



# Stonestreet Green Solar

## Equalities Statement

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The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009



## Table of Contents

1	Introduction	3
1.1	The Stonestreet Green Solar Project	3
1.2	Purpose and Context of this Equality Statement	3
2	Methodological Statement	4
2.1	Legislative Context	4
2.2	National Policy and Guidance	5
2.3	Consideration of Potential Effects on Equality	6
2.4	Identification of Potential Effects on Equality	7
2.5	Methodology	8
3	Baseline / Equality Context	9
3.2	Study Areas	9
3.3	Data Sources	9
3.4	Age	10
3.5	Sex	10
3.6	Marriage and Civil Partnership	10
3.7	Gender Reassignment	11
3.8	Sexual Orientation	11
3.9	Pregnancy and Maternity	12
3.10	Religion and Belief	12
3.11	Disability	12
3.12	Race	13
3.13	Deprivation	13
3.14	Community Facilities / Social Infrastructure with Potential Relevance to Equality	14
4	Design Evolution, Consultation and Community Engagement	16
4.1	Design Evolution	16
4.2	Statutory Consultation	16
4.3	Community and Informal Engagement	18
5	Review of Likely Significant Residual Effects & Management Plans	19
5.2	Noise and Air Quality	20
5.3	Traffic & Transport	23
5.4	Community Connectivity and Access to Services and Facilities	24
5.5	Public Rights of Way and Accessibility	25
5.6	Socio-economics	29
6	Conclusion and Recommendations	31

7	APPENDIX: Baseline Summary	32
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### List of Tables

	Table 3.1: Local facilities relevant to specific protected characteristics	14
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# 1 Introduction

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## 1.1 The Stonestreet Green Solar Project

- 1.1.1 This Equalities Statement ('EqS') has been prepared on behalf of EPL 001 Limited ('the Applicant') to consider the potential effects on equality of the construction, operation and decommissioning of the Stonestreet Green Project ("the Project").
- 1.1.2 The Project comprises the construction, operation, maintenance, and decommissioning of solar photovoltaic ('PV') arrays and energy storage, together with associated infrastructure and an underground cable connection to the existing Sellindge Substation.
- 1.1.3 The Project will include a generating station (incorporating solar arrays) with a total capacity exceeding 50 megawatts ('MW'). The agreed grid connection for the Project will allow the export and import of up to 99.9 MW of electricity to the grid. The Project will connect to the existing National Grid Sellindge Substation via a new 132 kilovolt ('kV') substation constructed as part of the Project and cable connection under the Network Rail and High Speed 1 ('HS1') railway.
- 1.1.4 The location of the Project is shown on **ES Volume 3, Figure 1.1: Site Location Plan (Doc Ref. 5.3)**. The Project will be located within the Order limits (the land shown on the **Works Plans (Doc Ref. 2.3)** within which the Project can be carried out). The Order limits plan is provided as **ES Volume 3, Figure 1.2: Order Limits (Doc Ref. 5.3)**. Land within the Order limits is known as the 'Site'.

## 1.2 Purpose and Context of this Equality Statement

- 1.2.1 This EqS is prepared to provide information to support decisions made on the Development Consent Order ('DCO') application for the construction, operation and decommissioning of the proposed Project.
- 1.2.2 The DCO application contains a range of documents assessing the impacts of the Project during its construction, operation and decommissioning phases, notably the Environmental Statement ('ES'). The EqS draws upon these to specifically consider the potential effects of the Project on equality, in order to inform the DCO decision-making process.

## 2 Methodological Statement

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### 2.1 Legislative Context

2.1.1 The Equality Act 2010 ('the Act') forms the basis of anti-discrimination law within Great Britain. Section 149 of the Act requires public authorities to have due regard to a number of equality considerations when exercising their functions including decision making on planning applications. This Public Sector Equality Duty ('PSED') includes having due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (explained in detail below) and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

2.1.2 The Act sets out a list of **protected characteristics** which prioritise particular characteristics aimed to reduce socio-economic inequalities, which are:

- Age (a person belonging to a particular age or range of ages);
- Disability (a person has a disability if she, he or they has/have a physical or mental impairment that has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities);
- Gender reassignment (people who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) for the purpose of reassigning their sex);
- Marriage and civil partnership;
- Pregnancy and maternity (pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth);
- Race (a group of people defined by their colour, nationality (including citizenship) ethnic or national origins);
- Religion or belief (religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical beliefs including lack of belief);
- Sex; and
- Sexual orientation (whether a person's sexual attraction is towards their own sex, another sex or to any sexes).

- 2.1.3 Having due regard to the need to advance equality of opportunity includes having due regard to the need to (as set out in section 149(3) of the Act):
- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are not connected to that characteristic;
  - Take steps to meet the needs of people who share a relevant protected characteristic that are different from the needs of persons who do not share it; and,
  - Encourage people from protected groups to participate in public life or in any other activities where their participation is disproportionately low.
- 2.1.4 The Act does not specifically require Equalities Impact Assessment nor define how it should be carried out. The PSED is to have “due regard” to the requirements of the Act. The Applicant is not a public body subject to the PSED, so this EqS is submitted in order to inform the consideration of the application by the Examining Authority and the determining authority (in this case the Secretary of State) and to facilitate the fulfilment of the PSED.
- 2.1.5 Therefore, the overarching aim of this report is to assist the Examining Authority and the Secretary of State in their consideration of the PSED under section 149. This aim will be achieved via the following objectives:
- Identify and assess any likely effects of the Project on relevant receptors. This includes effects during the construction, operational and decommissioning phases;
  - Set out measures, where necessary to minimise any adverse effects on relevant receptors; and
  - Set out measures, where necessary to further enhance beneficial effects on relevant receptors.

## 2.2 National Policy and Guidance

- 2.2.1 The **Overarching National Policy Statement for Energy (EN-1)** ('NPS EN-1') which came into force on 17 January 2024 states that policy should contribute towards improving the UK's security of energy supply, and indirectly have positive effects for health and well-being through helping secure affordable supplies of energy and minimising fuel poverty. The **National Policy Statements for Energy Appraisal of Sustainability - Main Report (November 2023)** considers the likelihood for NPS EN-1 (and therefore compliant projects) to improve health and well-being and safety for all citizens and reduce inequalities in health (Objective 11), concluding that there is short-medium and long-term potential for positive outcomes.
- 2.2.2 NPS EN-1 requires nationally significant energy projects to consider the potential effects, including benefits, of a proposal for a project, on a range of matters including employment, equality, community cohesion, health, and well-being (4.3.4).

2.2.3 In the preparation of this EqS, due regard has been given to the following documents:

- Equality and Human Rights Commission ('EHRC') The Essential Guide to the Public Sector Equality Duty (EHRC, 2014a)<sup>1</sup>;
- EHRC, Engagement and the Equality Duty and Guide for Public Authorities (EHRC, 2011)<sup>2</sup>;
- EHRC, Equality Act 2010: Technical Guidance on the Public Sector Equality Duty England (EHRC, 2014b)<sup>3</sup>;
- EHRC, Meeting the Equality Duty in Policy and Decision-Making England (and non-devolved Public Authorities in Scotland and Wales) (EHRC, 2014c)<sup>4</sup>; and
- Government Equalities Office, Equality Act 2010: Public Sector Equality Duty What do I need to know? A Quick Start Guide for Public Sector Organisations (Government Equalities Office, 2011)<sup>5</sup>.

## 2.3 Consideration of Potential Effects on Equality

2.3.1 People affected by development will all have some protected characteristics as defined by the Act (everyone has an age, for example), and there will be varying degrees of intersectionality (such as age, race, and sex), and they will not all be equally affected.

