



Faversham
TOWN • COUNCIL

TOWN CLERK – MS LOUISE BAREHAM
12 Market Place, Faversham, Kent, ME13 7AE

Telephone: [REDACTED] Email: [REDACTED]

20 April 2020

Your Ref: EN010085

The Secretary of State
Department of Business, Energy, Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Dear Sir

Application by Cleve Hill Solar Park Limited (“the Applicant”) for an Order granting Development Consent for the proposed Cleve Hill Solar Park and associated infrastructure (“the proposed Development”)

In response to your Request for Information dated 3 April 2020, please see below the response sent on behalf of Faversham Town Council (FTC). The Council considers itself to be an Interested Party. We will limit our response to what we consider to be the inadequacy of the Project Definition in the draft Development Consent Order (DCO) and the issue of planning conditions and enforcement. For the absence of doubt, FTC remains firmly opposed to the proposed project.

That aside, we do have serious concerns that the parameters outlined in the DCO by the applicant are too widely drawn and that they provide too much opportunity to go beyond the parameters of the project which was the subject of the Examination. We concur with the examining authority that any DCO includes a *“suitably drafted Requirement that secures these parameters and restricts any development beyond that which is presented in the ‘candidate design’ and assessed in the ES”*. Should the applicant extend the parameters we can foresee a situation where litigious action will be taken by civic and community groups.

Of equal concern to the Council is how monitoring of *any* planning conditions could be undertaken by Swale Borough Council, given their planning teams lack the resources, expertise and experience in the oversight of a project of this scale and complexity.

Monitoring of components as simple as permitted traffic movements could only be achieved by engaging a cadre of community volunteers. An unwelcome and unnecessary distraction at a time when communities will be rebuilding post Covid-19. Should enforcement action be necessary we are not convinced that the Council possesses the financial clout to withstand any legal challenge mounted by the applicant. In the unfortunate situation that consent is granted, we would ask that arrangements be put in place whereby the Health and Safety Executive, Kent Police and Kent Fire & Rescue Service are actively engaged in both monitoring and enforcement of any planning conditions imposed.

With much focus, rightly, on the consent to build, we would ask that consideration be given to the issue of decommissioning and how the public purse can be indemnified against these future costs. Indemnification against future costs should be included as an explicit condition, should consent be granted.

This response is without prejudice to the Faversham Town Council's clearly expressed opposition to proposal in its entirety.

Yours faithfully

A solid black rectangular box redacting the signature of Louise Bareham.

Louise Bareham
Town Clerk