

From: [REDACTED]
To: [Cleve Hill Solar Park](#)
Subject: Deadline 7 Submission
Date: 13 November 2019 14:02:38
Attachments: [REDACTED]

Good afternoon,

Please find the Kent County Council response to the Rule 17 letter dated 23 October 2019 for submission at Deadline 7.

Kind regards,

Francesca

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Reference	Respondent	Deadline for Response	Question	Kent County Council Response
R17.3 Outline Landscape and Biodiversity Management Plan				
R17.3.7	Kent County Council	D7	Does KCC consider the content of paragraph 283 of the updated outline LBMP [REP6-005] to be sufficient in terms of public or permissive rights of way?	The County Council understands that maintenance would take place to prevent trees/shrubs encroaching on the public or permissive rights of way. This approach is acceptable in terms of public or permissive rights of way.
R17.6 Socio-Economics				
R17.6.2	Kent County Council	D7	Does KCC consider the 'hierarchy of actions' for potential closures of PRow to be satisfactory?	The County Council considers that the 'hierarchy of actions' set out in the Construction Traffic Management Plan (CTMP) August 2019 is acceptable.
R17.6.3	Kent County Council and Applicant	D7	Can the Applicant provide an update on discussions with KCC regarding potential path closures and diversions? Does KCC consider the outcome of these discussion to be satisfactory?	The County Council has been in discussions with the applicant's consultant, Curtins, and agreed an approach for the management of temporary PRow closures and diversions to be included in the CTMP. The County Council considers the outcomes from these discussions to be satisfactory.
R17.7 Traffic and Access				
R17.7.1	Kent County Council and Applicant	D7	The ExA notes KCC's request in [REP5-032] for further measures beyond those currently proposed in the outline Construction Traffic Management Plan [REP4-014] to manage HGV movements in a more controlled manner. The Applicant, in its submission at	Further discussions have taken place between KCC and the Applicant. Measures involving holding areas and communication links with traffic marshals to coordinate HGV movements through Seasalter Road and Head Hill Road, so as not to conflict with one another, are now to be included within the CTMP.

			Deadline 6 [REP6-015] , states at section 2.1.1 that it is committed to further discussions with KCC with regards to mitigation measures proposed within the Outline CTMP. Can both parties confirm if discussions have been held and whether the issues have been resolved to the satisfaction of KCC? If not, what matters remain outstanding and what further measures are intended with a view to seeking agreement.	
R17.7.3	Kent County Council	D7	Following the response by the Applicant in [REP6-015] regarding carriageway width constraints, can KCC confirm overhanging vegetation is cut by landowners at least twice a year?	KCC can confirm that agreements are in place with local farmers to cut back vegetation twice a year, outside of the bird nesting season.
R17.7.6	Kent County Council and Applicant	D7	In KCC Deadline 5 submission [REP5-032] it is stated that there would be costs associated with the creation of a new PRow and that funding would be required to cover the legal costs of the Footpath Creation Agreement and any physical establishment works that may be required on the ground (such as signage, vegetation clearance and surfacing). KCC acknowledge that the act of dedication may be beyond the control of the Applicant. However, KCC requested whether the Applicant would be willing to cover these costs, potentially through a proposed	The applicant has stated that it is willing to facilitate ongoing discussions with stakeholders to progress the creation of the proposed new footpath. Further, KCC has offered to participate in these discussions to progress matters. However, KCC has not been involved in any recent discussions covering this topic.

			Community Benefit Agreement. Please can parties confirm whether recent discussions have covered this topic? If not, please can the Applicant provide a response?	
R17.7.10	Kent County Council and Applicant	D7	In the event of the 25 measurements referred to in R17.7.9 not being agreed by joint verification, and if the ExA was to base its consideration on the worst-case measurements, is the Applicant/KCC content with its assessment of traffic impacts and the adequacy of Head Hill Road/ Seasalter Road as the route for construction and related vehicles?	KCC is content that the worst-case measurements presented would not alter its opinion on the adequacy of the route to accommodate construction vehicles. It has always been appreciated that there are narrow locations along the route where two HGVs cannot pass one another, and it has considered this. Consequently, mitigation is proposed to reduce the likelihood of two HGVs encountering one another, and the purpose of the condition survey is also intended to address damage to verges that may occur from overrunning. In addition, consideration was given to forward visibility approaching the narrow sections for traffic to see in advance of the pinch points whether other vehicles were approaching, and they would have the ability to wait for it to clear before proceeding.
R17.8 Miscellaneous Matters				
R17.8.1	Kent County Council and Applicant	D7	Can parties provide an update with regard to discussions in relation to the proposed Minerals Assessment? Can the Applicant confirm whether this is going to be submitted into the Examination and, if so, when?	The County Council has been provided with a Minerals Assessment for review and does not have any objection to the proposal on mineral safeguarding grounds. KCC accepts that an exemption under the Kent Minerals and Waste Local Plan (2013-2030) Policy DM7 criterion (3) can be invoked.

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