2.3.2 An effect on a person with protected characteristics does constitute an equality effect.

2.3.3 To identify which effects are relevant to equality, a growing body of practice in equality assessment, including for DCO applications, has distinguished equality impacts as those that have either disproportionate or differential effects, as explained below:

- **Disproportionate effect:** there may be a disproportionate equality effect where people with a particular protected characteristic make up a significantly greater proportion of those affected than in the wider population.
- **Differential effect:** there may be a differential equality effect where people with a protected characteristic are affected differently from the general population as a result of vulnerabilities or restrictions they face because of that protected characteristic.

2.3.4 Protected characteristic groups can be subjected to both disproportionate and differential equality effects.

2.3.5 The scale and significance of such impacts cannot always be quantified. Therefore, the consideration of equality effects includes a descriptive analysis of the potential impacts and identifying whether such impacts are adverse or beneficial.

- 2.3.6 In the context of development, some impacts are inherently more difficult to quantify, or for a planning consent to directly control. For example, some effects may depend on how people respond to a development in future (e.g. effects of traffic), which can only be modelled and forecast, not directly measured in advance. For this reason, this EqS can only consider effects that can reasonably be foreseen as likely and significant, and therefore analyses these significant effects and confirms non-significant effects reported in the ES.
- 2.3.7 Any policy decision taken by a public body may involve a need to consider and balance a range of both positive and negative effects of different types. There may be reasonable mitigation measures that can eliminate or reduce some disproportionate or differential equalities impacts, but such impacts may not always be avoidable. Consideration can be given to whether there are any alternative approaches that could alleviate or mitigate the impact of a decision. The PSED is to give due regard to all equality considerations, in accordance with the Act, and attribute appropriate weight to such considerations. Effects on equality should be a consideration in the balance when determining the application, alongside the benefits arising from the Project.
- 2.3.8 Elements of this EqS can also inform decisions made on the later implementation of the Project, including the implementation of detailed management plans that are submitted in outline form with the application.
- 2.3.9 It should be noted that some decisions have already been taken through the National Policy Statement process, including the overall need for solar within the country's energy mix. In addition, many of the wider aspects of the Project, including future employment and recruitment decisions, will themselves be subject to the Act, separately from the planning system.

## 2.4 Identification of Potential Effects on Equality

- 2.4.1 The scope of assessment has been informed by a review of the effects identified in the application documents, and a comparison with the equality assessments made of other DCO applications. This has been informed by literature on equalities assessment and by issues raised during consultation with the public and stakeholders.
- 2.4.2 The aspects of the Project considered relevant to assessment of equality include:
- Effects on properties – including homes and community facilities;
  - Effects on people and communities – including employment, accessibility, amenity and health effects; and
  - Effects on land and public highways – including severance and displacement.
- 2.4.3 For the purposes of this EqS, these have been addressed by considering how the following affect equality characteristics, either differentially or disproportionately:



- Noise and Air Quality;
- Traffic and Transport;
- Community Connectivity and Access to Services and Facilities;
- Public Rights of Way ('PRoW') and Accessibility; and
- Socio-economics.

2.4.4 In line with the ES, this EqS considers these during the construction and operation phases. In all cases, assessments on the decommissioning phases are likely to reflect the same scale of effect and sensitivity of receptors as the construction phase. Mitigation has been put in place via Management Plans and Strategies to address decommissioning activities broadly to the same extent as the construction phase, but this is largely driven by best practice at the time of decommissioning which is uncertain at this stage. As such, decommissioning has not been considered specifically within this EqS.

## 2.5 Methodology

- 2.5.1 This EqS draws on a range of information, in particular it takes the effects of the Project that are identified in the other DCO documents and considers the likelihood of these effects being felt differentially or disproportionately by those with particular protected characteristics.
- 2.5.2 The EqS does not make an assessment of the significance of effects. Instead, qualitative judgements are made regarding the nature of potential equality effects.
- 2.5.3 The potential equality effects after mitigation are considered, including where implementation of mitigation may be seen to be appropriate to minimise equality effects.
- 2.5.4 The aim of the EqS is to identify the potential equality effects, not to identify individuals or specific locations affected. The ES considers the places affected by noise, air quality, severance etc; the EqS does not duplicate this, but considers whether the overall incidence of those effects is likely to have differential or disproportionate effects with respect to protected characteristics, identifying the outcome of assessments in significance terms on individual receptors where identified in those assessments.

## 3 Baseline / Equality Context

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3.1.1 This section of the EqS sets out the baseline for the Order limits and the area surrounding the Project in terms of protected characteristics. It also looks at community infrastructure in the area of particular relevance to equality, to understand who may be affected by the Project and whether effects have the potential to be differential or disproportionate.

3.1.2 This section summarises quantitative data set out within the Appendix at Section 7.

### 3.2 Study Areas

3.2.1 The baseline takes a proportionate approach, including a particular focus on communities in closest proximity to the Order limits including Aldington, Mersham and Smeeth Parishes (referred to collectively as the 'Local Study Area') as the areas considered most likely to experience potential effects on equality.

3.2.2 Data is also included for Ashford Borough (within which the Project is wholly located), and wider-scale areas, including Kent County (as the statutory body responsible for certain services such as highways and access, and public health) and the national level (England) for wider comparison.

3.2.3 The areas and years at which data is presented varies and is in many cases dictated by what is available, with many statistics relating to equality being unavailable at a very local scale.

### 3.3 Data Sources

3.3.1 Baseline analysis has been informed by nationally recognised demographic datasets from the Office of National Statistics ('ONS'), including:

- Census 2011<sup>6</sup>;
- Census 2021<sup>7</sup>;
- Live Births 2021<sup>8</sup>; and
- Index of Multiple Deprivation 2019<sup>9</sup>.

3.3.2 Local community facilities and social infrastructure have been identified by a desktop search of the local area.

3.3.3 The nature of the protected characteristics considered by this EqS means that some equality effects are sensitive and personal in nature, and in some cases public data does not exist at a local level to predict them with certainty.

3.3.4 Data collection is a particular problem for equality analysis as some protected characteristics are of a personal nature and may be under-reported or simply not covered by any official data.

### 3.4 Age

3.4.1 Age is relevant in the consideration of the Project because:

- Elderly residents may spend more time at home during the day.
- Young children's sleeping patterns include daytime hours.
- Exposure to noise and poor air quality is known to affect older people and children more.
- Policy requires children to have access to playspace.
- Noise exposure at school can affect children's ability to concentrate, learn and develop.
- Community facilities of a certain type could serve people of a certain age disproportionately.
- Vulnerabilities may be exacerbated for those with pre-existing health conditions, both physical and mental.
- Changes to the highway (e.g. PRow network and local roads) may be more sensitive where accessibility is affected.

3.4.2 The Local Study Area, Ashford, Kent and England have aligning working age populations (between 16 and 74 years) at 71%, 71%, 71% and 73% respectively, as well as populations under the age of 15.

3.4.3 The proportion of residents aged over 75 is slightly higher in the Local Study Area than in Ashford and Kent. The proportion aged 65+ in the Local Study Area (23.4%) is substantially higher than wider scales (18.4% in England).

### 3.5 Sex

3.5.1 There is nothing in the baseline analysis to indicate that disproportionate impacts are likely – at the local scale the split between men and women (51%/49%) is very similar to wider scales.

3.5.2 Based on the nature of the Project, differential or disproportionate effects on either men or women are not considered likely.

### 3.6 Marriage and Civil Partnership

3.6.1 A person has the protected characteristic of marriage and civil partnership if the person is married or is a civil partner.

- 3.6.2 Parish-level data on legal partnership status from the 2021 Census is not available and so a best fit of Lower Layer Super Output Areas ('LSOAs') has been used here to define the Local Study Area.
- 3.6.3 According to the 2021 Census, 24% of the residents in the Local Study Area are single (having never married or registered a civil partnership), which is materially lower than the district of Ashford (33%), the county of Kent (35%) and England (38%). The proportion of residents in the Local Study Area that are married is 59%, compared to 49% in Ashford, 47% in Kent and 45% in England.
- 3.6.4 The proportion of residents who are separated, divorced, formerly in a civil partnership, or widowed is 17% across the Local Study Area, compared with 18% in Ashford, 19% in Kent and 17% in England.

