

Stonestreet Green Solar

Environmental Statement

Volume 4: Appendices

Chapter 1: Introduction

Appendix 1.2: EIA Scoping Opinion

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SCOPING OPINION:

Proposed Stonestreet Green Solar

Case Reference: EN010135

Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

30 May 2022



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1. INTRODUCTION

- 1.0.1 On 19 April 2022, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Evolution Power Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Stonestreet Green Power (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.
- 1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:
- <http://infrastructure.planninginspectorate.gov.uk/document/EN010135-000030>
- <http://infrastructure.planninginspectorate.gov.uk/document/EN010135-000031>
- <http://infrastructure.planninginspectorate.gov.uk/document/EN010135-000032>
- 1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.
- 1.0.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including [Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#). AN7 and its annexes provide guidance on EIA processes during the pre-

application stages and advice to support applicants in the preparation of their ES.

- 1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

- 1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.1 Description of the Proposed Development

(Scoping Report Section 4)

ID	Ref	Description	Inspectorate's comments
2.1.1	4.3.10 to 4.3.12 and 1.5.2	Alternative route for grid connection	Scoping Report paragraphs 4.3.10 to 4.3.12 identify that the preferred routing and connection to the grid is at the existing UK Power Networks (UKON) 132kV substation and cables will be underground. Paragraph 1.5.2 states that the alternative route and grid connection would be via a nearby tower at Sellindge Substation; as this connection is via a tower it is not clear whether this option would also mean the cables are underground or above ground. Should this option be taken forward, the ES should state where and to what extent cables are above or below ground and assess any associated impacts where significant effects are likely to occur.
2.1.2	4.2.4, 4.4.1 and 4.4.3	Construction compounds and access	Scoping Report paragraph 4.2.4 states that there will be 'one or more temporary construction compounds' and 4.4.3 states that the ES will describe the design and location of these compounds and accesses. The ES should explain how the optioneering process to locate both accesses and construction compounds has sought to avoid or minimise impacts on human and ecological receptors. Where appropriate, existing accesses should be utilised and consideration should be given to the appropriateness of accesses for Heavy Goods Vehicles (HGVs) and/or abnormal loads e.g. weight restrictions, width restrictions, turning area etc. Relevant measures to reduce construction traffic routing and access impacts on the local road network should be agreed relevant highways authority, where possible.

ID	Ref	Description	Inspectorate's comments
2.1.3	4.4.1 and 4.4.2	Construction phasing	Construction is anticipated to begin in 2025 and last 12 months. Construction activities are set out in Scoping Report paragraph 4.4.2, but the phasing of construction is not provided, which should consider the worst case scenario. The ES should determine when each construction activity is anticipated to commence and complete, how and where such activities will overlap and what plant and machinery is required. Details of any demolition works and the extent and location of such works should also be set out.
2.1.4	4.4.3	Habitat creation	Scoping Report paragraph 4.4.3 states that habitat creation is proposed to be addressed in the ES. The description of habitat creation measures should include the location, extent, type of habitat creation and timeframe for establishment and should this be included off-site, the area should be included in the red line boundary of the Proposed Development.

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Section 5)

ID	Ref	Description	Inspectorate's comments
2.2.1	11.3.2 and Figures 9, 12, 15	Figures and study areas	<p>It is noted that a number of figures are suggested to show study areas but do not do so. For example, Figure 9 does not display the 2km and 10km site buffers for biodiversity although they are included in the 'Legend' therefore it is unclear which designated sites are in the study areas. Additionally, Scoping Report paragraph 11.3.1 states a 2km buffer from the site boundary for the water environment will be used as a study area and that this is shown on Figure 12 however, no study area is defined on Figure 12. Figure 15 identifies Public Rights of Way (PRoW) but these do not correspond with those described in Scoping Report paragraph 12.4.15.</p> <p>The ES should identify the study area clearly on an associated Figure and describe why the study area is appropriate for each of the aspect Chapters assessed where relevant.</p>
2.2.2	6.1.4	Transboundary	<p>The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the Proposed Development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts.</p> <p>The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard</p>

ID	Ref	Description	Inspectorate's comments
			<p>to any new or materially different information coming to light which may alter that decision.</p> <p>Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.</p> <p>The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/</p>

3. ENVIRONMENTAL ASPECT COMMENTS

3.1 Topics to be Scoped Out

(Scoping Report Section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	6.2	Agricultural Land and Soils	<p>The Scoping Report includes information to quantify the loss of best and most versatile (BMV) land based on soil surveys and explains why significant effects on agricultural land and soils are unlikely.</p> <p>The ES should include the information used to support scoping, however, on the basis of the above information is provided, the Inspectorate is content to scope this matter out.</p> <p>Where the ES relies upon grazing as mitigation for loss of Best and Most Versatile (BMV) land, it should be demonstrated that the land is not subject to restrictive covenants that would prevent such use and that such mitigation is secured in respect of the operation of the Proposed Development.</p>
3.1.2	6.3	Air Quality – vehicle emissions	<p>Air quality is proposed to be scoped out of the ES on the basis that the number of anticipated movements during construction (100 HGV Average Annual Daily Traffic (AADT)) and operation (2 AADT vehicle movements) are below the threshold criteria requiring an assessment of significant effects in the 'Land Use Planning and Development Control: Planning for Air Quality' guidance (Institute of Air Quality Management (IAQM, 2017)). A Construction Traffic Management Plan (CTMP) will be submitted with the application to ensure impacts on receptors are minimised.</p> <p>Provided that the ES description of development includes sufficient detail to demonstrate that construction and operational traffic</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>movements will not exceed the IAQM criteria and given the temporary nature of the movements, further consideration of vehicle emissions impacts may be scoped out.</p>
3.1.3	6.3	Air Quality – dust emissions	<p>Scoping Report paragraphs 6.3.5 to 6.3.26 provide a step-by-step screening process in line with the Institute of Air Quality Management's ('IAQM') guidance (2016) 'Guidance on the Assessment of Dust from Demolition and Construction'. A list of suggested mitigation measures are set out in Scoping Report paragraph 6.3.21 and 6.3.22 in line with IAQM guidance to control dust and paragraph 6.3.26 states that mitigation measures will be described and secured via the Construction Environmental Management Plan (CEMP) through a Development Consent Order (DCO) requirement.</p> <p>Provided that the appropriate mitigation measures are secured through the CTMP and CEMP via a DCO requirement, the Inspectorate is content to scope this aspect out.</p>
3.1.4	6.4	Land Contamination	<p>Land contamination is proposed to be scoped out of the ES on the basis that the Phase 1 Geo-Environmental and Geotechnical desk study report provided at Appendix 2, concludes that the site is at very low – low risk of contamination with sources summarised in Tables 8.1 and 9.1.</p> <p>The Inspectorate notes that the summary provided in the executive summary at Appendix 2, which states that there is a low-moderate risk of contamination (from potential pollutants on the site including metals, sulphates, cyanides, petroleum hydrocarbons, chlorinated hydrocarbons, phenols, polychlorinated biphenyls ('PCBs'), polycyclic aromatic hydrocarbons ('PAHs'), pesticides, herbicides and asbestos), contradicts the conclusion provided in section 10 which states that there is a very low-low risk of contamination at the site. Paragraph</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>10.7 of Appendix 2 states that the extent and depth of Made Ground should be ascertained and that a ground investigation would assist in reducing existing uncertainties and inform foundation requirements; Table 9.1 identifies that there is a low to moderate risk at the Proposed Development site associated with ground stability.</p> <p>In general the Inspectorate considers that contamination issues on a predominantly greenfield site are unlikely to be significant. However, there are a number of unresolved and uncertain matters identified in the scoping material and on this basis the Inspectorate considers that a land contamination chapter prepared in accordance with relevant Environment Agency guidelines should be included in the ES. The chapter should explain how relevant mitigation measures would be secured via the DCO.</p>
3.15	6.5	Human Health	<p>The Applicant proposes to scope out a standalone Human Health Chapter on the basis that the design of the Proposed Development, including the buffer zones between the development and receptors, will minimise impacts. Scoping Report paragraph 6.5.1 states that effects of the Proposed Development on human health would instead be assessed in ES chapters:</p> <ul style="list-style-type: none"> • Traffic and Access • Noise <p>The ES should clearly set out potential impacts to human health from the Proposed Development during construction, operation and decommissioning and cross-reference where impacts are assessed within the ES; this may extend beyond the Traffic and Access and Noise Chapters proposed, e.g. Landscape and Visual, Land Contamination and Socio-Economics.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.6	6.6	Vibration	<p>Vibration impacts during operation are not anticipated due to the nature of the Proposed Development. The Inspectorate is content to scope out operational vibration impacts on this basis.</p> <p>Scoping Report paragraph 6.6.2 states that vibration impacts during construction and decommissioning from piling will be mitigated through use of a low vibration piling rig which has very low vibration emissions within 3 meters of the rig; this is proposed to be secured in the CEMP by DCO requirement.</p> <p>Scoping Report paragraph 6.6.3 states that during construction and decommissioning the CEMP would secure that, excavators with potential to cause vibration impacts will not be used within 50m of residential properties and where this cannot be avoided, appropriate monitoring and communication would be undertaken.</p> <p>Subject to securing the proposed mitigation measures in a CEMP secured by the DCO, the Inspectorate is content to scope out impacts from vibration on human receptors during construction and decommissioning.</p>
3.1.7	6.7	Major Accidents and Disasters	<p>The Applicant proposes to scope out a standalone Major Accidents and Disasters Chapter, stating that consideration of risks (i.e. flooding, climate change, fire, road accidents, glint and glare, and plant disease) will be included within other relevant aspect Chapters and will be clearly signposted as listed in Scoping Report paragraph 6.7.6.</p> <p>The Inspectorate is satisfied that the matters identified can be assessed in other ES chapters, however it is unclear where an impact such as fire would be assessed. For the avoidance of doubt, the risk of fire associated with battery storage facilities should be assessed in</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			the ES and relevant mitigation, such as fire-fighting and containment measures should be set out and secured in the DCO.
3.1.8	6.8	Electric, Magnetic and Electromagnetic Fields	<p>Electric, Magnetic and Electromagnetic Fields (EMF) are proposed to be scoped out on the basis that the Proposed Development would not require cables and infrastructure exceeding 132kV; a threshold set out by DECC Power Lines: Demonstrating compliance with EMF public exposure guidelines, A Voluntary Code of Practice 2012 guidance.</p> <p>Subject to the ES demonstrating that cables are below relevant guidance thresholds for impact to receptors, the Inspectorate is content to scope out impacts from EMF.</p>
3.1.9	6.9	Telecommunications, Television Reception and Utilities	<p>Telecommunications, Television Reception and Utilities are proposed to be scoped out on the basis that the nature of the Proposed Development means that likely significant effects are not anticipated. A desk-based study was undertaken to identify whether any diversions are required for below ground utility infrastructure however, the results are not discussed or provided in the Scoping Report. The Scoping Report proposes to avoid diversions through design and consultation with the relevant bodies will be undertaken if diversions are necessary.</p> <p>The ES should identify where below ground assets are located and should any diversions of utility or telecommunications infrastructure be required, these should be located and described in the ES along with any required mitigation measures. Impacts should be assessed where significant effects are likely to occur.</p>
3.1.10	6.10	Wind Microclimate	Impacts from wind microclimate are scoped out on the basis that no effects are anticipated as there will be no affected site users and the

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			Proposed Development will not include high-rise buildings/structures to generate a wind microclimate. The Inspectorate has considered the nature and characteristics of the Proposed Development and agrees that this aspect can be scoped out of the ES.
3.1.11	6.11	Daylight, Sunlight and Overshadowing	Impacts from daylight, sunlight, and overshadowing are scoped out on the basis that the scale and massing of the Proposed Development will not cause changes in relation to daylight, sunlight, or overshadowing. Scoping Report paragraph 6.5.1 states that buffer zones will be employed between the Proposed Development and sensitive human receptors, which is considered sufficient to avoid impacts from overshadowing on humans. The ES should explain how panel spacing has been designed to minimising shading of vegetated areas, otherwise the Inspectorate considers that this aspect can be scoped out of the ES.
3.1.12	6.12	Glint and Glare	<p>A standalone Glint and Glare Chapter is proposed to be scoped out on the basis that the Glint and Glare assessment would be included as a technical appendix to the ES and will assess impacts to rail, road users and aircraft (Scoping Report paragraph 6.7.5). The assessment will be used to inform other relevant chapter assessments, including the Landscape and Visual Impact Assessment (LVIA).</p> <p>The Inspectorate is content with this approach.</p> <p>At this stage it is not confirmed whether the solar arrays will use fixed or tracking panels. Given that the two different mounting structures may lead to different glint and glare effects, the Glint and Glare assessment should assess the worst-case assessment for both options and this should be considered in the ES.</p>
3.1.13	6.13	Lighting	A standalone Lighting Chapter is proposed to be scoped out on the basis that construction and decommissioning impacts on ecology will

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>be assessed in the Biodiversity Chapter and construction and decommissioning impacts on the existing character of the night-sky will be assessed within the Landscape and Views Chapter. Operational effects are proposed to be scoped out on the basis that no permanent lighting is proposed during operation.</p> <p>The Inspectorate is broadly content with this approach, however the ES should include a detailed description of the lighting design and the measures taken to avoid or minimise lighting impacts on human and ecological receptors, including consideration of effects relating to intermittent lighting sources such as motion activated security lighting.</p>
3.1.14	6.14	Minerals	<p>Parts of the Proposed Development site are located within a Mineral Safeguarding Area (MSA). Impacts to minerals are proposed to be scoped out of the ES on the basis that the Proposed Development would not sterilise the resource as they could be extracted following decommissioning of the development if required.</p> <p>The Proposed Development inhibits any access to the resource during the development's lifetime and this has not been considered. There is no evidence that this has been discussed with the relevant mineral planning authority.</p> <p>The ES should include an assessment of the potential impact of loss of access to mineral resources during the development's lifetime and assess significant effects where they are likely to occur. This should be informed by consultation with the relevant mineral planning authority.</p>
3.1.15	6.15	Waste	<p>Waste type and quantities are proposed to be described in the ES. A CEMP is proposed to include a Site Waste Management Plan to detail mitigation measures to minimise waste during the construction phase</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>and decommissioning waste is proposed to be controlled via Decommissioning Environmental Management Plan (DEMP). Only limited waste volumes are anticipated during operation in relation to maintenance activities.</p> <p>Maintenance activities include servicing of plant and equipment and vegetation management (Scoping Report paragraph 4.5.2). Panel degradation is cited as a limiting factor on project lifespan and potential remains that some panels may need to be replaced during the lifetime of the Proposed Development.</p> <p>In the absence of information demonstrating the quantities and types of waste anticipated, and the dependence on mitigation measures which are yet to be provided in the CEMP/DEMP, the Inspectorate is not in a position to agree to scope this out at this stage. The ES should include an assessment of waste impacts where significant effects are likely to occur and include and outline what measures, if any, are in place to ensure that panels and any associated components are able to be diverted from the waste chain.</p>

ID	Ref	Description	Inspectorate's comments
3.1.16	n/a	n/a	n/a

3.2 Cultural Heritage

(Scoping Report Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.1	8.9.1	Direct physical effects on assets during operation and decommissioning	<p>The Applicant proposes to scope out direct physical effects on assets during operation and decommissioning phases on the basis that physical effects will only occur during the construction phase.</p> <p>Providing that the likely significant effects on assets during the construction phase are assessed within the ES, then the Inspectorate agrees that this matter can be scoped out. For clarity, the Inspectorate considers that indirect impacts on designated heritage assets should be scoped in as potential for impact remains from piling, compaction and subsequent potential changes in drainage patterns during construction and operation.</p>
3.2.2	8.9.1	Direct physical effects on assets beyond the site boundary	<p>The Applicant proposes to scope out direct physical effects on assets beyond the site boundary on the basis that the Proposed Development would not have a direct effect on heritage assets during the construction, operation, or decommissioning phases.</p> <p>Considering the nature of the Proposed Development, the Inspectorate agrees that this matter can be scoped out. However, the Inspectorate considers that indirect effects on heritage assets should be assessed in the ES where significant effects are likely to occur as there are a number of assets close to the red line boundary identified in Scoping Report Figure 6.</p>

ID	Ref	Description	Inspectorate's comments
3.2.3	8.3.1 and 8.3.2 and Figure 8	Study area	<p>The Scoping Report states that the extent of the study area is informed by professional judgement since there is no specific guidance outlining what distances should be used. A distance of 1km has been used, and 5km for designated heritage assets which have visibility of the site as identified within the Zone of Theoretical Visibility (ZTV).</p> <p>The Inspectorate considers that the study area should be determined relevant to the extent of the likely impacts and should be depicted on a supporting plan. The Inspectorate also considers that the setting influence of assets may extend beyond their strict designation boundary and that the wider landscape context should be considered in the assessment (in conjunction with assessments in the Landscape and Views Chapter). The Applicant should make effort to agree the approach with relevant consultation bodies.</p>
3.2.4	Chapter 8	Landscape scale archaeological assessment	<p>The Scoping Report does not propose a landscape scale archaeological assessment. This is important to determine the nature and character of the archaeological site within its landscape setting. The ES should be supported and/or include a landscape scale archaeological assessment in line with relevant guidance and effort should be made to agree the approach with the relevant consultees. Mitigation measures should be informed by this assessment rather than only being asset-focussed.</p>
3.2.5	Section 8.7	Impacts on cultural heritage	<p>The Scoping Report provides limited detail regarding potentially significant impacts on cultural heritage. For clarity, the ES should consider potential impacts including groundworks, noise, visual, vibration, landscaping, haul roads and construction compounds.</p>

