooding to Faversham: The tidal water that runs through Faversham can over top and flood the surrounding houses and streets depending on the weather patterns (see Appendix 1). Attached are photographs taken recently (1st October 2019) of a high tide coupled with high winds and the devastating effect these two combinations can have on the integrity and safety of the residents of Faversham. These photos are not unusual, and the

² <https://www.sciencedirect.com/science/article/pii/S0006320718313636>

³ https://www.somersetwildlife.org/sites/default/files/2019-11/FULL%20AFI%20REPORT%20WEB1_1.pdf

situation will only get worse as our weather gets more extreme. Whilst CPRE Kent regards renewable energy as vitally important, when there are thousands of houses under construction around Faversham and not one of them has a solar panel on the roof - how important is renewable energy to the Government? Salt marsh, known for acting as a carbon sink, is at risk, along with the MEASS, (likely to provide flood relief for Faversham and deliver valuable habitat), could be put on hold indefinitely. CPRE Kent's flood expert took a careful look at the EA's mathematical modelling and using his personal expertise and extensive knowledge of the area as an engineer, having been the manager of Graveney marshes flood defences for many years, concluded that the EA's assessment along with CHS is likely to be inaccurate. Indeed, further evidence has come to light from Climate Central (see Appendix 2) ⁴ which states that large parts of Kent, including Seasalter, Graveney and Faversham will likely be underwater by 2050, indicating Faversham is at greater risk than the EA current forecasts. If the MEASS is delayed by any more than the 20 years, as it initially was to be, then the flooding in Faversham is likely to be compounded and become more frequent and more severe. People's lives, health, wellbeing and property are being negatively affected for the foreseeable future by the threat of the solar park existence and the MEASS being delayed.

The MEASS is an opportunity to follow Government policy to join up nature. The only obstacle standing in the way of this is the solar park. With biodiversity in serious decline, can we afford to pass over this invaluable opportunity?

After reviewing all the evidence CPRE Kent's conclusion is that the environmental cost of this solar farm would considerably far outweigh the benefits.

Graveney marshes, simply put, is the wrong place for such a development especially on this scale, indeed any development in an area as sensitive as this, is nothing short of foolhardy and potentially extremely damaging.

⁴ www.wildlifetrusts.org/news/insects-urgent-action-needed

App. 1 Recent flooding in Faversham, October 1st 2019





App. 2 Climate Central's risk zone map depicting likely scenario of flooding across Graveney and Faversham at 50 years.