### 3.7 Gender Reassignment

- 3.7.1 A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing, or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex (Act, Section 7).
- 3.7.2 To be protected from gender reassignment discrimination, one does not need to have undergone any specific treatment or surgery to change from one's birth sex to one's preferred gender. This is because changing your physiological or other gender attributes is a personal process rather than a medical one. You can be at any stage in the transition process – from proposing to reassign your gender, to undergoing a process to reassigning your gender, or having completed it (as per the Equality and Human Rights Commission).
- 3.7.3 According to the 2021 Census, 0.4% of residents aged 16 years or over in Ashford indicated that they themselves have a gender identity different from the sex registered at birth, a lower proportion than in Kent (0.5%) and England (0.5%). Data is not available at the Local Study Area level.

### 3.8 Sexual Orientation

- 3.8.1 A person's sexual orientation includes their sexual behaviour, sexual attraction, and sexual identity. Sexual orientation is a protected characteristic to allow individuals to choose how to express their sexual orientation without discrimination. This includes discrimination in the provision of goods, facilities, and services on grounds of sexual orientation.
- 3.8.2 Discrimination based on sexual orientation is possible in various forms including discrimination arising from one's self-perceived sexual identity; one's perceived sexual orientation (discrimination by perception); or one's links to other individuals and their sexual orientation (discrimination by association).

3.8.3 According to the 2021 Census, the proportion of the Ashford population aged 16 years and over that identified as gay, lesbian or bisexual was 2.3%. This is slightly lower than the proportion in Kent (2.4%) and England (2.8%).

3.8.4 Data is not available for the Local Study Area level.

### 3.9 Pregnancy and Maternity

3.9.1 A person (A) discriminates against a woman if A treats her unfavourably because of a pregnancy of hers. A person (A) discriminates against a woman if, in the period of 26 weeks beginning with the day on which she gives birth, A treats her unfavourably because she has given birth.

3.9.2 The ONS does not provide statistics on the number of people who are pregnant. Therefore, this baseline analysis considered live birth data as a proxy. The latest available data from 2021 indicates the general fertility rate (as the number of live births in a year per 1,000 women aged 15 to 44 years) is slightly lower (58.4) in Ashford than Kent (58.2), but above the average for England (54.2).

3.9.3 Data is not available for the Local Study Area level.

### 3.10 Religion and Belief

3.10.1 According to the 2021 Census, 55% of the Local Study Area residents identify themselves as belonging to a religion, a slightly higher proportion than in Ashford (54%) and Kent (53%), but lower than in England (57%).

3.10.2 In the Local Study Area, 52% of residents are Christian – higher than Ashford, Kent and England at 48%, 49% and 46% respectively. The second most prevalent religion in the Local Study Area is Islam at just 1.1%. This is slightly lower than in Ashford and Kent (both 1.6%) and significantly lower than in England (6.7%).

3.10.3 This is reflective of the local community facilities for religion – within the area of 1km around the Site there are two Christian churches (St Mary the Virgin Church and St Martin's Church).

### 3.11 Disability

3.11.1 The 2021 Census asked residents to conduct a self-assessment of their general state of health. Residents were asked whether their health was 'very good', 'good', 'fair', 'bad', or 'very bad' – 84% of residents in the Local Study Area reported 'very good' or 'good' health, slightly above Ashford (83%), Kent (82%) and England (82%).

3.11.2 The 2021 Census also asked residents whether a long-term health problem or disability limited day-to-day activities. In the Local Study Area, 17% of residents

reported that their day-to-day activities were limited a little or a lot, which is in line with Ashford and England (17%) and slightly below Kent (18%).

### 3.12 Race

3.12.1 A person's race can include a number of personal characteristics. As defined in the Act race includes colour, nationality and ethnic or national origins. Therefore, this baseline assessment has considered a range of data sources including ethnicity, place of birth and language spoken to provide a baseline analysis of the study area with respect to race.

#### Ethnicity

3.12.2 The 2021 Census shows that the majority of the Ashford and Kent population identify as white (88% and 89% respectively). The most common ethnicity with which the remaining residents identify is Asian/Asian British (6% and 4% respectively).

3.12.3 In the Local Study Area, the overwhelming majority of the local population identify as white (96%), a much larger proportion than England as a whole (81%). The most common ethnicity with which the remaining residents identify is Asian/Asian British (2%).

#### Place of Birth

3.12.4 The 2021 Census also captured the place of birth. In Kent, 88% of residents were born in the UK; 6% were born in Continental Europe; 3% were born in the Middle East and Asia; 2% were born in Africa.

3.12.5 In the Local Study Area, a significantly higher proportion were born in the UK (93%).

#### Language

3.12.6 The 2021 Census asked questions about respondent's 'main language', or 'a person's first or preferred language'. In Ashford, 93.2% of respondents' 'main language' is English – slightly lower than Kent (94.2%) but higher than England (90.8%).

3.12.7 Data is not available for the Local Study Area. Of residents in Ashford whose main language is not English, 49% of residents main language is a South Asian language, which is around twice the rate of the residual population at wider scales.

### 3.13 Deprivation

3.13.1 While deprivation or unemployment is not classified as a protected characteristic under the Act, levels of deprivation have been considered as part of this baseline analysis, as it can be a compounding factor in equality.

3.13.2 The Government’s Indices of Multiple Deprivation (2019)<sup>10</sup> measures deprivation by combining indicators including a range of social, economic, and housing factors to give a single deprivation score for each small area across England (defined as LSOAs). These factors are divided among seven domains of deprivation as outlined below:

- Income deprivation;
- Employment deprivation;
- Education, skills, and training deprivation;
- Health deprivation and disability;
- Crime;
- Barriers to housing and services; and
- Living environment deprivation.

3.13.3 No areas within 1km of the Site are within areas in the 30% most deprived areas in England, and in most cases the LSOAs are ranked above average reflecting a relative lack of deprivation based on the indicators above.

### 3.14 Community Facilities / Social Infrastructure with Potential Relevance to Equality

3.14.1 As part of the baseline, a review has been undertaken of the location of community facilities that could have particular relevance to equality, because their users may share a particular protected characteristic or characteristics.

3.14.2 The focus of this has been the area surrounding the Order limits or likely to represent a zone of influence for potential likely significant effects from individual assessments of the ES, approximately 1km around the Order limits.

3.14.3 The table below shows local facilities that are particularly relevant to a specific protected characteristic shown in parenthesis:

Table 3.1: Local facilities relevant to specific protected characteristics

Community Facility	Description
Pattison Farm Close Local park (Young People)	Local park with playspace.
Aldington Village Hall and Sports Pitches (Young People, Disabled, Older People)	Community hall available to hire for village organisation and local residents. Includes a Multi Use Games Area ('MUGA') available to hire for local clubs and organised groups. The MUGA is available for Aldington Tennis Club Members to use. Includes playspace.

Community Facility	Description
Mersham Sports Ground (Young People)	Football pitch home to the Mersham Sports Club. Organises cricket, football, archery, cycling and netball sports events. Includes playspace.
Aldington Primary School (Young People)	Primary school.
Kaleidoscope Childcare (Young People)	Nursery and After school.
St Martin's Church (Religion)	Anglican church with courtyard.
St Mary the Virgin Church (Religion)	Anglican church.

3.14.4 The review is not intended to be comprehensive – the data on the protected characteristics of users of different facilities is not public, and there may be other groups or locations which experience similar effects. Rather, this is intended to be representative of facilities / infrastructure most likely to be relevant to equality issues which are also most likely to be subject to effects from the Project. These have been compared to the assessment of effects on sensitive receptors carried out in the ES, to inform consideration of protected characteristics that may potentially be affected.