3.3 Landscape and Views

(Scoping Report Section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.1	9.8.1 and 9.8.2	Impacts on existing character of the night-sky during operation	<p>Impacts on existing character of the night-sky during operation is scoped out on the basis that the Proposed Development will not require permanent lighting during operation and only motion activated security lighting is proposed. No details of the security lighting have been provided in the Scoping Report.</p> <p>The Inspectorate considers that impacts on night sky character may be scoped out subject to the ES providing a detailed description of the lighting design and the measures taken to avoid or minimise lighting impacts, including any issues arising from directional security lighting.</p>
3.3.2	9.8.3	Residential Visual Amenity Assessment (RVAA)	<p>Scoping Report paragraph 9.8.3 proposes to scope out RVAA on the basis that the threshold for assessment is not likely to be met in line with the Landscape Institute's best practice Technical Guidance Note 2/19. In the guidance note it is indicated that the requirement for a RVAA is dependent on the outcome of a Landscape and Visual Impact Assessment. In the absence of LVIA conclusions, the Inspectorate does not agree to scope out an RVAA at this time. The need for an RVAA should be justified based on the conclusions of the LVIA presented in the ES and agreed with consultation bodies, where possible.</p>

ID	Ref	Description	Inspectorate's comments
3.3.3	9.9.3	Assumptions	<p>The Scoping Report states that "<i>mitigation planting will be assumed to grow approximately 1m in height every 3 years</i>". It is not clear on what basis this assumption has been made, i.e. what plant species</p>

ID	Ref	Description	Inspectorate's comments
			are proposed. Where assumptions have been made, the ES should explain why these are realistic based on relevant guidance where appropriate.
3.3.4	9.9.6	Zone of Theoretical Visibility (ZTV)	<p>The Scoping Report states that the ZTV has been calculated using a set height of 3m as this is the maximum height of the majority of elements of the Proposed Development. However, the maximum height of the solar array is unknown at this stage. Equally the Proposed Development involves associated infrastructure, including CCTV poles, security fencing, substation, a storage building, and battery storage facility. Consequently, the ZTV may not be representative of the full extent of visibility.</p> <p>The ES should clearly evidence and justify the final extent of the ZTV used and ensure that any assessment of significance is based on the worst-case scenario.</p>
3.3.5	9.4	National Character Areas	National Character Areas are not identified in the Scoping Report landscape and visual baseline or as sensitive receptors. The ES should identify, locate and assess impacts to National Character Areas where significant effects are likely to occur.
3.3.6	9.9.7 to 9.9.9	Representative viewpoints	Effort should be made to consult on the proposed viewpoints to inform the assessment with the relevant consultation bodies. This includes Natural England, Local Authorities and the Kent Downs AONB board.
3.3.7	Chapter 9	Battery storage height	The height and location of battery storage infrastructure is currently unknown. The maximum parameters of such infrastructure should be defined in the ES and used to inform the Zone of Theoretical Visibility for the Landscape and Views assessment. The ES should demonstrate how the location of battery storage infrastructure has been determined to avoid impacts on human and environmental receptors.

3.4 Biodiversity

(Scoping Report Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.1	10.4.4, 10.7.1 and Table 10.3	Otterpool Quarry Site of Special Scientific Interest (SSSI)	<p>Scoping Report paragraph 10.7.1 proposes to scope out impacts to Otterpool Quarry SSSI on the basis that significant effects are not anticipated due to the nature and location of the Proposed Development in relation to the site and the reason for designation.</p> <p>As the site is designated for its geological interest and is located approximately 1.8km north of the site, the Inspectorate is content to scope out impacts on this basis.</p>
3.4.2	10.7.2, 10.7.3, 13.3.1 and Table 10.3	Wye and Crundale Special Area of Conservation (SAC) and Dungeness SAC	<p>Impacts to Wye and Crundale SAC are proposed to be scoped out of the ES on the basis that construction traffic does not pass near these sites (please see Scoping Report Figures 5 and 6) therefore there is no potential for nutrient deposition from vehicles serving the site during construction, operation or decommissioning.</p> <p>Provided the ES demonstrates that construction traffic routing does not pass within 200m (in line with relevant guidance), the Inspectorate is content to scope out air pollution impacts to these sites.</p> <p>However, evidence has not been provided to demonstrate that these designated sites are not hydrologically connected to the Proposed Development site. Provided the ES demonstrates that the Proposed Development will not lead to hydrological changes to these sites, the Inspectorate is content to scope out impacts to these sites.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.3	10.7.2, 10.7.3 and Table 10.3	Dungeness Romney Marsh and Rye Bay Ramsar and Special Protection Area (SPA)	<p>Impacts to Dungeness Romney Marsh and Rye Bay Ramsar and SPA are proposed to be scoped out of the ES on the basis that surveys undertaken to date encompassing the 'vast majority' of the Proposed Development site, did not identify any bird features of the SPA. Further surveys will be undertaken to validate this but details are not provided. Impacts from hydrological connection to the site have not been considered. The construction traffic routing does not pass near these sites as presented on Scoping Report Figures 5 and 6.</p> <p>Subject to demonstrating that the Proposed Development site is not hydrologically linked to these sites and on the basis that appropriate further surveys validate the land is not functionally linked to these sites are submitted with the ES, the Inspectorate is content to scope out consideration of impacts to these sites. Effort should be made to agree the approach with the relevant consultation bodies.</p>
3.4.4	10.7.2 and Table 10.3	Folkestone to Etchinghill Escarpment SAC	<p>Scoping Report paragraph 10.7.2 scopes out impacts on Folkestone to Etchinghill Escarpment SAC on the basis that the critical load of nitrogen is currently not met at the part of the site that is within 200m of the construction traffic route. This is not quantified.</p> <p>The ES must demonstrate that the critical loads for the site will not be exceeded assuming a construction traffic worst-case scenario, the Inspectorate is content to scope out impacts to this site. Where potential for impacts remain i.e. should the critical load be exceeded due to the Proposed Development either alone or cumulatively with other projects, the ES should assess impacts to the SAC where significant effects are likely to occur.</p>
3.4.5	10.7.4, 10.7.9,	Stodmarsh SAC, SPA, SSSI and Ramsar	<p>These sites are proposed to be scoped out on the basis that the nature of the Proposed Development will not result in any operational phase outflow of nutrients to the catchment. Additionally, Scoping</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
	11.3.3 and Table 10.3		<p>Report paragraph 10.7.4 states that construction and decommissioning works will not pose an elevated risk of nutrient runoff when compared to the current agricultural activity on the site therefore it will not lead to a net increase in nutrient input to the East Stour River. Standard construction measures and pollution prevention controls are anticipated to mitigate construction impacts to the River Stour.</p> <p>Scoping Report paragraph 11.3.3 states that consultation with South-East Water will be undertaken to determine if connection for mains water and sewerage facilities is feasible therefore, there is potential for additional nutrient input to the River Stour and Stodmarsh European sites catchments through additional sewage treatment.</p> <p>Subject to the ES providing evidence of nutrient neutrality for all phases of the development based on the relevant nutrient calculator tool provided by Natural England, the Inspectorate is content to scope out impacts to the Stodmarsh sites.</p>
3.4.6	10.7.9, 11.3.3, 11.3.2, 11.5.1 and Table 10.3	East Stour River habitat of Principal Importance	<p>Figure 12 and paragraph 1.4.5 identify that the East Stour River runs directly through the solar array site. Scoping Report paragraph 10.7.9 proposes to scope out impacts to the East Stour River on the basis that standard construction measures secured through the CEMP will afford physical protection and pollution prevention and control; this includes a 10m standoff distance between any built development and watercourses and pollution control measures.</p> <p>Scoping Report paragraphs 11.3.2 and 11.5.2 state that there is potential for watercourse crossings but these are not described in the project description and it is unclear whether potential crossings are for vehicles, cable routing etc. Without details of what crossings are proposed, the Inspectorate cannot agree to scope out consideration of impacts on the East Stour River.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The ES should describe and locate all proposed watercourse crossings and assess associated impacts where significant effects are likely to occur.
3.4.7	10.7.8 and Figure 12	Hedgerows and ponds (priority habitats)	<p>Impacts to hedgerows and ponds are scoped out on the basis that potential significant effects on these habitats will be mitigated through standard construction measures in the form of physical protection and buffering and pollution prevention and control measures. Ponds are located on Figure 12, however, hedgerows are not located on a Figure. Priority hedgerows and ponds are proposed to be retained in their entirety (Scoping Report paragraph 10.7.8)</p> <p>The ES should clearly identify all priority hedgerows and ponds for retention and ensure that appropriate mitigation measures are set out to avoid likely significant effects during construction, operation and demolition. The Inspectorate is otherwise content to scope out further assessment for these receptors.</p>
3.4.8	10.7.7, Figure 11 and Table 10.3	Ancient woodland and Poulton Wood Local Nature Reserve (LNR) (designated as ancient woodland)	<p>Scoping Report paragraph 10.7.7 proposes to scope out impacts to ancient woodland including Poulton Wood LNR on the basis that significant effects are not anticipated due to the nature and location of the Proposed Development in relation to these sites, and that impacts will be avoided through design layouts and mitigation secured in the CEMP.</p> <p>Impacts from transport of invasive non-native species (INNS), hydrological pollution, and impacts to root protection zones have not been considered. It is noted that whilst a buffer zone is proposed for Backhouse Wood located adjacent to the red line boundary, the extent is not defined, and no buffer zone is proposed for Handen Wood which is also located close to the red line boundary (see Figure 11). Root protection zone buffers have not been defined/identified</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>therefore it is unclear as to whether they have potential to be impacted.</p> <p>Due to the lack of information provided, the Inspectorate does not agree to scope out impacts on ancient woodland.</p> <p>The ES should identify the root protection zones of ancient woodland sites that have potential to be impacted by the Proposed Development. The extent of proposed buffer zones should be delineated, and the ES should describe how these have been determined in line with relevant guidance. Effort should be made to agree the approach with relevant consultees. All potential impacts should be considered and assessed where they have potential to lead to likely significant effects.</p>
3.4.9	10.7.1, 10.4.4, Figure 11 and Table 10.3	Hatch Park SSSI and Gibbin's Brook SSSI	<p>Scoping Report paragraphs 10.7.1 and 10.7.7 propose to scope out impacts to Hatch Park SSSI and Gibbin's Brook SSSI on the basis that that significant effects are not anticipated due to the nature and location of the Proposed Development in relation to these sites and the reasons for their designations.</p> <p>The Inspectorate agrees that due to the location and nature of these sites, significant effects on these sites are unlikely and they can be scoped out of the ES.</p>
3.4.10	Table 10.3 and Figure 10	Local Wildlife Sites (LWS)	<p>Table 10.3 proposes to scope out impacts to LWS on the basis that impacts to the nearest LWS (Backhouse Wood) will be mitigated through design and agreed measures secured in the CEMP.</p> <p>Based on the nature and location of these sites in relation to the Proposed Development and the measures to be secured in the CEMP, the Inspectorate considers that significant effects are unlikely and is content to scope out impacts to these sites.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.11	Table 10.5 and 10.4.15	Otter and water vole	Whilst surveys are proposed for otter and water vole, they are not identified in Table 10.5 as being scoped in or out of the ES. For clarity, should surveys identify presence of these species or potential habitat for these species, they should be scoped into the ES assessment.

ID	Ref	Description	Inspectorate's comments
3.4.12	Section 10.3	Study area	The study area is defined as 2km from the site boundary for local and nationally important designated sites and 10km for internationally designated sites. A 5km radius has been defined for a bat search radius based on the limited potential for impacts to bats in Kent. The ES should justify that this search area applies to all potentially affected bat species and make effort to agree the study area and approach to assessment with the relevant consultation bodies.
3.4.13	10.7.12	Invasive Non-Native Species (INNS)	Impacts from INNS have not been included in the impacts set out to be assessed in the ES in Scoping Report paragraph 10.7.12. The ES should assess potential impacts from INNS where significant effects are likely to occur. Where mitigation measures are required, the ES should describe these measures and signpost where they are secured through the DCO.
3.4.14	10.4.10, 10.4.11, 10.7.6 and Table 10.4	Veteran Trees	Veteran trees are not considered under the headings of 'irreplaceable habitats' and it is unknown as to whether they are located on site. The ES should identify and locate veteran tree receptors within an appropriate study area and assess impacts to veteran trees where significant effects are likely to occur. Where mitigation measures are

ID	Ref	Description	Inspectorate's comments
			required, the ES should describe these measures and signpost where they are secured through the DCO.
3.4.15	10.7.12	Land take during operation and decommissioning	<p>Scoping Report paragraph 10.7.12 defines the impact of land take during operation as medium term however, this does not align with the definition of short- medium- and long-term durations in Scoping Report paragraph 5.3.4.</p> <p>The ES should set out an appropriate methodology by which impacts are assessed and where there is deviation from this methodology, sufficient justification should be provided. All impacts must be assessed where they are likely to lead to significant effects.</p>
3.4.16	NA	Confidential Annexes	<p>Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.</p>

3.5 Water Environment

(Scoping Report Section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.1	11.5.1 and 11.8.1	Water Framework Directive (WFD) Assessment	<p>Scoping Report paragraph 11.8.1 proposes to scope out a WFD assessment on the basis that adverse effects from the Proposed Development would be avoided through implementation of appropriate mitigation measures secured via the CEMP, including a standoff of 10m between infrastructure and waterbodies, pollution prevention measures, sediment management measures etc. Therefore, the Proposed Development is not likely to interfere with a waterbody's objectives or the ability to maintain/achieve good status.</p> <p>Scoping Report paragraphs 11.3.2 and 11.5.2 state that there is potential for watercourse crossings but these are not described in the project description and it is unknown whether potential crossings are for vehicles, cable routing etc. Without details of what crossings are proposed or potential associated impacts on WFD waterbodies, the Inspectorate cannot agree to scope this matter out. The ES should provide a WFD assessment and this should be used to inform the ES assessment.</p>

ID	Ref	Description	Inspectorate's comments
3.5.2	11.3.1	Baseline water quality surveys	<p>Desk-based surveys are proposed to inform the water environment baseline along with a walkover survey. Water quality surveys are not proposed to inform the baseline environment but their omission is not justified. The East River Stour passes through the Proposed Development site and ponds are located on site.</p>

ID	Ref	Description	Inspectorate's comments
			<p>The Inspectorate is content with this approach provided that the ES demonstrates there would be no pathways of effect for water quality (noting the proposed mitigation for works near watercourse in scoping report paragraph 10.7.9).</p>
3.5.3	Chapter 11	Field drains	<p>The Proposed Development has potential to interrupt any drainage/irrigation systems that may be present below ground and any field drains present.</p> <p>ES should include consideration of impacts on the existing field drain networks and assess significant effects where they are likely to occur.</p>
3.5.4	11.4.10 to 11.4.11, 11.7.1, Table 11.1 and Figure 12	Flood risk sources	<p>Pluvial and fluvial flood risk sources are identified in Scoping Report paragraph 11.4.10 as potential impacts to the Proposed Development. Other sources of flooding are not identified, such as from groundwater, coastal or breach events (from flood defences or controlled waters such as reservoirs). Their omission is not justified. Impacts to and from flooding are not included in the summary of effects and impacts in Table 11.1.</p> <p>Scoping Report paragraph 11.4.10 and Figure 12 identify that part of the Proposed Development site is a flood storage area associated with a flood defence bund managed by the Environment Agency. Figure 12 displays that flood defences are adjacent to the red line boundary and are both for riverine and coastal flooding protection. The area is also at risk from a reservoir breach event as identified in the maps referenced in Scoping Report paragraph 11.4.11.</p> <p>The ES should assess impacts and changes to flood patterns as a result of the Proposed Development and the vulnerability of the Proposed Development from flood risk from all sources of flooding including groundwater, coastal, and breach events from either defences or controlled waters such as reservoirs.</p>

ID	Ref	Description	Inspectorate's comments
3.5.5	11.3.1 and 11.6.2	Climate change projections	<p>Collation of information on climate change is proposed for the baseline desk study but no further detail is provided on how this will be considered in the ES assessment, specifically on what projections will be applied and why.</p> <p>For the avoidance of doubt, the ES and associated Flood Risk Assessment (FRA) should use the latest climate change projections available and explain how they have been applied. Effort should be made to agree the approach with the relevant consultation bodies.</p>
3.5.6	11.7.1	Groundwater levels, flow and infiltration	<p>Scoping Report paragraph 4.4.2 proposes both piling and cable laying during construction. This has potential, both alone and cumulatively to affect surface water, groundwater levels, flow and infiltration, however, impacts to groundwater levels, flow and infiltration are not considered in potential impacts set out in Scoping Report paragraph 11.7.1 although alterations to hydrogeology are included as 'scoped in' in Table 11.1. The area is identified as being 'water stressed' as stated in Scoping Report paragraph 11.4.12.</p> <p>Impacts on groundwater flow and infiltration rates should be assessed in the ES where significant effects are likely to occur.</p>
3.5.7	11.3.2	Proposed water crossing	<p>Scoping Report paragraph 4.3.11 identifies that Horizontal Directional Drilling (HDD) may be required to cross the East Stour River. A proposed water crossing is mentioned in Scoping Report paragraphs 11.3.2, 11.5.1 and 11.7.1 but no further details are provided.</p> <p>The ES should describe the number, locations and types of watercourse crossings required for the Proposed Development and assess impacts where significant effects are likely to occur. Effort should be made to agree the approach and appropriate location(s) with the relevant consultees and should drilling fluid be used in</p>

ID	Ref	Description	Inspectorate's comments
			construction, a breakout plan should be produced, submitted and secured in the application.

