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BY EMAIL ONLY

20 May 2019

Dear Mr. Green,

Re: Application by Cory Riverside Energy for an Order granting Development Consent for the proposed Riverside Energy Park – Written Representation

Following the Planning Inspectorate's Rule 8 letter dated 17 April 2019, Kent County Council (KCC) submits its Written Representation.

KCC has set out its position in relation to the proposed development in its Relevant Representation dated 15 February 2019 and is engaging with Corey Riverside Energy Ltd on the matters raised. KCC's focus within this response continues to be centred on any impacts associated with the proposed Electrical Connection Route (ECR) element within Kent.

A general update on the principal submissions outlined in KCC's Relevant Representation is provided below. The letter has been prepared in accordance with Planning Inspectorate Advice Note 8.4 and should be read in conjunction with the Local Impact Report submitted by KCC and Dartford Borough Council. In summary, the principal issues that KCC has made in relation to the application concern:

- Highways and Transportation, as the Local Highway Authority for Kent;
- Public Rights of Way (PRoW);
- Heritage; and
- Biodiversity.

Highways and Transportation

The County Council, as Local Highway Authority, has concerns around the potential impact that the development may have on the network during the construction of the electrical connection route.

The local highway network in the area is extremely sensitive; incidents at the Dartford Crossing are frequent and lead to congestion within and around the Dartford area as drivers are delayed and seek alternative routes. Works to construct the Lower Thames Crossing and the A2 Bean and Ebbsfleet Junction Improvements, as discussed within the Local Impact Report, may result in additional stress on the highway network in the area. Therefore, KCC requests that a Construction Traffic Management Plan must be secured as part of any Development Consent Order (DCO) to ensure the impact of the construction of the electrical connection route on the highway network is minimised.

Public Rights of Way (PRoW)

Public Footpaths DB1 and DB5, Public Bridleway DB50 and Restricted Byway DB3 pass directly through the proposed development area, with Restricted Byway DB56 abutting the application site.

These PRoW provide valuable opportunities for outdoor recreation and active travel across the region. For example, Public Footpath DB1 provides an attractive off-road walking route along the River Darent and Public Bridleway DB50 provides a safe crossing over the A206, enabling staff and pupils to access educational facilities on the northern side of the Bob Dunn Way. Efforts should therefore be made to ensure the PRoW network remains open and accessible for public use.

The Environmental Statement (ES) states that 'there would be no permanent closures or diversions of Public Rights of Way for the main REP site or the Electrical Connection, subject to detailed design' (table 6.2, chapter 6), which is welcomed. If a permanent extinguishment or diversion is required, the applicant should contact the KCC PRoW and Access Service at the earliest opportunity to discuss this.

In respect of promoted routes, the Darent Valley Path is currently aligned along Public Footpath DB1. Natural England is also developing the England Coast Path National Trail in this area. Whilst the preferred route of the ECP has not yet been published by Natural England, the trail is likely to pass through the boundary of the application site and follow Public Footpaths DB1 and DB5. Once this stretch of the England Coast Path has been approved by the Secretary of State, it is expected that the trail will be open by 2020. The number of people using this PRoW route is then likely to increase, due to the high level of promotion for National Trails. This should be taken into consideration when assessing the impacts of the proposed scheme on the PRoW network.

The County Council initially requested that electronic people counters were installed by the applicant at key locations on the PRoW network, as they would have been able to operate 24 hours a day, capture sporadic path uses and obtain data over a long period. The data collected from these counters could have been used to understand existing use of the PRoW network and monitor future use of the paths during the construction, operational and de-commissioning phases of the project.

Unfortunately, the applicant did not follow the recommendation for these counters. Caution must therefore be taken when considering the impacts of the proposed development on the existing PRow network, as there is no data available to indicate existing levels of path use along the affected routes.

Heritage

Orion Heritage Archaeologists (on behalf of Cory Riverside Energy) and the County Council have been liaising throughout the development of the scheme. Agreement has been reached between the applicant and the County Council regarding the approach to archaeological assessment and fieldwork and the processes involved. The proposed development is located within an area of high archaeological potential, including Palaeolithic and palaeoenvironmental remains. Some of the archaeological resource may be deeply buried, but there may be some later remains, especially of post medieval date, towards the surface.

Working with Orion Heritage and Cory Riverside Energy, the depth of proposed groundworks within the Kent and Dartford areas have been minimised and most are within the current highway network.

The County Council has also been involved in developing the approach for mitigation and is satisfied the schemes of geoarchaeological work and archaeological work are in accordance with specifications/Written Schemes of Investigations agreed with KCC.

Biodiversity

The County Council understands that the works for installing the electrical connection route will only be temporary – restricted to the construction phases. The County Council also understands that the works area may have an impact on roadside verges. Any works on the roadside verge have potential to impact protected/notable species or habitats associated with Local Wildlife Sites, so a Detailed Method Statement is required. The Detailed Method Statement should be submitted to the Local Planning Authority and be agreed and implemented prior to the commencement of works.

KCC looks forward to working with the applicant and Planning Inspectorate as the project progresses through the Examination process and will welcome the opportunity to comment on matters of detail as may be required throughout the Examination.

Should you require any additional information or clarification, please do not hesitate to contact me.

Yours sincerely,



Stephanie Holt-Castle

Interim Director - Environment, Planning and Enforcement