## 4 Design Evolution, Consultation and Community Engagement

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### 4.1 Design Evolution

- 4.1.1 **ES Volume 2, Chapter 5: Alternatives and Design Evolution (Doc Ref. 5.2)** sets out a description of the changes to the Project throughout the pre-application stages, informed by each stage of consultation.
- 4.1.2 Additionally, the **Design Approach Document (Doc Ref. 7.4)** summarises the technical elements of the design and how they have been influenced by the consideration of reducing significant adverse effects, and cognisance of the importance and sensitivity of receptors to change (including, for example, the public highway, PRow and the amenity of local settlements).
- 4.1.3 These documents confirm that at each stage of the Project's design the Applicant has taken advice from public bodies and community groups and members of the public to, for example, minimise the impacts on the PRow network, where possible, by minimising the number and length of PRow diversions and deliver improvements to the existing PRow network with increased connectivity with new routes.
- 4.1.4 A further example is the selection of the location of the main construction compound, Project Substation, Site offices, control room and welfare area which are in the north-east of the Site (in favour of alternative locations) which delivers a critical advantage that ensures construction traffic avoids local settlements, which will minimise disruption and safety risks to local residents who – as identified by this EqS – may experience changes to traffic flows disproportionately due to a higher proportion of older people who may be more likely to experience mobility issues.
- 4.1.5 During this process, the Applicant has sought to secure a set of **Design Principles (Doc Ref. 7.5)**. While many of these refer to technical specifications required to comply with legislative and policy thresholds and guidance for sustainable design, others refer to promoting amenity, accessibility and public safety (for example “*all PRowS will be a minimum of 2m wide and will sit within a corridor of 10m minimum width, with the exception of the section of PRow ‘New 3’ / FN-3 (as referenced in the Draft DCO (Doc. Ref. 3.1), the Streets, Rights of Way and Access Plans (Doc Ref. 2.5) and ES Volume 3, Figure 3.2: Proposed Access Network (Doc Ref. 5.3)) adjacent to Work No. 3 (Project Substation) which will sit within a 5m corridor*”).

### 4.2 Statutory Consultation

- 4.2.1 People who have less chance than others to be involved in the planning process and who have the potential to therefore be underrepresented have been engaged with prior to submission of the DCO application. These include vulnerable groups, such as young people, the elderly, the homeless, people with a disability, temporary residents and ethnic minorities.
- 4.2.2 In order to help enable these groups to engage with the consultation the Applicant has:
- Provided a range of engagement opportunities both in-person and online;
  - Provided summary information in clear, non-technical language;
  - Held in-person events at a range of locations chosen for their proximity to stakeholders and checked for accessibility;
  - Made information available online in an accessible manner, in paper copy that can be posted on request, and at information points;
  - Made large print, audio or braille versions of the consultation documents available upon request; and
  - Operated an email and telephone contact point to enable individuals to ask questions in their own time (a Freephone number, staffed by the Applicant's community relations team, was available throughout the consultation periods; and a Freepost service was also available for people to send feedback by post if desired).
- 4.2.3 A Non-Technical Summary of the Preliminary Environmental Information Report ('PEIR') was provided in non-technical language to summarise the findings of the PEIR. A Non-Technical Summary of the PEIR Addendum was also provided in non-technical language to summarise the findings of the PEIR Addendum. A similar approach has been taken for the ES within the application, with a **Non-Technical Summary** comprising Volume 1 of the ES (**Doc Ref. 5.1**).
- 4.2.4 Feedback forms were designed in an easy to use format that provided structure for consultees whilst ensuring that they had the opportunity to provide any other comments they might have about the Project.
- 4.2.5 The **Consultation Report (Doc Ref. 6.1)** provides a comprehensive summary of the approach to statutory and non-statutory consultation in accordance with section 37(3)(c) of the Planning Act 2008.
- 4.2.6 The Applicant carried out comprehensive pre-application consultation on its proposals prior to submitting the Application, including a five-week non-statutory consultation, two five-week statutory consultations and two four-week targeted consultations. In addition to the Planning Act 2008, the pre-application statutory consultation accorded with the requirements of Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and had regard to guidance issued under section 50(3) of the Planning Act 2008.

### 4.3 Community and Informal Engagement

- 4.3.1 Section 7 of the **Consultation Report (Doc Ref. 6.1)** outlines the ongoing non-statutory engagement undertaken by the Applicant outside of the consultation stages. This includes an overview of the Community Liaison Panel established by the Applicant and a summary of the meetings/briefings with stakeholders.
- 4.3.2 As explained in the Terms of Reference for the Community Liaison Panel (see **Appendix I-4** to the **Consultation Report (Doc Ref. 6.2)**), the purpose of the Community Liaison Panel is to facilitate communication, share information and engage in balanced discussions about the Application and subsequent examination of the Application and keep the local community informed about all pertinent aspects of the Project. Meeting minutes are in **Appendix I-4** to the **Consultation Report (Doc Ref. 6.2)**.
- 4.3.3 The Community Liaison Panel is Chaired by an Independent Chair and comprises representatives from each of:
- the Applicant;
  - four local residents;
  - two representatives from Aldington Parish Council;
  - five local Borough Councillors (three from Ashford Borough Council and two from Folkestone and Hythe District Council);
  - two local Kent County Councillors; and
  - two representatives from local community groups.
- 6.1.2. Other informal engagement with local groups, organisations and facilities with regard to potential differential effects has been undertaken, for example with Aldington Primary School (to discuss the benefits the Project could deliver to the school to help lower its energy cost, reduce its carbon footprint and provide learning opportunities for children).

## 5 Review of Likely Significant Residual Effects & Management Plans

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- 5.1.1 It is not possible, in the main, to quantify equality effects, and so this section seeks to identify areas with potential for significant residual effects overall. In many cases these effects may be minor (“not significant” in EIA terms).
- 5.1.2 This section also identifies the approach to mitigation, which in part will require ongoing monitoring and management, in order to identify where significant equality effects may arise, and address them appropriately. In most cases, the Applicant has considered mitigation within the design itself, or through Management Plans and Strategies that will reduce the likelihood of significant effects.
- 5.1.3 It is the nature of equality effects that they cannot all be known comprehensively or in detail in advance. Data on protected characteristics (which may be of a personal nature) is incomplete, and the social interactions involved are often complex and inherently unpredictable.
- 5.1.4 Because of this, it is important to consider equality not just in advance, but also in the on-going monitoring and management of the Project as it progresses. In many cases the mitigation for effects on equality is the same as that required for other impacts. For example for noise effects, the measures introduced are chosen to minimise significant effects where possible, irrespective of whether those effects have an equality dimension.
- 5.1.5 A series of outline Management Plans and Strategies have been established through collaboration with stakeholders, which include details of iterative and responsive mitigation based on real-time data collection and monitoring, and regular consultation and feedback with stakeholders. These include measures that are collated within an overarching **Mitigation Schedule (Doc Ref. 7.7)** and described in detail within:
- The **Outline Construction Environmental Management Plan ('CEMP') (Doc Ref. 7.8)** which includes measures relating to management of construction noise, air quality, communications and general amenity relating to construction activity;
  - The **Outline Construction Traffic Management Plan ('CTMP') (Doc Ref. 7.9)** which includes measures related to construction traffic (both on-site and on the public highway) to reduce the risk of severance or risk of incident and delay, and promote accessibility and public safety on the highway and within the Site;
  - The **Outline Operational Management Plan ('OMP') (Doc Ref. 7.11)** which sets out the approach to observation, review, maintenance and management of the Site during the operational phase including the roles, responsibilities

and feedback loops for stakeholders; and

- The **Outline Rights of Way and Access Strategy ('RoWAS') (Doc Ref. 7.15)** which sets out the approach to managing effects on (and providing improvements for) accessibility and connectivity for functional and recreational purposes of the PRow network in and around the Site.