3.6 Socio-Economics

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.1	12.8.1	Impacts on agricultural land use	Paragraph 12.8.1 of the Scoping Report proposes to scope out impacts to agricultural land on the basis that less than 5% of the total existing area of the site's agricultural land will be temporarily lost in the long-term or for a worst-case, scenario, permanently, lost as a result of the Proposed Development. Please refer to box 3.1.1 of this Scoping Opinion for comment on this matter.
3.6.2	12.8.2	Energy generation during the construction and decommissioning phases	Scoping Report paragraph 12.8.2 states that the Proposed Development will not be generating any energy during the construction and decommissioning phases and therefore, there is no potential for impact. The Inspectorate is content to scope this matter out.
3.6.3	12.8.3	Direct and indirect employment creation and workforce expenditure during operational phase	Scoping Report paragraph 12.8.3 proposes to scope this matter out during the operational phase of the Proposed Development due to the limited maintenance required. The Inspectorate is content to scope this matter out on this basis, however the ES should confirm the number and type of jobs created during the operational phase.

ID	Ref	Description	Inspectorate's comments
3.6.4	12.4	Census data	New census data is set to be published in summer 2022. This should be used to inform baseline data and the ES assessment.

ID	Ref	Description	Inspectorate's comments
3.6.5	Chapter 12	Construction worker numbers	<p>The number of construction workers is not provided in the Scoping Report therefore the potential for impacts on available accommodation and service provision is unknown.</p> <p>The ES should define a worst-case scenario of construction worker numbers and describe potential impacts on the availability of local accommodation and services. The ES should assess significant effects where they are likely to occur.</p>

3.7 Traffic and Access

(Scoping Report Section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	13.8.1	Operational phase	<p>The Applicant proposes to scope out effects during the operational phase as "<i>operational traffic generation is predicted to result in a maximum of two (two-way) vehicle movements per day for maintenance purposes</i>".</p> <p>The Inspectorate agrees to scope this matter out subject to confirmation of the type of maintenance visits and vehicles and confirmation that these would not exceed relevant thresholds of effect (e.g. as set out in the Guidelines for Environmental Assessment of Road Traffic, 1993), taking account of any potential cumulative traffic effects.</p>
3.7.2	13.8.2	Decommissioning phase	<p>The Applicant proposes to scope out effects during the decommissioning phase since these are not anticipated to exceed that set out for the construction phase. Furthermore, the Applicant considers that the decommissioning phase is too far in the future to be able to accurately predict traffic flows within the study area. The Applicant proposes to produce a Decommissioning Traffic Management Plan (DTMP) that will set out mitigation measures and that will be secured by DCO requirement.</p> <p>Paragraph 6.15.3 states that during the decommissioning phase, site infrastructure, including waste, will be removed and recycled or disposed of. The DTMP should provide traffic calculations with regards to removing waste from the site.</p> <p>On the basis of the above information, the Inspectorate is content to scope this matter out.</p>

ID	Ref	Description	Inspectorate's comments
3.7.3	13.5.2, 13.3.1 and Figure 5	Highway links that exceed threshold criteria (in line with relevant guidance)	<p>Scoping Report paragraph 13.5.2 states that impacts are anticipated to be restricted to the road network within the study area identified in paragraph 13.3.1 and on Figure 5 based on professional judgement.</p> <p>The study area should be based on an identified Affected Road Network where changes in traffic volumes, flows and vehicle types may exceed threshold criteria for significant effects in line with relevant guidance (such as Guidelines for the Environmental Assessment of Road Traffic, 1993) as a result of the Proposed Development. Any links that meet/exceed these criteria, should be assessed in the ES. The ES should explain what impact construction traffic would have on the operation of J10a of the M20.</p>
3.7.4	Chapter 13	Public Rights of Way (PRoW) and Walking, Cycling and Horse Riding (WCH) receptors	<p>Paragraph 12.9.1 of the socio-economic chapter states that a site-based survey of the PRoWs will be undertaken as part of the Traffic and Access ES chapter. However, this is not proposed in Chapter 13 of the Scoping Report, so it is unclear whether impacts on PRoW will be assessed fully in the Socio-Economic or Transport and Access Chapter.</p> <p>For clarity, surveys should be undertaken to provide baseline data in relation to the use of the PRoWs affected by the Proposed Development. The ES should assess impacts to PRoW and on WCH receptors from the Proposed Development where significant effects are likely to occur and clearly signpost where this assessed in the ES.</p>
3.7.5	13.9.7	Abnormal Loads	<p>Scoping Report paragraph 13.9.7 states that an Abnormal Load Traffic Management Plan is proposed prior to confirmation of the likely port of entry. The sea-port and construction traffic routing from a sea-port is not identified in the Scoping Report or on Figure 5.</p> <p>Where abnormal loads are to be delivered by sea, the ES should describe the location, duration, routing and number of such deliveries</p>

ID	Ref	Description	Inspectorate's comments
			and assess any associated significant effects where they are likely to occur.

3.8 Noise

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	14.1.1, 14.7.13, 14.8.2 and Table 7.1	Noise emissions during decommissioning phase	<p>Scoping Report paragraph 14.7.13 and Table 7.1 acknowledge that noise during the decommissioning phase has potential to be significant. Decommissioning impacts are anticipated to be similar to those during construction however, Scoping Report paragraph 14.8.2 states that there is future uncertainty surrounding noise levels and noise impacts will be appropriately considered at the time of decommissioning.</p> <p>It is possible to undertake a worst-case scenario assessment based on the construction phase and therefore, the Inspectorate is not content to scope this matter out.</p> <p>The Inspectorate would expect to see a Decommissioning Plan, agreed with the Local Authority, secured through the inclusion of an Outline Decommissioning Plan or similar with the Application. The ES should clearly set out how impacts from noise are to be assessed for the decommissioning phase.</p>
3.8.2	14.8.1 and 6.6	Vibration	The Applicant proposes to scope out vibration during all stages of the Proposed Development, as noted in Section 6.6 of the Scoping Report. Please see box 3.1.6 of this Scoping Opinion.

ID	Ref	Description	Inspectorate's comments
3.8.3	14.5.2	Panel type	The Scoping Report states that noise effects during the operational phase will be associated with the operational plant, namely inverters, transformers, and switch gear. Since tracker panels may be used on

ID	Ref	Description	Inspectorate's comments
			the site the noise assessment should include the noise emissions from such panels and provide an assessment of operational noise effects, using a worst-case scenario where there is uncertainty.

3.9 Climate Change

(Scoping Report Section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.9.1	Section 15.7	Decommissioning impacts	<p>Decommissioning impacts are anticipated to be similar to those at construction. Owing to future uncertainties this is proposed to be scoped out of the ES but there is no commitment to assess impacts during the decommissioning phase of the development.</p> <p>The Inspectorate would expect to see a Decommissioning Plan, agreed with the Local Authority, secured through the inclusion of an Outline Decommissioning Plan or similar with the Application. The ES should clearly set out if and how impacts to/from climate change are to be assessed for the decommissioning phase.</p>
3.9.2	15.7.4	Vulnerability of the Proposed Development to climate change during construction	<p>This is proposed to be scoped out on the basis that climatic conditions are unlikely to change during the construction period.</p> <p>Considering the short-term/temporary construction period of the Proposed Development (12 months anticipated) the Inspectorate agrees to scope this matter out.</p>

ID	Ref	Description	Inspectorate's comments
3.9.3	n/a	n/a	n/a

3.10 Cumulative Effects

(Scoping Report Section 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
3.10.2	16.2.1	Location of cumulative developments	<p>Table 16.1 sets out the current schemes considered cumulatively with the Proposed Development as taken from the local authority's planning portal. This provides a description and distance to the Proposed Development and the Scoping Report states that this will be updated as the Proposed Development application progresses.</p> <p>The ES should include a figure depicting the locations and extent of cumulative developments in relation to the Proposed Development.</p>

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES¹

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	NHS Kent and Medway Clinical Commissioning Group
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	Kent Fire and Rescue Service
The relevant police and crime commissioner	Kent Police and Crime Commissioner
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Sellindge Parish Council
	Aldington and Bonnington Parish Council
	Mersham Parish Council
	Smeeth Parish Council
The Environment Agency	The Environment Agency
The relevant AONB Conservation Boards	High Weald AONB Potential Future Boards
	Kent Downs AONB Potential Future Boards
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	Kent County Council (Highways)

¹ Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The relevant strategic highways company	National Highways
The relevant internal drainage board	River Stour (Kent) Internal Drainage Board
	Romney Marshes Area Internal Drainage Board
UK Health Security Agency, an executive agency of the Department of Health	UK Health Security Agency
The Forestry Commission	The Forestry Commission (South-East and London)
The Office for Nuclear Regulation (the ONR)	The Office for Nuclear Regulation (the ONR)

TABLE A2: RELEVANT STATUTORY UNDERTAKERS²

STATUTORY UNDERTAKER	ORGANISATION
The relevant Clinical Commissioning Group	NHS Kent and Medway Clinical Commissioning Group
The National Health Service Commissioning Board	NHS England
The relevant NHS Foundation Trust	South-East Coast Ambulance Service NHS Foundation Trust
Railways	Network Rail Infrastructure Ltd
	High Speed 1 Ltd
	Network Rail (High Speed) Ltd
	Highways England Historical Railways Estate
Civil Aviation Authority	Civil Aviation Authority

² 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	South-East Water
	Southern Water
The relevant public gas transporter	Cadent Gas Limited
	Last Mile Gas Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	ESP Connections Ltd
	Fulcrum Pipelines Limited
	Harlaxton Gas Networks Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Leep Gas Networks Limited
	Murphy Gas Networks limited
	Quadrant Pipelines Limited
Squire Energy Limited	
National Grid Gas Plc	
Scotland Gas Networks Plc	

STATUTORY UNDERTAKER	ORGANISATION
	Southern Gas Networks Plc
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Forbury Assets Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Murphy Power Distribution Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
	South-Eastern Power Networks Plc
UK Power Networks Limited	
The relevant electricity transmitter with CPO Powers	Blue Transmission London Array Limited
	National Grid Electricity Transmission Plc
	National Grid Electricity System Operator Limited
	Thanet OFTO Limited
The relevant electricity interconnector with CPO Powers	Gridlink Interconnector Limited
	National Grid Interconnectors Limited

STATUTORY UNDERTAKER	ORGANISATION
	National Grid Nemo Link Limited
	NeuConnect Britain Ltd

TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))³

LOCAL AUTHORITY ⁴
Ashford District Borough Council
Canterbury District Council
Dover District Council
East Sussex County Council
Folkestone and Hythe District Council
Kent County Council
London Borough of Bexley Council
London Borough of Bromley Council
Maidstone District Council
Medway Council
Rother District Council
Surrey County Council
Swale District Council
Thurrock Council
Tunbridge Wells District Council

³ Sections 43 and 42(B) of the PA2008

⁴ As defined in Section 43(3) of the PA2008

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Aldington and Bonnington Parish Council
Ashford Borough Council
Folkestone and Hythe District Council
Forestry Commission (South East and London)
Health and Safety Executive
High Weald AONB
Historic England
Kent County Council
Kent Downs AONB
Kent Fire and Rescue Service
London Borough of Bexley Council
Medway Council
Mersham Parish Council
National Grid Electricity Transmission Plc
National Highways
NATS En-Route Safeguarding
Natural England
Office for Nuclear Regulation (the ONR)
Romney Marshes Area Internal Drainage Board
Smeeth Parish Council
Tunbridge Wells District Council
UK Health Security Agency

Aldington & Bonnington Response to Stone Street Green Environmental Impact Assessment Scoping Report

The National Planning Policy Framework (NPPF) explains that *“all communities have a responsibility to help increase the use and supply of green energy”*, but also states, *“this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities.”*

Paragraph 98 (NPPF) states that *“when determining planning applications for renewable energy developments, local authorities should recognise that small-scale projects provide a valuable contribution to cutting greenhouse gas emissions and approve the application if its impacts are (or can be made) acceptable.”* The Stone Street Green Solar proposal is neither small-scale nor acceptable. In the opening pages of the Environmental Impact Assessment Scoping Report to which this document responds, the applicant makes several references to the word ‘proportionate’. This proposal completely dwarfs Aldington village, the community most directly affected, and will dramatically and irreversibly change the landscape that surrounds it. Its scale is inappropriate and entirely disproportionate to the landscape in which it is proposed. Aldington and Bonnington Parish Council request that full and proper Environmental Assessment is therefore carried out before this application is considered.

Having read the Scoping Report presented by Evolution Power Ltd, we have the following concerns; (NB: we have followed the main structure of the Scoping Report. The order of appearance below does not signify any hierarchy of concerns)

6.2 Agricultural Land and Soils:

The draft National Policy Statement for Renewable Energy Infrastructure (NPS) EN-3 states that *“Where possible, ground mounted Solar PV projects should utilise previously developed land, brownfield land, contaminated land or agricultural land preferably of classification 3b, 4 and 5 (avoiding the use of ‘Best and Most Versatile’ cropland).* The British Energy Security Strategy published April 2022 states that the Government will ; *“ continue supporting the effective use of land by encouraging large scale projects to locate on previously developed, or lower value land, where possible, and ensure projects are designed to avoid, mitigate, and where necessary, compensate for the impacts of using greenfield sites.”*

All the land proposed in this application is agricultural land and whilst the soil survey undertaken ascertains that only a small proportion is Best & Most Versatile grade 3a, a full and *independent* soil assessment should be undertaken as the topic of soil quality can best be described as variable. In any case, all soil areas valued at 3a should be excluded from this project.

Whilst the Parish Council accepts the national need for renewable energy, there is also a national need for sustainable food production. The farm on which this solar project is mostly proposed has, until now, been very active in encouraging purchase of local product, a fact that is actively supported by residents. There is a balance to be struck between the

requirements for a modern society to grow food sustainably and to have a low carbon supply of energy. It is vital that knee-jerk reaction does not destroy either our countryside or the sustainability of our food supply. Carbon reduction is an iterative process. Great results can be obtained from a myriad of small actions – one being enabling the purchase of daily necessities within a walkable/ cyclable distance. Solar farms are never going to be as productive as responsibly farmed agricultural land even if the intension is to farm alongside them. Solar PV is a flexible technology. It can be installed in large or small quantities in very diverse situations and the cumulative impact nationwide could be great. Rather than lose valuable agricultural land, we should line embankments to road and rail infrastructure and utilise roof tops. Ashford is a rapidly growing borough and can provide many roof tops.

The balance between agriculture and solar PV must be considered. This proposal suggests that agriculture will continue beneath the panels – however the proposal is not at all for agrivoltaics, and approach that is very much in its infancy. Grazing will not be possible unless the panels are very much raised – and if this is the case then it should be made clear in the Visual Impact Assessment. The Scoping Report is unclear on this point and at time contradicts itself regarding the height of the proposed arrays. (Para 8.5.1 says 3m high, Para 4.3.3 max height from ground is expected to be approximately 3m. The mounting frame elevates the panels to approximately 800mm.

Jacobs Landscape Character report for ABC describes Aldington Ridge as having ‘good quality loam soils...generally well drained and able to support a mixed land use with large arable fields located across the landscape,’ The conclusion of this report was that Aldington Ridge is a place of high visibility with recommendation that it should be conserved and restored. “Restored’ meaning to have rural characteristics reinstated. The Environmental Assessment should evaluate how this proposal will achieve this recommended aim. The availability of this land and proximity to the national grid connection should not be taken to mean that solar PVs make the best use of it. The NPPF para 119-125 refers to ‘Making Effective Use of Land.’ The productive potential of this agricultural land should be very much in scope of the for the reports needed to consider this application.

6.5 Human Health

Human health is prescribed by much more than air pollution or noise, though these are distinct contributors. Para 6.5.2 states that a separate topic on Human Health is to be scoped out of the Environmental Statement.

The Parish Council would like to point out that Evolution Power’s proposal has potential to have severe impact on human health through the stress and anxiety it is causing residents in Calleywell Lane, Goldwell Lane, Roman Road, Bank Road and Frith Road. To address the impact on mental health we believe that it is right to include a topic that covers human health by assessing each and every property that will abut or will lose their rural setting as a result of this application. There should be an assessment of the visual impact and likely noise impact for every affected property and a collective and transparent solution proposed through both mitigation and compensation.

6.12 Glint & Glare

In this section 6.12.1 starts by saying that the Wardell Armstrong assessment will include assessment of glint and glare effects on *'any sensitive receptors, such as aviation and rail receptors.'* We would like to see people added to this list. The applicant suggests that considering impacts from reflectivity in the Landscape & Visual Impact Assessment is sufficient. We do not agree. The likelihood and possible impact of glint and glare from the large areas of solar panels upon an undulating landscape should also be assessed from the road and from residential properties at a variety of times of day and in different seasons to accommodate changing positions of the sun. This item should be in scope for the Environmental Statement.

6.13 Lighting

Construction and decommissioning lighting has potential to be extremely disturbing to local residents as well as wild life. During the Operational phase, motion activated security lighting is mentioned – however in 10.7.13 this is contradicted “ *On the basis there will be no permanent lighting during the operational phase, no significant ecological effects are anticipated and it is therefore proposed to scope out lighting related operational effects...*” Which is correct?

It is suggested that a separate topic chapter for lighting is unnecessary. We disagree. The management of lighting is extremely important and is a sensitive topic in this location.

In Section 9, para 9.8.2 the applicant suggests that proximity to major transport routes means that Aldington is not an intrinsically dark landscape. We very much challenge this perception. Aldington is covered by Policy EN4 of the Ashford Local Plan and Dark Skies are also covered in the emerging Neighbourhood Plan. Dark skies are a distinct rural characteristic that is threatened by increasing use of external lighting, even that which is PIR controlled. The village itself has few streetlights and external lighting is discouraged in new developments. EN4 seeks to prevent light pollution and the Parish Council support that as an important rural characteristic that is threatened. Most recently the Inland Border Facility created at Sevington has created excessive light pollution in the Ashford direction that is visible from Aldington. The existence of bad planning decisions (government ones in this case, as the LPA had no say) should not mean that further light pollution is therefore causing no further harm. Farmland is an open dark space and should stay as such. If solar panels are not secure in agricultural fields then they should not be put in agricultural fields. In rural areas, if people need to go out in the dark – they take a torch. The use of motion triggered lighting is inappropriate where it will be triggered by animal movements, be that from farm animals or wildlife. The assessment of the proposed development on the existing night sky should very much be scoped in as a distinct and separate topic.

8. Cultural Heritage

We are pleased to see that a geophysical survey has been conducted across most of the site and look forward the completion of this report. Para 8.4.8 references a number of ‘findspots’ with the site area. Aldington and neighbouring Lympe and Ruckinge are known

settlements from the Roman era, hence the name 'Roman Road'. There is also rich history associated with Church Lane, St Martin's Church and the Archbishop's Palace. It is concerning that driving metal posts up to 3m into the ground can be considered reasonable based upon a desk study and reported artifacts. The depth to which the solar supports will be driven into the ground is much deeper than any deep ploughing might have penetrated the site thus far. To this end we request that a full Lidar scan of the area is also submitted as part of the Environment Statement in order to enable better up-front assessments of historic environments especially given the acknowledgement in para 8.7.2 that *ground disturbance has the potential to remove/ truncate remains of archaeological and historic interest.*

9. Landscape & Views

The applicant refers to the case law of the approval of Cleve Hill Solar Park. The Inspectorate writes *"The site of the proposed Development is described in the ExA's Report [ER 6.5.3] as being a flat and featureless coastal plain, interrupted by drainage ditches, borrow pits, reed beds and the 5-metre-high coastal flood defence bund/embankment. The site also contains a 400kV overhead line on lattice towers, a short distance of overhead line on wooden poles and the London Array substation mentioned above."* In contrast, far from being 'a flat and featureless coastal plain' the site on which Evolution Power wish to build lies predominantly across both sides of Aldington Ridge. This ancient landform provided the Romans with a direct route and huge visual advantage. It thus became the Roman Road referred to in the Scoping Report as bisecting the main part of the site (in fact the road is incorrectly named, being as it becomes Bank Road just beyond the junction with Frith Road and thus it is Bank Road that bisects the site.) The Aldington Ridgeline forms the apex from which open farmland offers dramatic views to the Low Weald, Romney Marsh and across to the Kent Downs (described in the Ashford Landscape Character Assessment prepared by Jacobs Babbie for ABC).

The NPPF acknowledges *"The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. It specifies that developers must pay particular attention to visual impacts in such situations."* However, Section 9.4 of the Scoping Report describes the rural location and paints a picture of a "bowl-like formation....." (9.4.4) giving the impression that the site is hidden and suggesting that the developer seeks to play down the visual impact of the proposed development.

In fact, the fields proposed to be used are highly visible on the approach to the village, both from the A20 along Station Road and when entering from Mersham along Frith Road. The dramatic long views both up into and out of Aldington are highlighted in the emerging Aldington and Bonnington Neighbourhood Plan. Arising from the topography of the location, they form a valued local characteristic that is threatened by this application. Paragraph 9.4.10 states that *'the site is visible at close range from roads and PRoWs both within the site and in its immediate vicinity.'* It goes on to say *"there is considerable containment and screening"*. This is misleading and does not take account of the long views that are key to the sweeping, open rural landscape. Of course, close up, hedges may shield and country lanes are often lower than adjacent fields, leading to a feeling of enclosure at

some points but it is the long views that are being spoiled here. The Landscape character should be the subject of a detailed report that clearly portrays the context as the topography, far from screening, creates a highly sensitive location.

Residents would like the opportunity to specify the points from which the visual impact assessment will be made.

It should also be noted that the Eastern part of the proposed development site will be behind Allocated site S52 in the Ashford Local Plan. The Visual Impact assessment should take account of the impact of the future residents in these properties. The application is live in the ABC Planning Portal.

10. Biodiversity

Farming approaches can be tailored to benefit wildlife and biodiversity, which in turn can increase ecosystem stability in the face of environmental change, without reducing the potential for agricultural yield.

This proposal to replace agricultural activity with renewable energy generation will actively demonstrate a very significant biodiversity net gain purely as a result of the change of use and non-designation of the site. Despite being predominantly agricultural land, Aldington is a biodiversity rich area. Farmland provides green corridors for mammals and reptiles to move from one area to another. Fox, badgers, and hares are common in the area, as are muntjack and roe deer. There is a wide variety of native wildlife in the hedgerows and field borders. Canada Geese are annual visitors and have been seen regularly grazing the fields adjacent to the East Stour River.

10.4.3 notes the Poulton Wood Nature Reserve. The southern part of Aldington parish has several wooded areas, including Whites Wood and Backhouse Wood. The Led by the Wild project is also within the 2km search radius. Quarry Wood and Pond in the centre of the village are the subject of a regeneration programme to encourage biodiversity. Proximity to the statutory designated areas listed in 10.4.5 makes it impossible to dismiss the proposed site as 'intensively farmed land'. Wildlife knows no boundaries and is enjoyed by everyone living in Aldington.

The impact on Backhouse Wood should very much be scoped in to the Environmental Impact Assessment due to its proximity to not one, but two solar farm proposals. The cumulative effect, of the 3 solar farms currently in use and proposed, upon wildlife and biodiversity should very much be considered.

11. Water Environment & Flooding

Field 22 is flooded annually in winter. It is unsuitable for solar PV and should be identified as such. The lower end of Fields 10 (labelled 106 on the plan?) and 21 are also affected during heavy rain episodes. 11.6.1 states '*no built development in hydrologically sensitive areas.*' The lower end of Calleywell Lane suffers excessive surface water during extreme weather events. Drainage on clay soils can be a problem and large array of solar PV may

aggravate local flooding issues and even cause them where they have not previously existed. The topography of the site may also result in water cascades that channel rainwater in ways that a ploughed or planted field does not. With storm events increasingly frequent in the Southeast water management is essential. SUDS drainage is often unsuitable as it is easily overwhelmed by sudden and heavy rainfall due to the slow absorption of clay soils. Rainwater frequently runs off fields onto the local roads during summer months due to the nature of the soil. A vast array of solid glass panels will provide particular challenges to storm water management, being as the rain will at best be channelled in larger amounts onto a reduced ground footprint (most of it being under the panel). The water sensitive receptors assessed in The Water Environment Statement should include all surrounding lanes and gardens.

12. Socio – Economics

There are no local employment opportunities arising from this proposal, either in its installation nor manufacture.

Tourism and leisure activity are significant economic drivers in rural areas. This is likely to be significantly effected, as solar farms are unsightly and dramatically change the landscape character. Visiting farming areas is attractive to people who live a more urban lifestyle but, if the farming is solar, visiting the area will lose its appeal. Currently the dense network of PROWs linking as they do to the Royal Military Canal or the coast, enabling ramblers to explore Romney Marshes or the Kent Downs, bring business to local pubs, AirB&B and traditional B&B businesses. Cyclists love the challenging slopes of the Kent Downs and often end up in Aldington to refresh or rest a while. No-one wants to take a walk between solar arrays. If custom is lost, then local people will become commuters, travelling for work, probably by car as sustainable travel options are not available. The viability of The Walnut Tree pub could even be threatened. This is all a very significant concern. The socio-economic impact should be considered alongside the low-carbon credentials of the technology seeking to be installed. It is especially concerning in this case, the 3rd solar proposal in the locality, as the cumulative effect will accelerate the erosion of the rural characteristics of the location at a rate that does not allow people to easily adapt.

At present there is also no direct benefit to the community affected by the installation of solar PV arrays.

13. Traffic & Access

Access into and out of Aldington is predominantly via two lanes; Goldwell Lane and Calleywell Lane, adjoining Station Road for access onto the A20 main road and onward to the motorway or rail station. Predictably this route is very busy at peak times. It also suffers surges of traffic numbers at any time that the M20 has disruption (which is frequent) as the relief road for the M20 is the A20 and with the use of SatNavs traffic regularly decants onto rural lanes.

The junction onto the A20 is a known crash site. Station Road, Goldwell Lane and Calleywell Lane are rural roads. The substructure is not suited to frequent use by HGVs. There are no retaining kerbs and the roads narrow or have sharp bends in several places making passing vehicles difficult. On street parking also restricts access. There is a severe pinch point at Evegate Mill. Large vehicles will not be able to manoeuvre this area. There are also two bridges that will be damaged by HGV traffic. Goldwell Lane is very busy during term time as there is a primary school located on Roman Road. All access roads are used by farm traffic heavily especially at harvest time. We attach data from the village Speed Indicator Device to verify traffic flows and illustrate traffic surges.

Para 13.4.2 states that access to the Eastern part of the site will be taken from an existing junction onto Goldwell Lane used for agricultural access. This is adjacent to the PRow AE474. The fields either side of the access are allocated sites in the Ashford Local Plan (S51 and S52) that await Stodmarsh solutions in order to progress. This is highly likely to be resolved prior to construction commencing on Stone Street Green Solar. It is therefore not suitable, nor desirable for this access to be utilised for this purpose.

We are very concerned to read that both the Commissioning and the Decommissioning phases of the proposed development are anticipated to last for 12 months. Aldington & Bonnington have experience of construction traffic through residential housebuilding. This caused severe disruption to workers and parents during peak times and resulted in several 'near misses' as construction vehicles rushed to meet delivery times and clashed with domestic drivers on narrow lanes.

It should also be noted that rural lanes do not have footpaths. Goldwell Lane and Calleywell Lane are part of the residential core of Aldington and are thus used by pedestrians, cyclists and horse riders.

The Construction Traffic Management Plan must address the fact that for the entire construction and decommissioning phases peak traffic hours should not be used by construction traffic, that the roads are the primary entrance and exit to the village and that they are used by vulnerable groups. As part of the traffic impacts assessment the developer must commit to make good the entire highway from A20 to Roman Road as it is sure to be damaged.

15. Climate Change

In order for the full implications of this proposal for climate change to be understood it is vital that a full lifecycle analysis of the technology intended to be installed is available for inspection. Electricity production via solar as compared with that generated from natural gas power plants will certainly portray a very favourable carbon reduction but it needs to be viewed as a complete picture through the full life cycle to be meaningful. To this end the origin and type of solar panels proposed must be included in the Environmental Statement, along with the disposal at end of life. To this end neither the construction nor the decommissioning phases should be scoped out.

Water run-off and management has already been mentioned, in Section 11 Flooding, but should equally be considered here as it is noticeable that extreme weather is more frequent in the southeast, including very heavy rain and more storm events. The impact of effectively glazing over large areas of ground that is currently absorbing rainfall or at least slowing down it's impact on local roads and waterways should not be overlooked.

16. Cumulative effects

The Government document Planning for renewable and low carbon energy states; *Cumulative visual impacts concern the degree to which proposed renewable energy development will become a feature in particular views (or sequences of views), and the impact this has upon the people experiencing those views. Cumulative visual impacts may arise where two or more of the same type of renewable energy development will be visible from the same point or will be visible shortly after each other along the same journey. Hence, it should not be assumed that, just because no other sites will be visible from the proposed development site, the proposal will not create any cumulative impacts.*

Aldington's proximity to the Sellindge converter station has made it a target for companies seeking land for solar farms. The existing Partridge Farm Solar at the bottom of Church Lane has been in operation since 2016. EDF have consulted on a solar farm, East Stour Solar, also in Church Lane, predominantly on Bested Hill. The formal planning application is recently submitted (22/00668) to the LPA so Stone Street Green Solar is the 3rd solar farm within Aldington & Bonnington Parish.

Planning for renewable and low carbon energy also states; *"sequential effects on visibility occur when an observer moves through a landscape and sees two or more schemes. Common routes through a landscape (eg major roads; long distance paths or cycle routes) can be identified as 'journey scenarios' and the proposals impact on them can be assessed"*

There are several examples of cumulative effects from the 3 solar farms/ solar farm proposals in the Parish;

1. Driving down Station Road, panoramic view towards the coast will take in elements of Bested hill as well as fields 17, 18 and 7 in the Stone Street Green proposal. The lake created by the Ashford Flood prevention reservoir is used for recreational fishing and visited by walkers – both East Stour Solar at Bested Hill and Stone Street Green Solar are likely to be visible
2. AE657 / AE656 - walkers will pass through all three solar farms; Partridge Farm, East Stour and Stone Street Green.
3. AE458 / AE 457 – walkers will pass through two solar farms
4. Fields 6, 7,10, 11 & 21 are crossed by AE370, AE377, AE378, AE428, AE448, AE378 making accommodation of PRoWs making the experience of walking through open countryside likely to be significantly reduced, if not removed, from these large parts of these footpaths.

In view of the above the Parish Council would request that the cumulative effects of all three solar farms, existing and proposed are considered in the Environmental Impact Assessment.

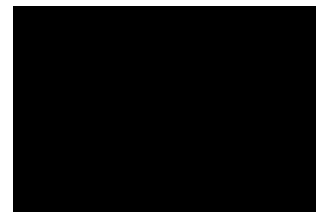
In conclusion, Aldington & Bonnington Parish Council hope that the assessment of the environment impact and the impact of local amenity will be thoroughly investigated and that you find our comments helpful in requesting full information from the applicant.

Thank you for the opportunity to respond



Planning and Development

Ask for: [REDACTED]
Email: [REDACTED]
Direct Line: [REDACTED]



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AshfordBoroughCouncil

BY EMAIL ONLY

PINS Ref: EN010105-000006
Our Ref: 22/00001/NSIP/AS
Date: 18 May 2022

Dear Madam

Location: Land south of the M20, north and south of Bank Road, at Bank Farm opposite Becketts Green, Bank Road, Aldington, Kent
Proposal: Nationally Significant Infrastructure Project (NSIP) - Solar photovoltaic array plus energy storage with associated infrastructure and grid connection, with a generating capacity greater than 50MW.

I refer to your letter dated 29 April 2022 consulting the Council on the request for a scoping opinion for the above development. The Borough Council makes the following comments in relation to the Stonestreet Green Solar Environmental Impact Assessment Scoping Report ref EN010135 dated April 2022.

1.4 Location and Surrounding Area

Paragraph 1.4.7 – Stone Street Green is not a village.

3.4 Local Policy

Paragraph 3.4.6 – Policy ENV4 of the Ashford Local Plan 2030 is entitled 'Light Pollution and Promoting Dark Skies'.

Please note that Aldington and Bonnington Parish Council submitted a request to designate the parishes of Aldington and Bonnington as a neighbourhood area on 7 November 2019. In accordance with Regulation 5A of The Neighbourhood Planning (General) Regulations 2012 (as amended), the Borough Council has exercised its powers under section 61G of the Town and Country Planning Act 1990 to designate the neighbourhood area without consultation. The parishes of Aldington and Bonnington are now designated as a neighbourhood area.

Paragraph 3.4.7 – also of relevance is the Landscape Character SPD (April 2011) and the Sustainable Drainage SPD (October 2010).

6.2 Agricultural Lands and Soils

The Borough Council is pleased to see that the applicant has undertaken a detailed Agricultural Land Classification Survey and that it is proposed that all long term temporary development would avoid BMV land as far as practicable by design in order to reduce the impact upon soil volume and biomass production.

Most of the site would be accessible for sheep grazing during the operational phase of the development rather than be available for a broader range of agricultural uses and the production of arable crops would cease. Para 12.4.7 states that 95% of the site is currently in agricultural use consisting of arable cropping production and grazing but does not actually distinguish between the amount of land involved with each of those different agricultural uses.

From representations made to the Borough Council by local residents, the application site land has, in the past few decades, been utilised for a variety of arable uses including the growing of rapeseed as well as the growing of wheat. The Borough Council, therefore, consider that clarity should be provided in the Environmental Statement through the provision of details of (i) current and (ii) previous agricultural uses rather than basing scheme impacts on assumptions that the site is used to produce biomass for animal feed (paragraph 6.2.13) in order to understand the likely significance of the changes that are proposed particularly in relation to land which is grade 3a and above. The Borough Council also looks forward to reviewing the results of the Farm Impact Questionnaire.

6.3 Air Quality

The report identifies a very low impact on air quality during use and low during construction and decommissioning (due to dust created). The Borough Council's Environmental Protection Team are satisfied with the approach set out within the scoping report.

6.4 Land Contamination

The Phase 1 investigation (Groundsure) and site walkover draft of the preliminary conceptual site model have identified a low potential for land contamination for both the current site and the effects that would arise from the construction, operation and decommissioning of the proposed development.

The Council consider that a watching brief must be maintained during construction and decommissioning works and reported to ABC Environmental Protection Team before works continue.

6.12 Glint and Glare

At this stage it is not known if the proposed solar panels would be installed as fixed tilt modules or if they would utilise single axis trackers but this is considered to be relevant to any assessment of glint and glare.

It is noted in paragraph 6.12.1 of the scoping report that a Glint and Glare Assessment will be carried out and would form a technical Appendix to the Environmental Statement. The Scoping Report suggests that the assessment will include an assessment of glint and glare from sensitive receptors such as aviation and rail receptors. However, the Council considers that this assessment should also include other ground-based receptors of potential glint and glare such as dwellings, commercial premises, heritage assets and roads. The Borough Council considers that this approach would be in accordance with draft national policy ENV-3 paragraph 2.52.4 which states that the Secretary of State will need to assess potential impacts upon nearby homes and motorists.