- 5.1.6 Further outline plans for the decommissioning phase (the **Outline Decommissioning Environmental Management Plan ('DEMP') (Doc Ref. 7.12)** and **Outline Decommissioning Traffic Management Plan ('DTMP') (Doc Ref. 7.13)**) secure similar best-practice mitigation for the decommissioning of the Project to the construction phase.
- 5.1.7 Inherently, there is an ongoing commitment from all parties to work together to identify and where possible minimise any further equality impacts within the remit of these Management Plans and Strategies.
- 5.1.8 In addition to the specific mechanisms for potential effects relating to protected characteristics, there is also the possibility that any effects of the Project may overall disproportionately affect people with particular protected characteristics due simply to their greater prevalence in the local area.
- 5.1.9 Age is the protected characteristic identified in the baseline section as having the most significant disproportionate local representation. As a result of this, some of the effects of the Project may be expected to disproportionately affect older residents, who may experience differential or disproportionate effects on mobility and accessibility. Notwithstanding this, these potential effects are considered and reduced or fully mitigated by elements of the design of the Project (for example through replacement and new PRow and space for amenity and access) and mitigation provided by the Management Plans referred to in this EqS.

## 5.2 Noise and Air Quality

### Potential Significant Effects and Equality Receptors

- 5.2.1 Noise and air quality effects vary by location across the Order limits and are driven by the location of source/producer which in most cases during construction/decommissioning would be moving traffic and plant, and during operation would be driven by the location of emission-generating plant.
- 5.2.2 Noise and air quality effects from construction/decommissioning activities, traffic and induced road traffic changes, and emissions related to plant operation in the operational phase may result in differentially or disproportionately affected protected characteristic groups.
- 5.2.3 In particular, people with some protected characteristics may be on average likely to spend more time at home than others and may therefore be more exposed to the effects. The protected characteristics correlated with greater exposure in this way will depend on the individuals and there is not data to identify this conclusively, but

it may include young people (including children), older people, those with disabilities, pregnancy and maternity, and women (because of lower average employment rates).

- 5.2.4 Primarily, age related groups and those with disabilities have the potential to be impacted from noise and air quality impacts arising from the Project.
- 5.2.5 A further category of effect from noise and air pollution relates to certain community facilities or services which may be disproportionately used by people with particular protected characteristics – for example schools, care homes, community hospitals, children’s centres, nurseries, community centres, and places of worship.
- 5.2.6 In terms of noise effects, the assessments identify ‘noise-sensitive receptors’, including residential receptors, Aldington Primary School, Aldington Eco Centre, Aldington Village Hall and associated sports facilities. Noise sensitive areas also include the areas of ancient woodland, Handen Wood, Poulton Wood and Backhouse Wood and PRow which have community and recreational value.
- 5.2.7 As set out in Section 4, the local area as a whole has a higher than average proportion of older people, therefore these noise and air quality effects may disproportionately affect older people.

### Construction Phase

- 5.2.8 As set out in **ES Volume 4, Appendix 1.2: Scoping Opinion (Doc Ref. 5.4)**, effects related to air quality have been scoped out of the assessment because no significant effects are anticipated.
- 5.2.9 It is considered that the implementation of effective mitigation measures during the construction phase, as outlined in the **Outline CEMP (Doc Ref. 7.8)**, will substantially reduce the potential for dust and fine particulate matter to be generated and therefore the effects on air quality are likely to be not significant.
- 5.2.10 No significant effects in relation to noise arising from the construction traffic noise have been found on identified noise sensitive receptors.
- 5.2.11 Due to the variation in work activities and locations across the Site, it is considered that any periods of regular high construction noise levels experienced at any sensitive receptor would be of a limited short-term and temporary duration during the 12 month construction period. **ES Volume 2, Chapter 14: Noise (Doc Ref. 5.2)** concludes that with on-site construction management techniques and noise monitoring, the construction noise is likely to not be significant.
- 5.2.12 Users of PRowS crossing the Site may experience construction noise as they move throughout the PRow network. Due to the transitory nature of both the user and the construction plant on the Site, it is unlikely that users will experience levels of construction related noise for prolonged periods that will be above the level of the residual environment. The assessment presented in **ES Volume 2, Chapter 14:**

**Noise (Doc Ref. 5.2)** states that there will not be any risk to hearing due to the works for people using the PRow network. The impact of noise on PRow users is therefore considered not significant.

- 5.2.13 During the construction phase, **ES Volume 2, Chapter 14: Noise (Doc Ref. 5.2)** assesses that construction noise levels will be controlled through the use of embedded mitigation including the **Outline CEMP (Doc Ref. 7.8)** and **Outline CTMP (Doc Ref. 7.9)**, and that effects of construction traffic noise from traffic flows has been shown to be negligible at all community, residential and recreational / tourist receptors.
- 5.2.14 Best practicable means ('BPM') will be applied during construction works at all times to minimise noise (including vibration) at neighbouring residential properties and other sensitive receptors..

### Operational Phase

- 5.2.15 During the operational phase, the Project will not introduce any pollutant sources and vehicle movements will be minimal. The air quality assessment set out in the **ES Volume 4, Appendix 1.1: EIA Scoping Report (Doc Ref. 5.4)** concluded that any air quality impacts from the Project during operation would not be significant, and it was agreed that this could be scoped out of the ES within the Scoping Opinion (**ES Volume 4, Appendix 1.2: Scoping Opinion (Doc Ref. 5.4)**).
- 5.2.16 **ES Volume 2, Chapter 14: Noise (Doc Ref. 5.2)** assesses the impact on the identified human receptors as a result of the plant operating during the operational phase.
- 5.2.17 Noise emissions of plant associated with the Project, including the Inverter Stations (including BESS Units), Intermediate Substations, and Project Substation have been predicted at the nearest human receptors within 300m of the Site boundary.
- 5.2.18 The Project incorporates measures such as distancing of noise sources away from sensitive receptors, including locating the Project Substation away from large concentrations of receptors and close to the existing noise sources of the railway and M20. Acoustic noise barriers are also proposed around all Inverter Stations and along the northern and eastern boundaries of the. With these measures in place, the effect is predicted to be minor adverse to negligible and not significant.
- 5.2.19 Users of the PRow network through the Site will be able to hear the operational project as they pass through. As with the construction phase, the users of the PRow network will be transiting the Site and the noise levels from the installed plant will vary accordingly. **ES Volume 2, Chapter 14: Noise (Doc. Ref. 5.2)** concludes that the effect of operational noise on the PRow network is not significant.

### Decommissioning Phase

- 5.2.20 As set out above, an air quality assessment was scoped out of the ES in accordance with the **Scoping Opinion (ES Volume 4, Appendix 1.2: Scoping Opinion (Doc Ref. 5.4))**.
- 5.2.21 **ES Volume 2, Chapter 14: Noise (Doc Ref. 5.2)** concludes that the traffic flows on the road network and noise impacts generated by the Project during its decommissioning phase will be similar in scale and nature to the construction phase.
- 5.2.22 All decommissioning activities, including traffic flows and construction type activities, will implement appropriate mitigation including best practice measures in the **Outline DTMP (Doc Ref. 7.13)** and **Outline DEMP (Doc Ref. 7.12)**. No significant noise effects are likely.

## 5.3 Traffic & Transport

### Potential Significant Effects and Equality Receptors

- 5.3.1 Development can have a wide range of transport effects, including routes that are temporarily or permanently closed or diverted, new routes that are created, or existing routes that become busier. This may affect pedestrians, cyclists and motorists. The effects may include journeys becoming longer (in time or distance), more difficult (for example if busier roads are harder to cross), or less attractive.
- 5.3.2 **ES Volume 2, Chapter 13: Traffic and Access (Doc Ref. 5.2)** considers the impact on the local highway network and the PRow network, quantifying effects which may result in changes to actual or perceived amenity or safety (for example related to fear and intimidation on and by road users), or on health and wellbeing where community links and access to facilities and employment may be materially changed (i.e. via severance of communities, driver and passenger delay).
- 5.3.3 Aspects of particular relevance to equality are:
- Severance of communities;
  - Non-motorised user delay;
  - Non-motorised user amenity; and
  - Fear and intimidation on and by road users.
- 5.3.4 In terms of the general equality implications of the effects on transport, any additional severance, delay, amenity or fear/intimidation effect from traffic has the potential to differentially affect people with particular protected characteristics, where that characteristic affects their mobility. Protected characteristics potentially differentially affected are age (young including those in pushchairs, and old), disability, pregnancy/maternity.



- 5.3.5 As set out in the baseline, the area as a whole has a higher than average proportion of older people. Therefore, any effects on transport may potentially disproportionately affect older people.

### Construction Phase

- 5.3.6 **ES Volume 2, Chapter 13: Traffic and Access (Doc Ref. 5.2)** summarises that embedded mitigation via the **Outline CTMP (Doc Ref. 7.9)** will help to minimise disruption effects on the local community and environment. Measures are proposed in relation to Construction Vehicle Routing, Vehicular Access, Internal Haulage Road, Safety Management, Condition Survey and Community Engagement.
- 5.3.7 The internal haulage road enables two tight bends near to Evegate Mill to be avoided and minimises the amount of construction traffic on the local road network. No HGVs or other construction traffic will pass through the centre of Aldington, which avoids potential effects on people and community facilities in this area including those people whose mobility may be differentially or disproportionately affected by change.

### Operational and Decommissioning Phases

- 5.3.8 It was agreed through the **EIA Scoping Opinion (ES Volume 4, Appendix 1.2: Scoping Opinion (Doc Ref. 5.4))** that operation and decommissioning traffic of the Project could be scoped out of further assessment within the EIA.

## 5.4 Community Connectivity and Access to Services and Facilities

### Potential Significant Effects and Equality Receptors

- 5.4.1 Access to social and community infrastructure and services may be affected by development, including health, places of worship, retirement homes, play spaces, education, and adult or children's services, as well as emergency services, for the following reasons:
- If facilities were to be directly affected by closure or relocation; or
  - Where people's ability to access service sites, or for outreach services to reach them at home, may be affected by transport changes.
- 5.4.2 This can have differential effects, particularly on those whose protected characteristics affect their mobility. Or it can have disproportionate effects on those whose protected characteristics influence the level of their need for the services.
- 5.4.3 There are no community facilities of differential or disproportionate significance to equality that will be closed or relocated as a result of the Project.
- 5.4.4 The degree to which users of community facilities have their journeys affected will depend on individual's specific travel routes and modes of travel. Because some groups may have different mobility issues, protected characteristics potentially

differentially affected are age (young including those in pushchairs, and old), disability, pregnancy/maternity.

- 5.4.5 In addition some community facilities – such as schools, care homes and places of worship – are used predominantly by people with a particular protected characteristic. In these cases increases in traffic that affect pedestrian movements can potentially have disproportionate effects in relation to age and religion.
- 5.4.6 A list of community facilities has been considered within **ES Volume 2, Chapter 13: Traffic and Access (Doc Ref. 5.2)** and **ES Volume 2, Chapter 12: Socio-economics (Doc Ref. 5.2)** where there is potential for those facilities to be affected in terms of accessibility due to the Project.

#### Construction Effects

- 5.4.7 **ES Volume 2, Chapter 13: Traffic and Access (Doc Ref. 5.2)** considers there to be negligible to minor adverse effects on potential community facility receptors in terms of accessibility.
- 5.4.8 As explained above, embedded mitigation via the **Outline CTMP (Doc Ref. 7.9)** will help to minimise disruption effects on the local community and environment, and the use of the internal haulage road minimises the amount of construction traffic on the local road network.

#### Operational and Decommissioning Effects

- 5.4.9 It was agreed through the **EIA Scoping Opinion (ES Volume 4, Appendix 1.2: Scoping Opinion (Doc Ref. 5.4))** that operation and decommissioning traffic of the Project could be scoped out of further assessment within the EIA.

### 5.5 Public Rights of Way and Accessibility

#### Potential Significant Effects and Equality Receptors

- 5.5.1 Active travel is a key contributor to health and wellbeing, and it is acknowledged that PRoW provide recreational, as well as functional purposes (providing connectivity to places of work, recreation or community facilities).
- 5.5.2 The Project will result in changes to routes that are formally designated as PRoW within the public highway.
- 5.5.3 Generally, vulnerable groups are more reliant on utilising PRoWs. This can be for a variety of reasons such as no access to a car, age or disabilities.

#### Construction Effects

- 5.5.4 During the construction phase, some of the PRoW that interact with the Site will experience change, including in relation to the internal haulage route at the boundary and within the Site, and in some locations will need to be crossed

intermittently by construction vehicles. The following PRow are likely to experience change:

- AE 455 (section within Order limits) and AE 447 (entire footpath) would be permanently stopped up before the end of the construction phase without substitution;
- The entire length of AE 448, AE 454 and AE 431 would be diverted during the construction phase to temporary replacement PRow for the duration of the rest of the construction phase and the operational phase, and the decommissioning phase until re-instated during the decommissioning phase;
- Sections of, AE 475, AE 656 and AE 657, AE 370, AE 377, AE 385, AE 378, AE 428 and AE 436 would be diverted during the construction phase to either permanent replacement PRow, or temporary replacement PRow for the duration of the rest of the construction phase and the operational phase, and the decommissioning phase until re-instated during the decommissioning phase;
- NEW 1 / FN-1, NEW 2 / FN-2, NEW 3 / FN-3, NEW 6 / FN-6, NEW 7 / FN-7, NEW 8 / FN-8 (as referenced in the **Draft DCO (Doc. Ref. 3.1)**, the **Streets, Rights of Way and Access Plans (Doc. Ref. 2.5)**, and **ES Volume 3, Figure 3.2: Proposed Access Network (Doc Ref. 5.3)**), a route for the diverted AE 385 and Bank Road, where it would link to the existing AE 380 (north of Bank Road) and a route for the diverted AE 431 would be introduced to the network as PRows during the construction phase;
- Several PRow to be put in place to divert existing PRow will be either intermittently crossed or run adjacent to internal haulage roads or construction compounds, and as such may interact with construction vehicles during the construction phase. These are
  - The proposed diversion for AE 431 which runs adjacent to the main internal construction haulage road from the site entrance on Station Road / Goldwell Lane, with crossings to the south of Field 25, and west of Field 24;
  - The proposed extension to AE 657 (FN-AE657, as referenced in the **Draft DCO (Doc. Ref. 3.1)**, the **Streets, Rights of Way and Access Plans (Doc. Ref. 2.5)**, and **ES Volume 3, Figure 3.2: Proposed Access Network (Doc Ref. 5.3)**) would be crossed by an internal construction haulage road before its confluence with the diverted AE 431 to the west of Field 24;
  - New 7 / FN-7 (as referenced in the **Draft DCO (Doc. Ref. 3.1)**, the **Streets, Rights of Way and Access Plans (Doc. Ref. 2.5)**, and **ES Volume 3, Figure 3.2: Proposed Access Network (Doc Ref. 5.3)**), runs adjacent to the main internal construction haulage road on the west side of Goldwell Lane;
  - The proposed diversion for AE 378 runs through an internal construction haulage route / compound for a short distance on the west

side of the junction with Goldwell Lane / Calleywell Lane;

- The proposed diversion for AE 454 runs through an internal construction haulage route / compound for a short distance on the east side of Field 20;
- AE 474 runs adjacent to the main internal construction haulage road from Goldwell Lane.
- AE 396 (BOAT), which will be cleared and maintained, is crossed by construction access intermittently.