6.13 Lighting

The rural location from the Ashford urban area currently enjoys some of the darkest skies in the region, unaffected by the effects of external lighting often brought by developmental pressures. Policy ENV4 of the adopted Ashford Borough Local Plan requires applicants to demonstrate they have considered where any external light shines, when it shines, how much it shines, lighting types and any possible ecological impact. The Council's Dark Skies SPD provides further guidance on the policy requirements.

The Council agrees that the site should not be permanently lit during operation with sensor lights used if any night time emergency maintenance work is required during the operational phase.

14 Noise

Noise levels are predicted to be low with a slightly significant effect during operation (usually with plant located away from the boundaries of the site) and short term lightly significant effect during construction and decommissioning. The proposed noise assessment will need to consider planning policies and local and national guidance, standards and documentation and use BS4142 and BS5228. The Borough Council consider that the proposed assessments are satisfactory for the proposed development.

16.2 Cumulative Scheme

It is noted that the developments in table 16.1 represent a provisional list to be considered and may be subject to change.

Section 16.2 of the scoping report identifies a proposed 49.9MW scheme at Land south of M20, Church Lane, Aldington, Kent that was subject to an EIA screening opinion by the Borough Council in August 2021 under reference 21/00002/EIA/AS. The Borough Council can confirm that an application for full planning permission has subsequently been submitted by EDF Energy on the 26th April 2022 for the following development;-

Installation of a solar farm with a generating capacity of up to 49.9MW comprising: ground mounted solar panels; access tracks; inverter/transformers; substation; storage, spare parts and welfare cabins; underground cables and conduits; perimeter fence; CCTV equipment; temporary construction compounds; and associated infrastructure and planting scheme.

At the time of submitting this response, this EDF application is invalid for the reason that more information is required. The application reference number is 22/00668/AS and Stonestreet Green Solar team has been alerted about its receipt by this Council.

The existing solar farm at Partridge Farm to the east, (ABC planning reference 14/00398/AS) should also be considered in terms of cumulative effects.

Finally, the Council is aware that local groups that are not statutory consultees have made comments relating to the Stonestreet Green Solar Environmental Impact Assessment Scoping Report directly to the Planning Inspectorate. The Council trusts that the Inspectorate will take account of these comments in reaching its decision on the Scoping Report.

Yours sincerely



Environmental Service
Central Operations
Temple Quay House
2 The Square
Bristol, BS1 6PN

Dear [REDACTED]

RE: Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by Evolution Power Limited (the Applicant) for an Order granting Development Consent for the Stonestreet Green Solar (the Proposed Development).

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for your letter dated 20 April 2022 providing Folkestone & Hythe District Council (FHDC) with the opportunity to inform the Secretary of State and the applicant of the information to be provided in the Environmental Statement (ES), relating to the proposed solar farm at Stones street.

APPLICATION SITE

The wider site subject of the forthcoming Development Consent Order (DCO) falls outside the jurisdiction of FHDC, however a small proportion of the development (mainly the underground cable routes) falls within the District's remit (essentially between Partridge Farm and Harringe Lane) and therefore the observations of FHDC in respect of the submitted Scoping Report will relate primarily to this area. The area of land in question is identified below:

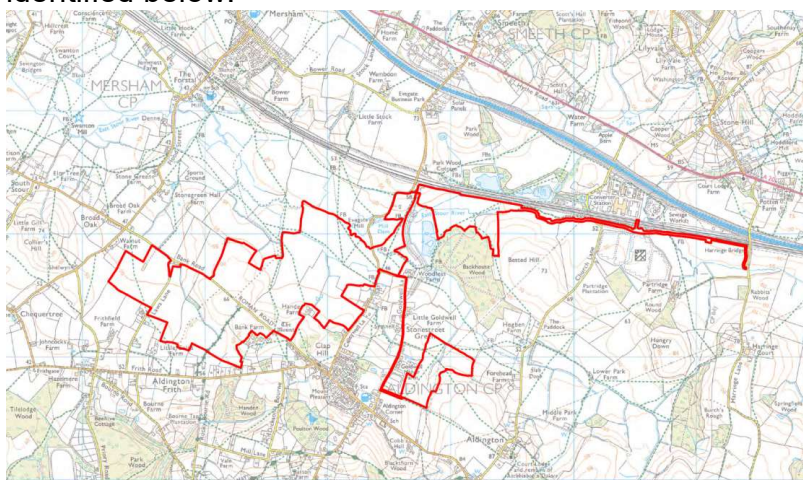


Fig 1: Location Plan taken from Scoping Report



Fig 2: Area of land within Folkestone & Hythe District Council's jurisdiction.

The location of the proposed cable routes are identified on drawing no 142-01-14 entitled Figure 3: Grid Connection Cable Route Options. The preferred route being highlighted in purple and the shortest route to enable connection to the grid. This would result in the least impact on the site.

SCOPING REPORT

FHDC has reviewed the Stonestreet Green Solar Environmental Impact Assessment Scoping Report (dated April 2022, ref: EN010135) and would like to provide comments in relation to the following elements:

- FHDC Local Plan
- Cultural Heritage
- Landscape
- Biodiversity
- Water Environment
- Other Matters

FHDC LOCAL PLAN

Whilst a small section of land, within the jurisdiction of FHDC, consideration of the FHDC Local Plan (made up of the Core Strategy Review (CSR) 2022 and Places and Policies Local Plan (PPLP), 2020) should be given within the forthcoming ES. The most relevant policies would be:

PPLP:

- Policy NE2 – Biodiversity
- Policy NE3- Protecting the District's Landscapes and Countryside
- Policy NE6 – Land Stability
- Policy NE7 – Contaminated Land
- CC1 – Reducing Carbon Emissions
- CC6 – Solar Farms
- HE2 – Archaeology

CSR:

- CSD4 – Green Infrastructure of Natural Networks

It is noted that consideration has been given to the Ashford Local Plan 2030, however the ES should also reference the above-mentioned policies.

The proportion of the application site within the jurisdiction of FHDC sits within the following designated sites:

- Area of Archaeological Protection
- Grade 1 & 2 Agricultural Land
- Kent Landscape Assessment Area
- Wealden Greensand Character Area
- SSSI Impact Risk Zone
- Mid Kent Water Catchment Area
- Stodmarsh Area/Surface Water Management (The Stour)
- Flood Risk Zone 2 & 3
- Channel Tunnel Safeguarding Area
- Area identified as heavily populated with Great Crested Newts

CULTURAL HERITAGE

The majority of the works within FHDC Jurisdiction will be underground. It is noted under 8.2.2 of the Scoping Report that the NPS recognises that '*archaeological finds may be protected by a solar pv as the site is removed from regular ploughing and shoes or low level piling is stipulated*'. However, the site has some Palaeolithic potential and consideration of the impact of underground cabling and other works associated with this, must also be given, especially in terms of the potential this would have on matters of archaeological interest underground. Whilst the Council welcomes the scoping in of Heritage and archaeological matters, consideration of the impact underground cabling would have on archaeology must be drawn out in any forthcoming ES, including consideration of PPLP Policy HE2, as referenced above.

LANDSCAPE

The site within FHDC remit forms part of the Kent Landscape Assessment Area, Wealden Greensand Character Area and SSSI Impact Risk Zone.

The development, by its very nature, would have an impact on the landscape however, it is not considered that the works within the authoritative boundary of FHDC would have a significant impact on these areas from a visual amenity perspective, especially given the majority of works taking place within it would be underground. Nevertheless, it is considered necessary to ensure that the forthcoming ES considers the impact of the Solar PV's from a visual perspective from within the District itself, identifying any harm or significant effects, including impact from glint and glare that may arise. This should be drawn out in a Landscape & Visual Impact Assessment (LIVA). In addition, consideration as to whether the proposed underground works would have on any above ground landscaping and vegetation.

Would it result in the removal of trees, hedgerows etc? This should be included within the section of the ES.

The Landscape Assessment should consider the development's effects in three stages: during construction, at completion and then after.

BIODIVERSITY

The Council welcomes the scoping in of matters relating to Biodiversity. The Scoping Report references the presence of Great Crested Newts (amongst other matters), however it should be of note that the area identified as being within the jurisdiction of FHDC is heavily populated with GCNs. Whilst the majority of works within this specific area of the site would be underground, consideration must be given to the impact on these protect species during the construction phase and the laying of cables.

WATER ENVIRONMENT/LAND CONTAMINATION

Given that the site for the laying of cables is in close proximity to the River Stour (South) and also within Flood Risk Zone 2 & 3, it is essential that the impact of the works on the water environments is given considerable weight. Whilst FHDC support the need to ensure that these matters be scoped into the ES, and has no specific comments to make on the detail contained within the Scoping Report, it is surprising that matters relating to land contamination (especially given the potential impact from surface water run off or underground disturbances can have on a major water course) has been scoped out of the forthcoming ES.

Reference is made to the site area being predominantly used as agricultural fields and pastureland. FHDC would question whether consideration has been given to the area proposed for laying cables, and any other underground infrastructure. The land running south of and alongside the railway line forms part of the channel tunnel safeguarding area and further consideration of the potential for contaminants in this area should be given, especially as land has likely already been disturbed/affected by previous development in association with the channel tunnel rail link in the past.

OTHER MATTERS

The site area within FHDC jurisdiction falls within the Channel Tunnel Safeguarding Area and consideration of this and the potential impact of works on the rail link must be addressed.

Whilst the solar Farm and Associated PV's would be outside the authoritative boundary of FHDC, it is considered important to draw the Applicant's attention to the fact that there are a number of Aerodromes within the District and therefore the solar panels themselves should not be reflective to ensure the safety of aircraft.

The site is within a landslide class B zone. Slope instability problems are not likely to occur but consideration to potential problems of adjacent areas impacting the site should always be considered.

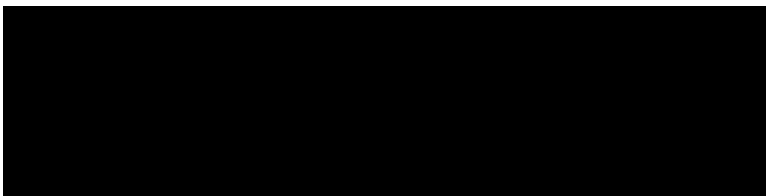
Email: planning@folkestone-hythe.gov.uk
Date: 18.05.2022



As a consultation body, the District Council looks forward to being invited to comment on further documentation prepared and submitted as part of the application for a Development Consent Order

If you require further information or clarification on any matter in this letter then please do not hesitate to contact me.

Kind regards,



**Development Management Team
Folkestone & Hythe District Council**

South East & London Area Office
Bucks Horn Oak
Farnham
Surrey
GU10 4LS

Your ref: EN010135-000006

Date: 10/05/2022

VIA EMAIL ONLY

Dear [REDACTED]

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by Evolution Power Limited (the Applicant) for an Order granting Development Consent for the Stonestreet Green Solar (the Proposed Development).

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for your letter of the 20th April 2022 seeking the Forestry Commission's advice on the proposed scope of the Environmental Statement for the Stonestreet Green Solar farm development in Kent. We have reviewed the Scoping Report provided by the applicant and have based our response upon the information within.

The Forestry Commission's summary points are:

- Ancient woodlands¹ and ancient or veteran trees² are acknowledged as an irreplaceable habitat and a part of our historic natural heritage. Not all ancient woodland sites are registered on the Ancient Woodland Inventory. Small and linear ancient woodlands that may have not been included will have equally importance due to the ecological network they underpin. There is one block of ancient woodland (Backhouse Wood) directly adjacent to the proposed DCO boundary and we would expect the Environmental Statement to recognise its importance and state how they will avoid, reduce, and mitigate impact. We note

¹ An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).

² A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.

that the Scoping Report has made due note of Backhouse Wood's status as a Plantation on Ancient Woodland Site (PAWS).

- It is not possible to fully compensate for the loss of any irreplaceable habitat such as ancient woodlands, therefore, the Forestry Commission recommends:
 - doing everything possible to avoid the loss or damage to ancient woodland and veteran trees;
 - where this is not possible, a significant package of ecologically significant compensation, which collectively delivers ecological enhancement to our ancient woodlands and veteran tree infrastructure, is secured in perpetuity.
- We would expect to see a thorough assessment of any loss of all trees and woodlands within the project boundary and the development of mitigation measures to minimise any risk of net deforestation as a result of the scheme. A scheme that bisects any woodland will not only result in significant loss of woodland cover, but will also negatively increase the ecological value and natural heritage impacts due to habitat fragmentation, and a huge negative impact on the natural plants and animals' ability to respond to the impacts of climate change.
- We would expect inclusion of an assessment of any woodlands under an existing woodland grant scheme and / or a felling licence agreement to ensure these agreements will not be negatively impacted. We note that Backhouse Wood currently has a live felling licence in place.
- Where woodland loss is unavoidable, we would expect to see significant compensation and the use of buffer zones to enhance the resilience of neighbouring woodlands. These zones could include further tree planting or a mosaic of semi-natural habitats. However, it does not appear from the Scoping Report that there will be loss of ancient woodland, and buffer zones have been considered.
- Embed an 'biodiversity net gain' principle for the scheme as promoted in the government's 25 Year Environment Plan³ and the Environment Act 2021.
- Where possible, consider the use of locally-sourced timber, FSC- and Grown In Britain-certified, in construction of appropriate structures.
- Explore carbon neutrality of the project, both during construction and during operation and how emissions will be limited and offset. This could include creation of new woodland, either within the DCO boundary, or as off-site mitigation, with the expectation that new woodland will be created with the following principles in mind:
 - Right tree, right place – i.e. suitable for the location planted, and not to the detriment of other habitats.

³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf

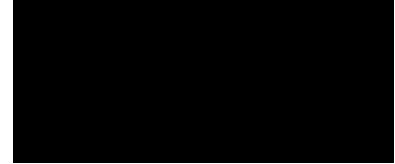
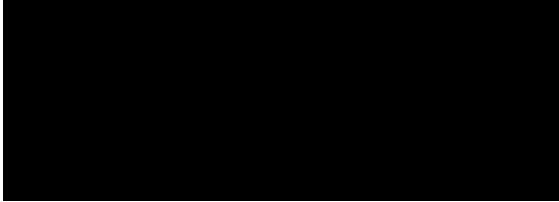
- Connectivity – it is preferred that new woodlands created link existing woodlands, especially ancient woodlands, rather than be created in isolation on a small scale.
- Access and recreation – where possible, newly created woodland should be designed for the enjoyment of residents and visitors, while not negatively impacting existing woodlands.
- Resilience – species choice must be considered when considering the likely impact of climate change.
- Future management – poorly managed woodlands provide minimal benefits. Newly created woodlands should be designed with access for management of timber, wildlife, and visitors.

I hope this is of benefit. Please do get in touch if you would like further information or clarification.

Yours sincerely,



Chemical Explosives and Microbiological
Hazards Division



NSIP.applications@hse.gov.uk
<http://www.hse.gov.uk/>

BY EMAIL ONLY

stonestreetgreensolar@planninginspectorate.gov.uk

Date: 18 May 2022

References: CM9 Ref: 4.2.1.6963.
NSIP Ref: EN010135

Dear 

**PROPOSED STONESTREET GREEN SOLAR
PROPOSAL BY EVOLUTION POWER LTD
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017
(as amended) REGULATIONS 10 and 11**

Thank you for your letter of 20 April 2022 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's Land Use Planning Advice

Will the proposed development fall within any of HSE's consultation distances?

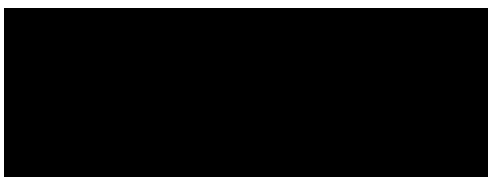
The report has been reviewed and HSE cannot identify any major hazard installation or pipeline in the vicinity. The proposed project does not seem to involve a requirement for Hazardous substances consent but the energy storage processes are not totally clear at this stage so this may need to be reviewed with future submissions.

Explosives sites

HSE confirms there are no Explosive Sites within the area proposed therefore have no comment to make.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk. We are currently unable to accept hard copies, as our offices have limited access.

Yours faithfully,



From: [REDACTED]
To: [Stonestreet Green Solar Project](#)
Subject: RE: EN010135 - Stonestreet Green Solar - EIA Scoping Notification and Consultation
Date: 04 May 2022 16:13:02
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)

I confirm that the High Weald AONB Unit has no comments to make on this Scoping information.

Regards,

[REDACTED]

Advising on an outstanding medieval landscape; connecting people, protecting beauty, restoring soils and nature.

[REDACTED]

[REDACTED] (voicemail only) www.highweald.org

Please note that I am working from home. Telephone calls will not be picked up directly but if you leave a voicemail I can access it remotely. Otherwise please contact me by email or see general advice on our website at www.highweald.org/look-after/planning.html

Please [subscribe up to our monthly eNews](#) to make sure you don't miss out on all the latest news, grant funding opportunities and events from across the High Weald AONB. You can easily unsubscribe at any time and your details will not be shared with any other organisation.





Historic England



Our ref: PL00772562
4 May 2022

Dear 

Consultation on application for Environmental Impact Assessment - Scoping Opinion

**STONESTREET GREEN SOLAR
APPLICATION: EN010135**

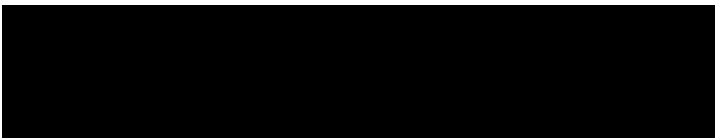
Thank you for contacting us on 20 April 2022 seeking our observations on an Environmental Impact Assessment Scoping Opinion Request made under Regulation 13 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) to your authority relating to the above site.