5.5.5 It is not anticipated that any PRow would be permanently closed during the construction phase (with the exception of AE 455 and AE 447 which are proposed to be permanently stopped up) without a suitable alternative in-place, which in most cases would be the proposed alternative PRow for the operational phase. At the end of the construction phase, it is anticipated that all extinguishments and temporary and permanent diversions via proposed PRow set out within the **Outline RoWAS (Doc Ref. 7.15)** would be in-place.

5.5.6 As a result of the above, changes to travel patterns across the network of PRow that interact with the Site are likely to occur during the construction phase. These will be kept to a minimal level and would be subject to the commitments of the **Outline RoWAS (Doc Ref. 7.15)**.

5.5.7 A number of engagement, monitoring and management measures to ensure safe and convenient access to and use of the PRow network during the construction phase are secured by the **Outline CTMP (Doc Ref. 7.9)** and **Outline CEMP (Doc Ref. 7.8)** and these are also summarised in the context of PRow in the **Outline RoWAS (Doc Ref. 7.15)**.

5.5.8 The following measures will be implemented:

- Speeds to be limited to 10mph within the Site for Project vehicles;
- A temporary 5mph speed limit for Project vehicles at the Primary Site Access, internal haulage road crossing points with PRowS and along the shared section with AE474 at the Goldwell Lane access;
- Appropriate signage will be installed along the PRow to make PRow users aware of the construction activity and to remind construction drivers of the presence of pedestrians. This will include information on construction times and contact details for a public liaison officer;
- Construction traffic drivers will stop and give-way to any PRow user;
- Safety measures to be employed on the construction traffic route to protect pedestrians crossing using PRowS will include but are not limited to: additional signage, banksmen/marshals and escort vehicles;
- PRow will be kept clear of construction vehicles and apparatus outside of permitted construction hours so far as is reasonably practicable to do so;
- Any damage to the surface of the PRow caused by the construction traffic

will be repaired as soon as practicable. The surface will be returned to its original condition following completion of construction;

- Opportunities to schedule such deliveries in a way that will minimise impact on their use of the PRoW will be explored.
- A PRoW buffer zone demarcated by temporary barrier fencing will be provided at the Goldwell Lane access to keep users of AE474 and vehicles accessing the South Eastern Area apart.
- The principal construction contractor will engage with local residents, businesses, schools, rambler groups and KCC prior to commencement and during key stages of the construction period advising on the works involved, duration of development and necessary contact information, in alignment with measures included in the **CTMP (Doc Ref. 7.9)**.

5.5.9 This should also be read in conjunction with **ES Volume 4, Appendix 10.5: Schedule of Watercourse Crossings (Doc Ref. 5.4)** which sets out the approach to crossings of watercourses which in some cases are part of the PRoW network.

5.5.10 It is noted that there is particular local concern relating to drainage and flooding preventing access to PRoWs. Drainage will be provided during the construction (and decommissioning) phases as secured by the **Outline CEMP (Doc Ref. 7.8)** (and the **Outline DEMP (Doc Ref. 7.12)**). These management plans include measures to ensure that runoff generated during construction or decommissioning is managed appropriately and also that damage to PRoW surfaces is avoided and does not result in localised flood issues to PRoWs or any land on or outside of the Site.

5.5.11 Given these commitments, the changes to rights of way and access across the Site during the construction phase are considered to result in negligible to minor adverse effects (not significant).

5.5.12 **ES Volume 2, Chapter 5: Alternatives and Design Evolution (Doc Ref. 5.2)** provides further details of how the Site is well situated to be accessible during construction, operation and decommissioning, including emergency access.

### Operational Effects

5.5.13 As set out above and within the **Outline RoWAS (Doc Ref. 7.15)**, at and during the operational phase the Project will have completed the diversion, replacement and implementation of new routes to address the routes affected by the Project. The effect on access and recreational use would be in some cases adverse, but less than significant.

5.5.14 Importantly, these PRoW, although diverted, would be implemented to high design standards in a wider corridor and compliant with all KCC-led accessibility and design guidance, so would remain or improve accessibility from present in terms of design.

5.5.15 In some cases, proposals have been included within the Project that aim to enhance user experience and amenity by improving accessibility and permeability.

- 5.5.16 The **Outline RoWAS (Doc Ref. 7.15)** sets out the proposed approach to design, engagement, governance, implementation, maintenance and management of the proposed routes which would ensure no disadvantage to active travel and accessibility to community facilities and commercial and residential locations currently accessible by the network in this area.
- 5.5.17 Any PRow provided as diversions, replacements or alternatives to PRow that are diverted or extinguished during the construction phase, as well as new PRow to be provided, will be fully established and accessible during the operational phase ensuring no break in connectivity across the network.
- 5.5.18 Additional PRow (over and above required diversions) will be established and maintained within the Project for the operational phase. These are set out within **ES Volume 3, Chapter 3: Project Description, Figure 3.2: Proposed Access Network** and the **Outline RoWAS (Doc Ref. 7.15)**.

### Decommissioning Effects

- 5.5.19 It is anticipated that the decommissioning phase would require a similar scale and type of activity as the construction phase. The **Outline RoWAS (Doc Ref. 7.15)** includes the same principles for ensuring maintenance of connectivity of PRow during the decommissioning stage as equivalent PRow as during the construction phase.
- 5.5.20 As such, it is anticipated that the decommissioning phase would result in the same likely effects as the construction phase.
- 5.5.21 The **Outline RoWAS (Doc Ref. 7.15)** and **Draft DCO (Doc Ref. 3.1)** (Schedule 8, Part 2) set out where it is anticipated that the new or diverted PRow temporarily implemented by the Applicant as new paths or diversions to existing PRow would be re-instated to their original alignment at an appropriate time during the decommissioning phase – this applies to AE 378, AE 428, AE 448, AE 431, AE 436 and AE 454.
- 5.5.22 It is noted that at this stage KCC, as the Local Highway Authority, and landowners, may wish to amend the network permanently to adopt temporary replacements for these PRow and therefore the Applicant will work with KCC during the decommissioning stage should that be the case.
- 5.5.23 The **Outline RoWAS (Doc Ref. 7.15)** and **Draft DCO (Doc Ref. 3.1)** (Schedule 8, Part 1) set out where replacement PRow implemented during the construction phase for the operational phase would be permanent and adopted into the highway network at the point at which they open and their original alignment is stopped up permanently (and this applies during the decommissioning stage and beyond) – this applies to AE 385, AE 370, AE 377, AE 656 and 657, and AE 475.

## 5.6 Socio-economics

- 5.6.1 Development can support jobs. These jobs may create opportunities for existing residents, but the opportunities may affect some with protected characteristics differentially. These are assessed – in the context of any potential employment lost at the Site – within **ES Volume 2, Chapter 12: Socio-economics (Doc Ref. 5.2)**.
- 5.6.2 Employment uses currently at the Site comprise four people employed full time across all of the commercial farm areas within the Site. This includes arable and pastoral farming, and a clay pigeon shoot (operated within the Site by the landowner which will be moved to a different area of land, outside of the Site and in the ownership of the current landowner, when the Project begins construction). All employment would be retained, moving to other areas owned by the Landowner. During the operational phase the existing agricultural uses (arable crop production and grazing of cattle) within the Site boundary will no longer be in place, although the Applicant will make the land available for sheep grazing.
- 5.6.3 The construction phase will generate demand for employment directly associated with the construction of the Project. An average of 132 direct full time equivalent jobs could be supported over the 12-month construction period, which could increase to a peak of 199 direct jobs.
- 5.6.4 The direct construction employment supported during the construction phase would generate around £6.2m in Gross Value Added ('GVA') within the regional construction economy (based on average GVA per head in the construction industry).
- 5.6.5 The construction industry's workforce can have disproportionately lower representation from some groups. The nature of work and the accessibility of workplaces can also differentially affect those whose protected characteristics affect their mobility.
- 5.6.6 Operational employment supported by the Project is likely to be minimal, limited to a small number of maintenance and operational positions across the Site.
- 5.6.7 It is anticipated that the decommissioning phase would require a similar level of employment and generate a similar scale and character of workforce spending and supply chain effects as the construction phase. This is subject to uncertainty given potential changes in construction sector productivity, automation and availability of workforce skills and contractors.
- 5.6.8 It is important to note that all job recruitment for the Project falls under the Act, and that discrimination is not permitted. Nonetheless, given historic patterns of recruitment, particularly within the construction workforce nationally, there is therefore potential for employment effects to be felt differentially according to Sex, Race, Disability, Religion or Belief, and Sexual Orientation. The same may also apply to those undergoing gender reassignment although the data is not available to confirm.