We have reviewed the Scoping Opinion submission available on your website. Whilst we do not have any observations to make in relation to the Scoping Opinion submission, we can confirm that Historic England would be a statutory consultee on any resulting planning application. We may provide comments once we have been consulted on the full application.

If you have questions regarding any of the above, please do contact me.

Yours sincerely,

Yours sincerely,



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

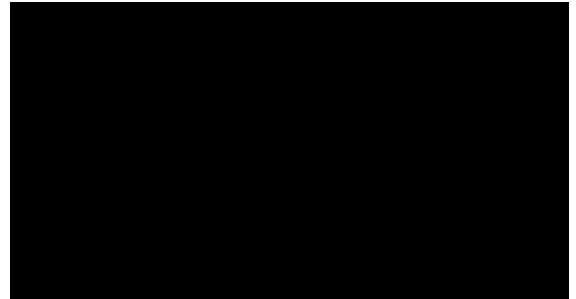
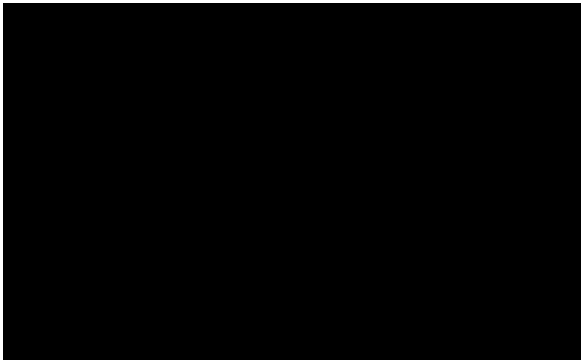
Telephone 
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.



Growth and Communities



BY EMAIL ONLY

18 May 2022

Dear [REDACTED],

Re: Stonestreet Green Solar - Proposed Solar and Battery Storage Project – Scoping Report

Thank you for providing Kent County Council (KCC) with the opportunity to comment on the information to be provided in an Environmental Statement (ES) relating to the Stonestreet Green Solar - Proposed Solar and Battery Storage Project.

KCC has reviewed the Scoping Report and would like to provide the following comments:

Chapter 1 Introduction

The County Council has a statutory duty to protect and improve Public Rights of Way (PRoW) in the County. KCC is committed to working in partnership with the applicant to achieve the aims contained within the [Rights of Way Improvement Plan](#) (ROWIP) – specifically in relation to quality of life, supporting the rural economy, tackling disadvantage and safety issues, and providing sustainable transport choices.

There are eighteen Public Footpaths and one Byway Open to all Traffic affected and within the site boundary as follows:

Public Footpaths:

- AE385
- AE442
- AE370
- AE377
- AE378
- AE448
- AE447
- AE431
- AE438
- AE657
- AE457
- AE656
- AE454
- AE475

- AE455
- AE474
- Byway Open to all Traffic: AE396 (Ashford).
- AE436 (Ashford)
- HE436 (Folkestone and Hythe)

Assessing impacts on the PRow network

The County Council welcomes reference within the Scoping Report to PRow, however, KCC would recommend that further consideration is required regarding the potential impacts of the project on these routes. This valuable network of paths provides significant opportunities for outdoor recreation and active travel. The applicant must therefore consider the potential effects of the project on the PRow network and its users, assessing noise, air quality, drainage, and visual impacts.

Consideration should be given to the impacts on the PRow network during the pre-construction/early design stage of the project, in addition to the construction and operational phases of the project. For example, during the pre-construction phase, excavation works may be required to evaluate ground conditions and reptile fencing may be erected to conduct ecological surveys. The results of these investigations may influence and determine the final design of the development, but the process of collecting the data may cause disruption to PRow users.

The impact of the project on quiet rural lanes, in particular, during construction and decommissioning (HGVs and abnormal loads are cited) should be considered in conjunction with the PRow network, as these roads provide useful connections for users travelling between PRow routes. The proposal could potentially deter public use of the PRow network if these road links are designated as haulage routes and vehicular traffic substantially increases along the lanes. Site access routes should avoid use of the PRow network, but if this is unavoidable, efforts should be made to ensure the surface will be maintained and restored to a condition as good as, or better than, the current standard.

With regards to the placement of receptors, PRow should be clearly identified in order to monitor path use before, during and after the construction phase of the proposal; it is requested that people counters are installed on PRow at key gateway locations. Data obtained from these counters can be used to assess the impact of the proposals. It is recommended that electronic people counter sensors are installed, instead of manual surveys, as these counters will be able to operate 24 hours a day and capture sporadic path users.

Design of the Solar Project

The County Council recommends that path extinguishments and long-term severance of routes should be avoided in order to prevent fragmentation of the PRow network. The County Council requests that further detail is provided regarding how the PRow routes will be incorporated within the proposal. As Local Highway Authority, the County Council requests that the applicant engages with the County Council on all matters relating to the PRow network. If the applicant is unable to accommodate the PRow network, along its definitive alignments, applications will need to be submitted to permanently divert the routes.

It should be noted that there is different legislation regarding a diversion of a Byway Open to all Traffic.

As this proposal will transform the character of the paths, it is requested that the PRow are accommodated within wide green corridors at least 5m wide through the site, irrespective of any recorded path widths. Consideration should also be given to the future surface and maintenance of these routes, to ensure they do not become obstructed by vegetation.

It is understood that transformers and electrical infrastructure would need to be installed within the proposal, but KCC recommends that the placement of cables across PRow should be avoided where possible. Digging trenches to accommodate cabling would disturb the surface of the highway, which would require the authorisation of the County Council as Local Highway Authority. Whilst this assent may be given by the County Council, the initial excavation work (and future maintenance works during the operational phase of the project) would cause disruption for path users.

The County Council also notes that the Cable Route Options, as demonstrated in Figure 3 – Grid Connection Route Options, would both have an impact on the PRow network.

PRow network development

The proposal does provide an opportunity to improve the PRow network and develop new links for active travel and outdoor recreation. The creation of new paths and upgrading of existing routes should be delivered as positive outcomes of the scheme, providing community benefit. The public benefits of such work would help to compensate for any disruption caused by the construction of the proposal, as well as any negative effects on the PRow network which may result from the delivery of the proposal and are unavoidable.

The proposal provides an opportunity to deliver new off-road routes within the development site and surrounding area. The creation of new walking, cycling and equestrian paths could provide safe alternatives to existing on-road routes and should be explored by the applicant in accordance with the aims of the ROWIP. The County Council would welcome further engagement on this.

Temporary PRow closures

It is understood that temporary path closures may be required so that construction work can be completed safely, but efforts should be made to minimise path closures and retain access along popular routes. Where temporary closures are required, convenient diversion routes should be provided to reduce disruption to path users. Robust information boards explaining temporary access restrictions should be positioned for paths that will be closed for long periods.

Chapter 4 The Proposed Development

PRow: In respect of paragraph 4.4.2, the County Council requests clarification and further details regarding reference to “pathway clearance and redirections”.

The County Council would also recommend that reference to the impact of the proposal on the PRoW network must be included within the Construction Environment Management Plan (CEMP), the Construction Traffic Management Plan (CTMP) and the Decommissioning Environment Management Plan (DEMP).

Chapter 5 EIA Methodology

PRoW: The County Council requests that the Schedule of Mitigation, which is to be included within the Environmental Statement as outlined in paragraph 5.61, must include consideration of the impact of the proposal on the PRoW network.

Chapter 6 Topics to be Scoped Out

6.2 Agricultural Land and Soils

The County Council notes Table 6.1, which sets out the summary of the Agricultural Land Classification within the Site Boundary. The County Council recognises that the proposal is considered to be capable of continuing to support agricultural activity alongside energy generation, and that the land is capable of being restored for other uses at the end of the lifespan of the development. The County Council is also keen to understand the results of the Farm Impact Questionnaire, as referred to within paragraph 6.2.7. Furthermore, the County Council notes the reference to the Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) (September 2021) and would request that the Environmental Statement provides clear details of the impacts of development on the land, which is grade 3a and above, in accordance with paragraphs 4.48.13-4.48.15 of the draft NPS.

6.4 Land Contaminations

Minerals and Waste: The County Council, as Minerals and Waste Planning Authority, notes that there are safeguarded minerals in the general area. This is not fully addressed within the Scoping Report. The County Council would recommend that this matter is scoped into the Environmental Statement to ensure it is properly considered. The Environmental Statement should detail and justify why the nature of the development means that the minerals of potential economic value are not considered to be threatened with sterilisation. The County Council would welcome further engagement on this matter.

Chapter 7 Topics to be Scoped in

PRoW: The County Council recommends that the impact on the PRoW network should be included across several categories listed within the Environmental Statement, including 'Landscape and Views', 'Transport and Access' and 'Socio Economic and Noise'.

Chapter 8 Cultural Heritage

Heritage Conservation: The County Council notes that there are many positive elements within the proposed assessment in respect of Cultural Heritage, although it would raise the following considerations and recommendations.

The introduction to the Chapter suggests the general approach is not fully comprehensive, nor wide-ranging or robust for this landscape-scale proposal within a rural area. The focus seems to be on isolated heritage assets; either designated buildings or non-designated Historic Environment Record (HER) sites. When considering each archaeological period, the County Council recommends that there needs to be an assessment of the known archaeological sites, but then further development of the assessment is required with consideration of how the sites relate to the landscape and what is the potential for associated remains. For example, there is a Roman routeway traversing the site, there are Roman Portable Antiques Scheme (PAS) finds, and Aldington Mount is considered to be a possible Roman barrow. These “sites” are points within a Romano-British landscape. Through the assessment of the sites alongside the landscape – this will provide a reasonable description of the Roman, or other period, potential - which can then guide mitigation for the proposal. The County Council therefore recommends that the overall approach for the archaeological assessment needs to be at a landscape scale and KCC would welcome further engagement on this.

The Scoping Report does not suggest there is going to be an Archaeological Landscape Assessment. A Historic Landscape Assessment is being carried out under Landscape and Visual Impact Assessment (LVIA) guidance; however, the County Council would strongly recommend that an Archaeological Landscape Assessment is carried out in accordance with the [Design Manual for Roads and Bridges \(DMRB\) guidance](#). This is needed in view of the scale, nature, location and visual impact of the proposed scheme situated in a rural area.

The County Council welcomes the proposed retention of historic landscape features such as hedgerows (paragraph 8.5.1) but would reiterate that there needs to be an Archaeological Landscape Assessment which would ensure the archaeological importance of some features is fully appreciated. For example, the Assessment might consider a hedge is of low importance being species poor but if a hedge is directly associated with an archaeological site, such as part of an ancient field system or on the alignment of the Roman road, this would give it archaeological importance.

The County Council welcomes the mention of the Palaeolithic potential, which is comparatively high in view of the proximity of the River Stour. The site does not seem to contain River Terrace Gravels, but these may be obscured by Alluvium and the Alluvium itself may contain Early Prehistoric remains. The County Council would therefore recommend there is a comprehensive Geo-Archaeological Assessment undertaken by suitable specialists.

The embedded mitigation approach is not acceptable to the County Council as it appears to be isolated asset focused. Mitigation needs to consider the nature and character of the archaeological site within its landscape setting. For example, Aldington Mount may be a barrow, and other barrows may be identified - but it is not just the mounds themselves which should be mitigated, but the views of them and the specific landscape they rest in as well as their character. Ritual landscapes should be given particularly sensitive consideration.

The mitigation approach should consider all forms of potential impact including groundworks, visual and noise. This could include new tree planting, ecological works, landscaping as well as site compounds, vehicle haul roads during construction, glare from panels and humming

from generators. With regards to the impact from glare, there needs to be some assessment of the wider visual impact from the North Downs and nearby high ground. This visual impact assessment needs to be covered in the Archaeological Landscape Assessment as opposed to the LVIA, which tends to be more focused on the natural environment and upstanding buildings.

When considering the components of Archaeological Assessment (paragraph 8.7.7) to include in the Environmental Statement, KCC welcomes the intention for a Desk Based Assessment (DBA) and Geophysical Survey Report. KCC recommends that the DBA needs to include the full breadth of archaeological periods from Palaeolithic Period to Modern Period (industrial, military, agrarian, horticultural and medical, for example). The DBA should also call upon a full range of resources including LiDAR and access to early maps and geo-technical data. In addition to DBA and the geophysical survey, KCC recommends that a comprehensive site walkover is undertaken, especially to inform the Archaeological Landscape Assessment. These preliminary works may highlight potentially extensive, intensive or sensitive remains. It is likely that some targeted intrusive fieldwork would be very helpful and as such KCC recommends consideration of undertaking targeted trial trenching and geo-archaeological test pits. Results of this intrusive fieldwork should be within the Environmental Statement.

Table 8.1 (page 115) is welcomed but the County Council does not agree with the scoping out of direct physical effects on assets beyond the site boundary. There may be constructional or operational impacts on the water table and from glare which could impact on paleoenvironmental remains or upstanding sensitive assets, such as medieval farms or ritual landscapes.

In summary, the County Council welcomes the proposed assessment of Cultural Heritage but recommends that it should include archaeology, archaeological buildings and archaeological landscapes. Appropriate specialists and sources of information should be utilised including the Kent HER, documentary research, Ordnance Survey map data, LiDAR, cropmarks, geology and topography. It is important that assessment of buried and upstanding archaeology is appropriately integrated; and that the archaeological landscape assessment is undertaken in accordance with DMRB guidance. Assessment of archaeological landscapes cannot be covered through the LVIA process because this only covers the natural environment and comparatively recent influences, not the human and prehistoric element.

Chapter 9 Landscape and Views

PRoW: With regards to embedded mitigation, this must consider the impact of the proposed development on the PRoW network and necessary mitigation to limit the impact.

Chapter 10 Biodiversity

Biodiversity: With regards to embedded mitigation, the County Council welcomes the commitment to retain all boundary hedgerows and boundary trees and ponds. However, KCC is concerned that there is no such clear and obvious commitment in relation to other important habitats and ecological features within the application site, especially the East

Stour River. The County Council is therefore uncertain as to whether the proposals will require any modifications to the river channel and its tributary streams.

Scoping Out of Designated Sites

Biodiversity: A number of statutory designated sites have been proposed to be scoped out of the assessment, without the assessment having identified the potential ecological effects (impact pathways) which the proposed development could cause. Such sites cannot be scoped out on distance criteria alone and KCC would recommend that this is considered within the Environmental Statement.

The County Council notes that air quality impacts on designated sites have been scoped out, but there is a need for a clear understanding of the justification supporting this conclusion. Any increase in Heavy Goods Vehicles (HGV) movements of 200 annual average daily traffic (AADT) or more, within 200 metres of any designated site during the construction period, will trigger a requirement for an assessment of the effects of the construction phase on these designated sites.

10.5 Project Basis for Scoping Assessment

Biodiversity: Other sites and habitats such as Backhouse Wood (ancient woodland) and the East Stour River (Habitat of Principal Importance), are also proposed to be scoped out of further assessment without any evidence to demonstrate why, and without having identified potential impact pathways from the proposed development on these sites and features. However, the County Council notes that Table 10.5 does scope some Habitats of Principal Importance (including hedgerows, ponds and river) into the assessment. The County Council advises that all Habitats of Principal Importance (Section 41 species under the Natural Environment and Rural Communities Act (NERC) 2006) should be scoped in and further assessment carried out as part of the Environmental Statement.

Scoping of Protected Species

Table 10.5, in relation to the scoping for protected species does not identify whether otter, water vole and beaver are to be scoped in or out. It is understood from earlier text (10.4.15) that surveys for these species are being undertaken. If the surveys confirm the absence of these species, then they can be scoped out - provided that the evidence of absence is submitted - otherwise they should be scoped in.

Proposed Assessment Methodology

The Scoping Report proposes to undertake a Ecological Impact Assessment in accordance with the guidelines set out by the Chartered Institute of Ecology and Environmental Management (CIEEM). This is the industry standard approach to assessment and is therefore satisfactory to the County Council.

Biodiversity Net Gain

The Scoping Report commits to undertaking a pre and post development assessment of biodiversity value. This should be based on the latest V3.0 metric from Defra. However, no commitment is given as to the target level of Biodiversity Net Gain, and the County Council advises that this should be a minimum of 10%, in accordance with the Environment Act 2021.

Much of the proposal site area is currently in arable use and consequently, there is a significant opportunity to deliver a major biodiversity net gain - such as through the creation of lowland meadows. Biodiversity Net Gain must be in addition to any required mitigation measures and details of how the proposed Biodiversity Net Gain is to be delivered should be presented as part of future submissions.

Nutrient Neutrality

The Scoping Report notes the potential to reduce nutrient inputs (nitrogen and phosphorous) to the Stour catchment and therefore potentially to the Stodmarsh Special Area of Conservation (SAC) / Ramsar site. Opportunities could be explored as to whether there is the potential to generate 'nutrient credits' which may be traded to help offset nutrient impacts from future planned residential development in Ashford. Further discussion with KCC would be welcomed on this matter.

Chapter 11 Water Environment

Sustainable Urban Drainage Systems (SuDS): The Council notes that the Scoping Report indicates that a site-specific Flood Risk Assessment ('FRA') will be prepared and appended to the Water Environment chapter of the Environmental Statement. KCC also notes paragraph 1.6.2 which states that "Mitigation measures (e.g. incorporation of Sustainable Drainage Systems ('SuDS'), with applicable climate change allowances in the design of the Proposed Development) will be designed to avoid, reduce or offset potential adverse effects and these will inform the Proposed Development's design, including its layout."

KCC would refer the applicant to the County Council's [Drainage and Planning Policy Statement](#), which sets out how KCC, as Lead Local Flood Authority, will review drainage strategies and surface water management provisions associated with applications for major development. This guidance should be referred to for further details about our submission requirements.