## 6 Conclusion and Recommendations

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- 6.1.1 This EqS has used the relevant technical reports within the ES to consider whether the Project would have a differential or disproportionate impact on protected groups within the Act.
- 6.1.2 With the implementation of mitigation measures identified within the ES chapters and supplementary documentation, this EqS concludes that the Project would not have a differential or disproportionate impact on people with protected characteristics, compared to the general population.
- 6.1.3 The Applicant has also considered people with protected characteristics in undertaking consultation, and this has had a subsequent influence on the Site selection process and best practice management of the Project. The Applicant has undergone an iterative design and Site selection process and used several methods of engagement and consultation to allow those who have protected characteristics that may otherwise affect their ability to interact with the development of the Project to have an input on the scheme.
- 6.1.4 At a wider scale, the Project has the potential to have a positive impact on people with protected characteristics as it will contribute to the reduction in need for energy generation from combustion methods that theoretically will have a positive effect on air quality. In addition, at the wider scale the Project will contribute towards provision of more affordable energy supply, which is particularly important for those within protected characteristic groups as they are more likely to attain lower incomes and be at a socio-economic disadvantage.
- 6.1.5 The purpose of this EqS is to highlight where there are effects with potential equality implications, so that they can be considered, and where possible alleviated or minimised.
- 6.1.6 In many cases mitigation for effects with potential equality implications is the same as required for those effects irrespective of the equality implications. For example, noise will be mitigated where possible, even when there are not additional effects on equality, and the mitigation measures put in place will benefit those groups most affected.
- 6.1.7 The primary recommendation of this EqS is that particular consideration should be given to these effects when implementing the Management Plans and Strategies that manage the process of embedded mitigation.



## 7 APPENDIX: Baseline Summary

Measure	Local Study Area	Ashford	Kent	England	
<i>Population</i>					
Population 2021 Census	5,480*	132,747	1,576,069	56,490,048	
<i>Age</i>					
Age Structure 2021 Census	Aged 4 years and under	5.2%*	5.7%	5.5%	5.4%
	Aged 5 to 9 years	6.0%*	6.3%	6.0%	5.9%
	Aged 10 to 15 years	6.2%*	7.6%	7.4%	7.2%
	Aged 16 to 19 years	4.8%*	4.4%	4.4%	4.6%
	Aged 20 to 24 years	3.6%*	4.9%	5.3%	6.0%
	Aged 25 to 34 years	9.0%*	12.7%	12.1%	13.6%
	Aged 35 to 49 years	19.1%*	18.8%	18.9%	19.4%
	Aged 50 to 64 years	22.6%*	20.1%	20.0%	19.4%
	Aged 65 to 74 years	12.6%*	10.5%	10.7%	9.8%
	Aged 75 to 84 years	8.0%*	6.7%	6.9%	6.1%
	Aged 85 years and over	2.7%*	2.4%	2.7%	2.4%
<i>Sex</i>					
Male/ Female	49%/51%	49%/51%	49%/51%	49%/51%	
<i>Gender Identity</i>					
Gender identity different from sex registered at birth total	-	0.4%	0.5%	0.5%	
<i>Sexual Orientation</i>					
Gay, Lesbian or Bisexual	-	2.3%	2.4%	2.8%	
Not Answered	-	6.5%	6.7%	7.5%	

### *Marriage and Civil Partnership Status\*\**

Measure	Local Study Area	Ashford	Kent	England
Single	24%*	33%	35%	38%
Married / Civil Partnership	59%*	49%	47%	45%
Divorced / Separated / Widowed	17%*	18%	19%	17%
<i>Live Births (2021)</i>				
General Fertility Rates (number of live births a year per 1,000 women aged 15 to 44 years)	-	58.4	58.2	54.2

**Race**

Ethnicity	Asian/Asian British	2%	6%	4%	10%
	Black/Black British	1%	3%	3%	4%
	Mixed/Multiple	2%	2%	2%	3%
	White	96%	88%	89%	81%
	Other	0.3%	1%	1%	2%
Place of Birth	UK	93%*	87%	88%	83%
	Europe (excluding UK)	3%*	5%	6%	7%
	Africa	2%*	2%	2%	3%
	Middle East and Asia	2%*	5%	3%	6%
	Americas and Caribbean	1%*	1%	1%	1%
	Antarctica and Oceania	0.5%*	0.3%	0.3%	0.3%
Main Languages	English	-	93%	94%	91%
	European (EU)	-	2%	3%	4%
	European (Non-EU)	-	0.1%	0.1%	0.1%
	South Asian	-	3%	2%	3%
	East Asian	-	0.3%	0.4%	0.6%
	African	-	0.2%	0.1%	0.4%
	West/Central Asian	-	0.1%	0.2%	0.4%
	Other	-	0.0%	0.0%	0.0%

**Religion and Belief**

Christian	52%*	48%	49%	46%
Buddhist	0.4%*	1%	1%	1%

Measure	Local Study Area	Ashford	Kent	England
Hindu	1%*	2%	1%	2%
Jewish	0.2%*	0.1%	0.1%	1%
Muslim (Islam)	1%*	2%	2%	7%
Sikh	0.1%*	0.1%	1%	1%
Other religion	1%*	1%	1%	1%
No religion	39%*	41%	41%	37%
Not Answered	5%*	6%	6%	6%

*Health and Disability*

Self-Assessed Health	Very good & Good	84%	83%	82%	82%
	Fair	12%	13%	13%	13%
	Bad & Very Bad	4%	5%	5%	5%
Disability under the Equality Act	Day-to-day activities limited a lot	7%	7%	7%	7%
	Day-to-day activities limited a little	10%	10%	11%	10%

*\* Parish level data not available so based upon LSOA best-fit*

*\*\*Parish level and LSOA data not available so based upon ward best-fit*

*- Data not available at ward level or below*

## References

- <sup>1</sup> Equality and Human Rights Commission ('EHRC') The Essential Guide to the Public Sector Equality Duty (EHRC, 2014a)
- <sup>2</sup> EHRC, Engagement and the Equality Duty and Guide for Public Authorities (EHRC, 2011)
- <sup>3</sup> EHRC, Equality Act 2010: Technical Guidance on the Public Sector Equality Duty England (EHRC, 2014b)
- <sup>4</sup> EHRC, Meeting the Equality Duty in Policy and Decision-Making England (and non-devolved Public Authorities in Scotland and Wales) (EHRC, 2014c)
- <sup>5</sup> Government Equalities Office, Equality Act 2010: Public Sector Equality Duty What do I need to know? A Quick Start Guide for Public Sector Organisations (Government Equalities Office, 2011)
- <sup>6</sup> ONS (2011) 2011 Census accessed via [www.nomisweb.co.uk](http://www.nomisweb.co.uk)
- <sup>7</sup> ONS (2021) 2021 Census accessed via [www.nomisweb.co.uk](http://www.nomisweb.co.uk)
- <sup>8</sup> ONS (2021) Live Births Data
- <sup>9</sup> MHCLG (2019) Indices of Multiple Deprivation
- <sup>10</sup> MHCLG (2019) Indices of Multiple Deprivation