The County Council would also highlight that the proposal is in an area which is identified as "Water Stressed" and that the impact on the total water cycle needs to be assessed environmentally. The impacts on water supply may be significant - though the approach to surface water management could have a positive impact on water supplies. The Flood Risk Assessment and Drainage Strategy is not sufficient to provide this information. KCC would therefore recommend that Water Resources are included within the Scoping Report to provide a full assessment of the water environment.

PRoW: The County Council recommends that during construction and decommissioning phases, any works or disturbance causing flooding or damage to the PRoW surfaces must be avoided.

Chapter 12 Socio Economics

PRoW: With reference to paragraph 12.4.15, it should be acknowledged within the Environmental Statement that the PRoW network is used for Active Travel, as well as recreational/leisure use.

With reference to paragraph 12.4.16, the County Council notes that the PRoW routes listed do not form a comprehensive list. Also, an amendment should be made to clarify that AE396 is not a Public Footpath, (a highway over which the public have a right of way on foot only), but a Byway Open to all Traffic (a highway over which the public have a right of way for vehicular and all other kinds of traffic).

Paragraph 12.4.17 refers to the potential for PRoW to be affected. The County Council considers that all PRoW within the development area are likely to be affected in some way by the proposals and would therefore encourage engagement with the County Council to consider and approve matters relating to PRoW.

Figure 15, the Public Rights of Way Map, is not an extract from the Definitive Map and therefore should be used as a guide only. It also does not correspond with the PRoW listed within paragraphs 12.4.

Paragraph 12.7.6 makes reference to diverted access to PRoW routes. KCC requires clarification on this point with details of the impact on the PRoW network.

Chapter 13 Traffic and Access

Highways and Transportation: With respect to Chapter 13, the outlined methodology appears largely acceptable and KCC notes that paragraph 13.9.1 of the Scoping Report states that the proposed approach will be agreed with the Local Highway Authority. The County Council welcomes engagement on highways and transportation matters relating to the proposal.

Although KCC agrees with the majority of the methodology outlined, paragraph 13.9.4 explains that interventions for further investigation will be derived purely on % levels of uplift in traffic based on the construction phase. This will not necessarily give the whole picture of potential issues. For example, if the uplift in number of overall vehicles is reasonably low, but this number is a significant uplift in large vehicles that are not normally present in high numbers on these roads, then this can cause significant circulation issues, access problems and damage to the highway verge/private land from vehicle overrun. Likewise, even if the uplift in large vehicles as a whole across the day is not large, the timing of construction related deliveries can still cause problems when the proposal's own vehicle movements conflict with each other on narrow roads.

Considering this issue, the intervention set within Rule 1 for 30% uplift in HGVs is too high. KCC recommends that instead of a fixed threshold, the applicant should engage with KCC regarding the issue of conflicting traffic in detail. This engagement should take place once data has been obtained from the traffic surveys and the projected estimate on construction vehicle movements has been established.

There are sections of the highway network within the study area which are sufficiently narrow that two construction vehicles will not be able to pass each other and in some cases a construction vehicle and car will also not be able to pass. As such, localised widening may be necessary - where this is deliverable. Vehicle track drawings will be required to demonstrate that sufficient space is available for vehicles to pass one another along the full length of the route.

Timings for deliveries to the various areas of the project site may require management. A holding area can be used to keep large vehicles clear of the public highway while the driver can use a call back system to ensure there are no large construction vehicles exiting the site to conflict with their approach.

Without having the benefit of projected vehicle numbers, of particular concern to the County Council is the set of bends at Evegate Mill, where forward visibility is limited and the road narrows in width. This will require consideration and may require mitigation. The applicant should engage with KCC on this matter accordingly.

The area of land forming the proposal site to the southwest of Station Road/Calleywell Lane has frontage to the highway on both Station Road and Calleywell Lane. Calleywell Lane also has a section of reduced forward visibility and localised narrowing in between the two sections of site frontage on this road. It would therefore make more sense for a site access be located on Station Road and an internal haul road used to avoid this area.

Highways Condition Surveys will be required to establish whether any damage to the highway asset is caused by the development traffic. These will need to be carried out at pre-commencement and post completion stages as well as set intervals through the construction period.

There are several highway structures within the construction vehicle routing study area which may require inspection to confirm their current condition and suitability for increased use by frequent HGV traffic. The County Council can provide advice when details relating to vehicle size and numbers have been provided.

It is detailed that each site access point (existing and proposed) will be examined to establish safe visibility requirements for operation. In some cases, providing sufficient visibility may require significant cut back of boundary hedge (if present). To minimise this impact on ecology, the applicant may wish to carry out further Automatic Traffic Count (ATC) surveys at access points to establish actual driven speeds which could justify lower visibility requirements.

The County Council, as Local Highway Authority, would welcome further engagement with

the applicant on the matters raised within this response and as further details of the scheme are made available.

PRoW: With reference to paragraph 13.3.1, the use of rural lanes “C” class, as access from the A20 during construction and decommissioning phases, gives potential conflict with pedestrians connecting across the PRoW network. Appropriate safety measures are therefore essential along these routes.

Chapter 14 Noise

PRoW: The County Council would consider that the potential for noise impact on the PRoW network should be assessed, especially during the construction and decommissioning phases, where the impact on the PRoW network is likely to be greater.

Chapter 16 Cumulative Effects

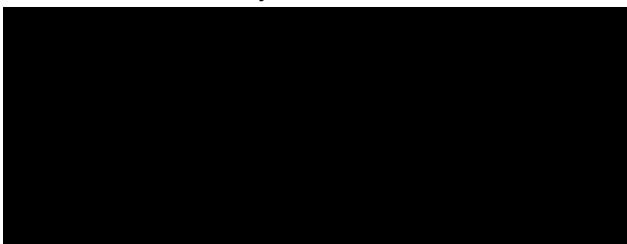
PRoW: The proposal will have significant and far-reaching impact on the PRoW network, giving rise to disruption of use over a lengthy time period, this is combined with the cumulative increase of pressure and demand on the network from growth both within Ashford the borough of Ashford and district of Folkestone and Hythe, particularly the Otterpool Park development. Therefore, the County Council is seeking mitigation in terms of improvements, higher rights and connectivity across the wider area.

This proposal will transform the character of the area and have a significant impact on the PRoW network, causing disruption to path users during the construction period, affecting the experience of path users during the operational phase and during decommissioning. However, with careful planning, engagement with KCC as Local Highway Authority and appropriate mitigation, it is hoped that negative impacts can be identified early and addressed.

Going forward, the KCC would welcome further engagement to consider the impacts and potential network improvements which could be delivered through the project to enhance the legacy of the proposal.

KCC would welcome further opportunities to engage with the applicant throughout the progression of the proposal. If you require further information or clarification on any matter in this letter, then please do not hesitate to contact the County Council.

Yours faithfully,





The Planning Inspectorate
Environmental Services
Central Operations



Kent Downs AONB Unit
West Barn
Penstock Hall Farm
Canterbury Road
East Brabourne
Ashford, Kent TN25 5LL
Tel: [REDACTED]
mail@kentdowns.org.uk
www.kentdowns.org.uk

Sent by email to:
stonestreetgreensolar@planninginspectorate.gov.uk

20 April 2022

Dear Sir/Madam,

EN010135-000006

Application by Evolution Power Limited (the Applicant) for an Order granting Development Consent for the Stonestreet Green Solar (the Proposed Development).

Scoping consultation

Thank you for your consultation on the above application. The following comments are on behalf of the Kent Downs AONB Unit and as such are at an officer level and do not necessarily represent the comments of the whole AONB partnership. The legal context of our response and list of AONB guidance is set out at Appendix 1 below.

The AONB Unit generally agrees with the proposed methodology for assessing impacts on the landscape and views set out in the Scoping Report.

Paragraph 9.2.5 refers to policies from Ashford's Local Plan that may be of relevance, but erroneously misses Policy ENV3b – which sets out criterion for assessing all proposals within or affecting the setting of AONBs.

It will be important for the ES to consider impacts on the Kent Downs AONB; we therefore welcome the inclusion of proposed viewpoints within the AONB and are in general agreement with the three that are proposed (including the additional one suggested by Ashford Borough Council on the North Downs Way). Assessment of impact on views should also consider views towards the AONB, particularly from the south looking northwards towards the North Downs scarp. Potential impacts on the landscape character of the setting of the AONB, should also be assessed, in particular in respect of the area east of Goldwell Lane.

We would like to see the provision of visualisations of the proposal such as photomontages or wireframes within the EIA. These would aid in the assessment of the potential impacts of the scheme from viewpoints rather than just rely on panorama photographs which only show the baseline conditions.

Anglesey
Arnside and Silverdale
Blackdown Hills
Cannock Chase
Chichester Harbour
Chilterns
Clwydian Range
Cornwall
Cotswolds
Gower
Cranbourne Chase and
West Wiltshire Downs
Dedham Vale
Dorset
East Devon
Forest of Bowland
Howardian Hills
High Weald
Isle of Wight
Isles of Scilly
Kent Downs
Lincolnshire Wolds
Llyn
Malvern Hills
Mendip Hills
Nidderdale
Norfolk Coast
North Devon
North Pennines
North Wessex Downs
Northumberland Coast
Quantock Hills
Shropshire Hills
Solway Coast
South Devon
Suffolk Coast and
Heaths
Surrey Hills
Tamar Valley
Wye Valley

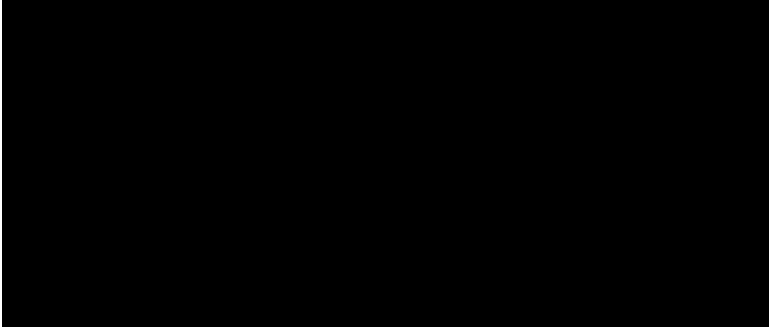


Enhancing landscapes and life in the Kent Downs

The Kent Downs AONB Joint Advisory Committee (JAC) promotes and co-ordinates the conservation and enhancement of the Kent Downs AONB. Funding is provided by DEFRA, Kent County Council and the local authorities of Ashford, Bromley, Canterbury, Dover, Gravesham, Medway, Maidstone, Sevenoaks, Shepway, Swale and Tonbridge & Malling. Other organisations represented on the JAC include Natural England, the Environment Agency, Country Land and Business Association, National Farmers Union, Kent Association of Parish Councils and Action with Communities in Rural Kent.

Relevant Kent Downs AONB publications which should be used to help inform the assessment include the AONB Unit's Position Statements on [Setting](#) and [Renewable Energy](#), our [Colour Guidance](#) and [Landscape Design Handbook](#) and the recently adopted [Management Plan, 2021 - 2026](#).

In addition, the AONB Unit has recently undertaken an Update to the Kent Downs AONB Landscape Character Assessment. This is yet to be formally published, however I'd be happy to provide the relevant sections of this.



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APPENDIX 1

Planning consultations with the Kent Downs AONB Unit

Background and context:

The Kent Downs Area of Outstanding Natural Beauty partnership (which includes all the local authorities within the AONB) has agreed to have a limited land use planning role. In summary this is to:

- Provide design guidance in partnership with the Local Authorities represented in the AONB.
- Comment on forward/strategic planning issues-for instance Local Development Frameworks.
- Be involved in development management (planning applications) in exceptional circumstances only, for example in terms of scale and precedence.
- Provide informal planning advice/comments on development control (planning applications) at the request of a Kent Downs AONB Joint Advisory member and /or Local Authority Planning Officer.

The Countryside and Rights of Way Act 2000

The primary legislation relating to AONBs is set out in the Countryside and Rights of Way Act 2000. Section 85 of this Act requires that in exercising any functions in relation to land in an AONB, or so as to affect land in an AONB, relevant authorities, which includes local authorities, shall have regard to the purpose of conserving and enhancing the natural beauty of the AONB. This is known as the 'Duty of Regard'. The Duty of Regard can be demonstrated by testing proposals against the policies set out in the Kent Downs AONB Management Plan and its supporting guidance (see below).

Relationship of the AONB Management Plan and Development Management

The CRoW Act requires that a management plan is produced for each AONB, and accordingly the first Kent Downs AONB Management Plan was published in April 2004. The third revision Management Plan (2021-2026) has been formally adopted by all the local authorities of the Kent Downs. The Management Plan may be viewed on the Kent Downs web site:

<https://explore-kent-bucket.s3.eu-west-1.amazonaws.com/uploads/sites/7/2021/11/16141210/The-Kent-Downs-AONB-Management-Plan-2021-2026-Adopted.pdf>

Under the CRoW Act, the Management Plan is required to 'formulate the (Local Authority) policies for the management of the AONB and for carrying out their

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functions in relation to it'. The policies of the Kent Downs AONB Management Plan are therefore the adopted policies of all the Local Authorities in the Kent Downs.

The national Planning Policy Guidance confirms that AONB Management Plans can be a material consideration in planning decisions and this view is confirmed in previous appeal decisions, including APP/U2235/W/15/3131945, Land west of Ham Lane, Lenham, Maidstone, where at para 48 of the Inspectorate's decision letter, it is confirmed that "the Kent Downs AONB Management Plan April 2014 (the Management Plan) is also a further significant material consideration". The decision can be downloaded at:

<https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3131945>

Any Kent Downs AONB Unit response to consultations on planning applications will reflect the policies of the Management Plan along with other Kent Downs AONB produced guidance which help support the delivery of the policies of the Management Plan, as set out below.

Other Kent Downs AONB Guidance

[Kent Downs AONB Guidance on the selection and use of colour in development – Guidance](#)

The purpose of this guidance is to provide guidance on the selection and use of colour for building development within the AONB and its setting. 'Development' includes any building work, ranging from home extensions and conversions through to house building, agricultural and industrial premises, and retail and office buildings. It also includes infrastructure developments associated with transport, flood defences, power generation and distribution, communications and other utilities.

[Kent Downs Landscape Design Handbook](#)

Design guidance based on the 13 landscape character areas in the Kent Downs. Guidance is provided on fencing, hedges, planting, gateways etc. to help the conservation and enhancement of the AONB.

[Kent Downs Renewable Energy Position Statement](#)

Provides a clearly articulated position for the Kent Downs AONB partnership with regards to renewable energy technologies. It recognises that each Local Planning Authority must balance the impact of proposals for renewables on the AONB with all the other material planning considerations.

[Kent Rural Advice Service Farm Diversification Toolkit](#)

Guidance on taking an integrated whole farm approach to farm developments leading to sound diversification projects that benefit the Kent Downs.

[Kent Downs Land Manager's Pack](#)

Detailed guidance on practical land management from how to plant a hedge to creating ponds and enhancing chalk grassland.

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[Rural Streets and Lanes - A Design Handbook](#)

Guidance on the management and design of rural lanes and streets that takes the unique character of the Kent Downs into account. This document discusses the principle of shared space and uses examples from around the UK and Europe. The Handbook has been adopted by Kent County Council as policy.

[Managing Land for Horses](#)

A guide to good practice on equine development in the Kent Downs, including grassland management, fencing, trees and hedges, waste management and basic planning information.

[Kent Farmstead Guidance and Kent Downs Farmstead Guidance](#)

Guidance on the conservation, enhancement and development change of heritage farmsteads in the Kent Downs based on English Heritage's Kent and National Character Area Farmstead Statements. Includes an Assessment method and Design Guidance.

[Kent Downs Setting Position Statement](#)

An advisory document providing guidance on issues of setting including the legislative basis for considering setting, identification of where setting is likely to be an issue and provision of advice on how to mitigate potential impacts.

The NPPF and AONBs

National planning policies are very clear that the highest priority should be given to the conservation and enhancement of Areas of Outstanding Natural Beauty. The NPPF confirms that AONBs are equivalent to National Parks in terms of their landscape quality, scenic beauty and their planning status.

Paragraph 176 of the revised NPPF specifies that 'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.' It is advised that the scale and extent of development within AONBs should be limited and at paragraph 177 that major developments should be refused in AONBs except in exceptional circumstances and where it can be demonstrated that they are in the public interest. No definition is given as to what constitutes major development within an AONB, however a footnote to this paragraph states that this is 'a matter for the relevant decision taker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined'.

NPPF paragraph 11 explains the presumption in favour of sustainable development. For decision-making this means that proposals in accordance with the development plan should be approved. Part d says that where there are no relevant development plan policies or the relevant ones are out of date (for instance in applications involving new housing where there are housing supply or delivery deficits) then permission should be granted unless:

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- “i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

Areas of Outstanding Natural Beauty are listed in footnote 7 and the most relevant paragraphs in the Framework are 176 and 177. A recent court of appeal case¹ confirms that, if a proposal causes harm to an AONB sufficient to refuse planning permission if there were no other considerations, then the presumption in favour (or ‘tilted balance’ expressed in ii) above) should be disengaged. The decision-maker should therefore conduct a normal planning balancing exercise, applying appropriate weight to each consideration, to come to a decision. This will of course include giving great weight to the AONB as required by NPPF 176.

¹ Monkhill Limited vs Secretary of State for Housing, Communities and Local Government and Waverley Borough Council Case No: C1/2019/1955/QBACF

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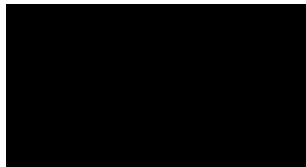


Kent Fire &
Rescue Service

together

To
The Planning Inspectorate
Environmental Services
Central Operations
Temple Quay House
2 The Square
Bristol
BS1 6PN

Contact



Our ref
CAS-043383
Your ref
EN010135-000006
Date
16/05/2022

Dear Planning Inspectorate,

Building Regulations and Fire Safety Consultation Response

Re: Application by Evolution Power Ltd, Scoping Application, Land North of the village of Aldington predominantly within administrative areas of Ashford Borough Council (ABC) and Kent County Council (KCC).

I have examined the publically available report detailing the proposed building works.

Report applicable:

- Stone Street Green Solar Environmental Impact Scoping Report- Planning Inspectorate Reference EN010135 April 2022.

The drawings show details of: Proposed construction, operation, maintenance and decommissioning of a renewable energy generating project (Anticipated start of build 2025).

Kent Fire and Rescue Service would expect to be consulted on any proposed renewable energy facility either through formal building consultation or from stakeholders and developers sharing information at an early stage. The Fire and Rescue Act 2004 notes the importance of facilitating information of known risks in a timely manner which allows the service to plan and exercise its functions across Kent.

If the proposed renewable energy facility is being designed with permanent buildings the consultation would be reviewed in the normal manner against either:

- Approved Document B : Volume 2: Buildings other than dwellings 2019 edition which includes B5 Access for Vehicle Access and Facilities for Firefighters
- British Standard 9999 2017 edition



If this is the case, KFRS would expect to receive plans and documentation including fire risk assessments via FET@kent.fire-uk.org in the normal manner from a Building Control body or via an Approved Inspector.

Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.

As a preferred position KFRS always seek early engagement with developers within the County.

Therefore in advance of any building works the following comments should be shared with the applicant as early as possible. This is common practice with any new infrastructure project of this nature and includes green energy facilities which this scoping application falls within.

Water Services:

When reviewing applications for new buildings, extensions to existing premises, change of use on sites or green energy facilities the Authority will make requests and recommendations to the developer utilising appropriate legislation (Fire Services Act 2004, building regulations etc.) and guidance (National Guidance on the provision of water for firefighting, 2007) to ensure sufficient water is available for firefighting.

Locations, types and specifications of required water supplies such as fire hydrants and Emergency Water Supplies (EWS) will be recommended by the Authority following a risk assessment. The Authorities water services department should be consulted during this process. The water services department will work with the developer to achieve a sufficient water supply and work with them to find alternative solutions should the previously mentioned provisions not be deemed suitable.

Please ensure all plans are shared with or water services department on water.services@kent.fire-uk.org

Risk Information Team

The Risk Information Team (RIT) is responsible for the gathering, providing, sharing, and maintaining of Site Specific Risk Information (SSRI) for the purpose of assisting operational crews when attending an incident. The SSRI provided by the RIT is used not only during incidents but also in training and includes the need to better understand new technologies and any associated risks as products develop.



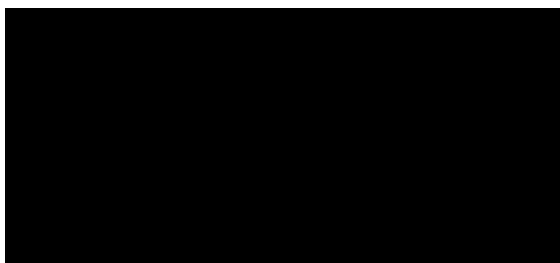
Kent Fire &
Rescue Service

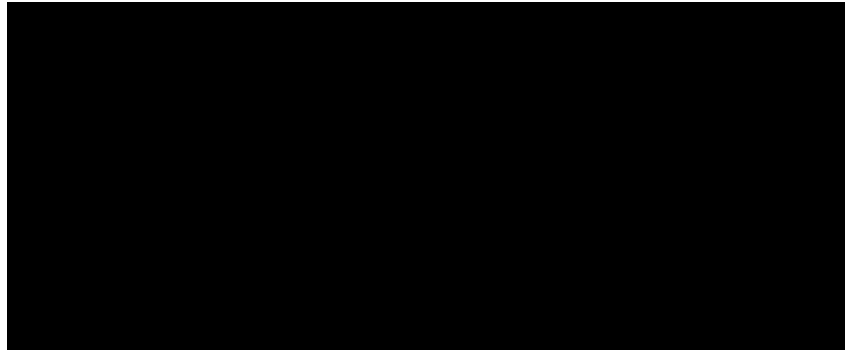
together

The developer should engage with (RIT) as early as possible to discuss any proposed fire prevention strategies, fire prevention plans or environmental planning or permitting requirements pertinent to a fire or environmental response.

riskinformationteam@kent.fire-uk.org

Should you require clarification about any relevant matter contained within this letter please do not hesitate to contact me at the address above. Please be aware that the Building Safety office hours are 09:00-17:00 Monday to Friday.





Application Reference Number: 22/00986/ALA

Your Application Reference number: EN010135-000006

Date: 28 April 2022

Environmental Services,
Central Operations
Temple Quay House
2 The Square
Bristol
BS1 6PN

BY EMAIL: stonestreetgreensolar@planninginspectorate.gov.uk

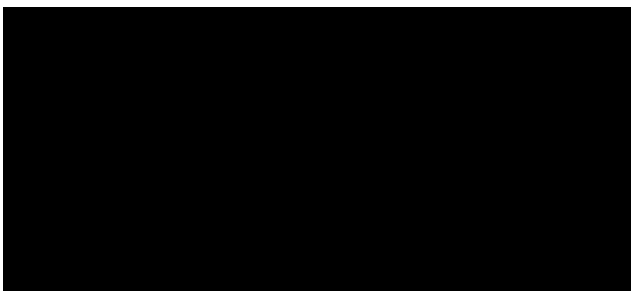
Dear 

RE: Request to the Planning Inspectorate for a Scoping Opinion: Application by Evolution Power Limited for an Order granting Development Consent for the Stonestreet Green Solar - The Applicant has asked the Planning Inspectorate on behalf of the Secretary of State for its opinion (a Scoping Opinion) as to the information to be provided in an Environmental Statement (ES) relating to the Proposed Development. The proposal being for the construction, operation and maintenance, and decommissioning of a renewable energy generating project (solar) on approximately 189 HA of land located to the north of the village of Aldington and predominantly within the administrative areas of Ashford Borough Council and Kent County Council

Thank you for consulting us on the above.

Having assessed the application documents we confirm that the London Borough of Bexley do not have any comments.

Yours sincerely,



Decision Notice

MC/22/0981



██████████
The Planning Inspectorate
Environmental Services
Central Operations
Temple Quay House
2 The Square
Bristol, BS1 6PN

Applicant Name:
Evolution Power Limited

Planning Service
Physical & Cultural Regeneration
Regeneration, Culture, Environment &
Transformation
Gun Wharf
Dock Road
Chatham
Kent
ME4 4TR

██████████
Planning.representations@medway.gov.uk

Town and Country Planning Act 1990

Location: Stonestreet Green Solar Project, Land To The North Of The Village Of Aldington And Predominantly Within The Administrative Areas Of Ashford Borough Council And Kent County Council, , ,

Proposal: Scoping consultation under The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) - regulations 10 and 11 - for a scoping opinion for the proposed construction, operation and maintenance, and decommissioning of a renewable energy generating project on approximately 189 hectares of land, the proposed development will include solar photovoltaic.

I refer to your letter of consultation regarding the above and would inform you that the Council **RAISES NO OBJECTION** to it.

- 1 Medway Council raise no objections to the scoping report on the basis that the development would be unlikely to have direct or significant impact on the Medway Council administrative area, but would reserve the right to comment in the event of a planning application being submitted for any development on the site.

Your attention is drawn to the following informative(s) :-

1 This comment relates to the letter dated 20 April 2022 [REDACTED]
[REDACTED] The Planning Inspectorate on behalf of the Secretary of State.

[REDACTED]

[REDACTED]

Date of Notice 11 May 2022

**TOWN & COUNTRY PLANNING (APPEALS) (WRITTEN REPRESENTATIONS)
(ENGLAND) (AMENDMENT) (REGULATIONS 2013)**

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks** from the date of this notice for appeals being decided under the **Commercial Appeals Service** and **6 months** from the date of this notice for all other **minor and major applications**.
 - However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:
 - **28 days** from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
 - **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).
 - Appeals must be made using a form which you can obtain from the Planning Inspectorate by contacting Customer Support Team on 0303 444 50 00 or to submit electronically via the Planning Portal at

https://www.planningportal.co.uk/info/200207/appeals/110/making_an_appeal

Commercial Appeals Service

- This type of appeal proceeds by way of written representations, known as the "Commercial Appeals Service". Third parties will not have the opportunity to make further representations to the Planning Inspectorate on these.

All other Minor and Major Applications

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the

proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based on their decision on a direction given by him.

Purchase Notes

- If either the Local Planning Authority or the Secretary of State refuses permission to development land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Stonestreet Solar EIA Scoping Assessment, response from Mersham PC

Agricultural Land and Soils

Agricultural Land Classification is summarised as 18.23% is Subgrade 3a and 75.09% is Subgrade 3b. Having seen these fields in use growing crops we know these to be good grade agricultural soils. Draft National Policy Statement for renewable Energy says that the preference is for solar development on brownfield and non-agricultural and should avoid the use of Best and Most Versatile Land which includes Subgrade 3a.

The PV panels are 0.8m above the ground and it is proposed that this would allow grass to grow and sheep livestock to graze and so agricultural use will continue. An assessment is required to determine the validity of this statement as the average height of a sheep is 120cm. It is not appropriate to scope agricultural lands and soils out.

The decommissioning of the land after the 40 year time frame is not addressed.

Air Quality

The size of the development and the limited time allowed for the development of just 12 months suggests a very intense period of construction so the dust and noise assessment during construction is essential. The proximity of CTRL and M20 (both sources of dust) means that the cumulative effect of dust must be taken into account and it is not appropriate to scope this out.

Major Accidents

The assessment says there is limited potential for fire as a result of energy storage. While there is no reason to believe that the fire risks associated with PV systems are any greater than those associated with other electrical equipment, PV systems are now more common and it is therefore important that any risks associated with PV installations are more widely understood and minimised so cannot be scoped out.

Due to the impact of the M20 and the complexity of inter-related events like Operation Brock, the Parish Council is concerned about the issue of major accidents as the site is so near to the local infrastructure.

The Parish Council would like to see planning for multiple events that could happen as the parish of Mersham have witnessed with their proximity to the IBF.

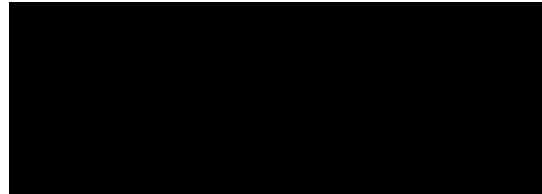
Glint and Glare

It is noted that Glint and Glare is only being assessed on road, rail and aircraft. However, glint and glare should be assessed on local residents and from vantage points from PROWs including North Downs ANOB. Long distance views of the site from the Kent Downs ridgeline mean that views of the application site are visible. There is potential for adverse glint and glare on nearby residential properties so a detailed assessment is required on all receptors so cannot be scoped out.

It is inappropriate to scope out the East Stour River in view of its significance (a Habitat of Principal Importance). The risk of increased run off from now exposed ground can cause erosion and pollution into the East Stour with resultant downstream flooding risk. The Stodmarsh assessment must include the fact that proposed livestock grazing will require fertilizer to encourage grass growth and there will be run-off from that and from the livestock itself near to the East Stour.

Traffic and Access

The proposed access route during construction via A20 / Station Road junction needs to be assessed carefully due to the crash history at that crossroads. A number of abnormal traffic movements can be expected and speed of traffic movements at that junction can be problematic at times.



Direct tel: [REDACTED]

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
stonestreetgreensolar@planninginspectorate.gov.uk

12 May 2022

Dear Sir/Madam

**APPLICATION BY EVOLUTION POWER LIMITED (THE APPLICANT) FOR AN ORDER
GRANTING DEVELOPMENT CONSENT FOR THE STONESTREETGREEN SOLAR PROJECT**

SCOPING CONSULTATION RESPONSE

I refer to your letter dated 20th April 2022 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET).

Having reviewed the consultation report, I would like to make the following comments regarding NGET infrastructure within or in close proximity to the current red line boundary.

Electricity Transmission Infrastructure

NGET has a high voltage electricity overhead transmission line and an electricity substation within or in close proximity to the scoping area. The overhead line and substation form an essential part of the electricity transmission network in England and Wales.

Overhead Line

- VO 400kV Dungeness – Sellindge 1
Dungeness – Sellindge 2

Substation

- Sellindge 400kV substation and associated apparatus and cables

I enclose a plan showing the location of NGET's assets.

Specific Comments

- NGET's Overhead Lines are protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. NGET recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004)
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 “Avoidance of Danger from Overhead Electric Lines” and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum “sag” and “swing” and overhead line profile (maximum “sag” and “swing”) drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.
- NGET high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide NGET full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with NGET prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with NGET prior to any such changes in both level and construction being implemented.

To view the SSW22 Document, please use the link below:

Please see further guidance on working near NGET assets at the following link:

<https://www.nationalgrid.com/electricity-transmission/document/82926/download>

Further Advice

We would request that the potential impact of the proposed scheme on NGET's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.

Where any diversion of apparatus may be required to facilitate a scheme, NGET is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by NGET. Further information relating to this can be obtained by contacting the email address below.

Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGET apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.

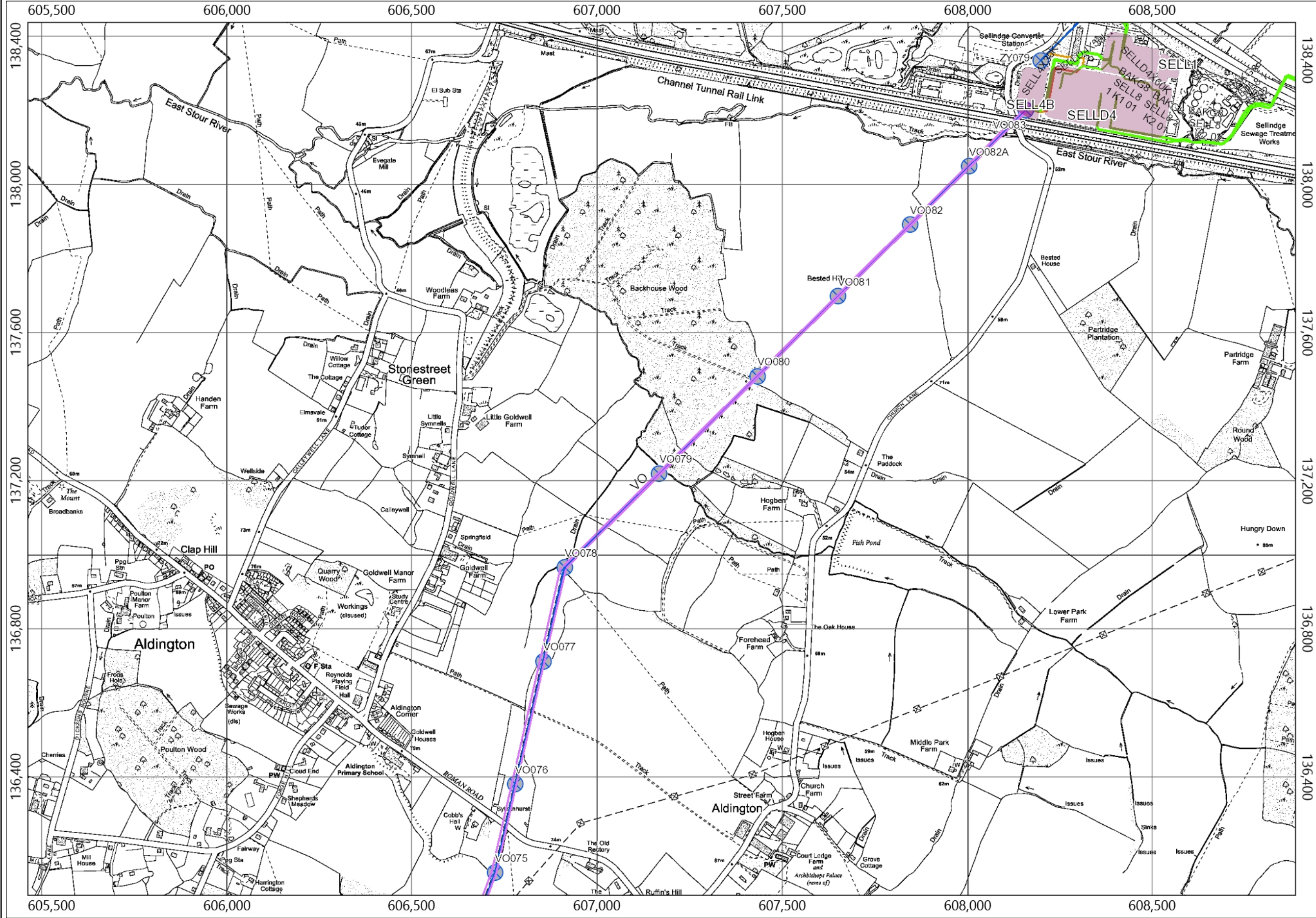
NGET requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: box.landandacquisitions@nationalgrid.com

I hope the above is useful. If you require any further information please do not hesitate to contact me.

The information in this letter is provided notwithstanding any discussions taking place in relation to connection with electricity customer services.

Yours faithfully





- Legend:**
- Substations Commissioned
 - Circuits
 - Commissioned
 - Decommissioned Group
 - Planned and Spares
 - OHL 400kv Commissioned
 - OHL 275kv Commissioned
 - OHL 132kv & Below Commissioned
 - Towers Commissioned
 - Buried Cable Commissioned
 - Fibre Cable Commissioned
 - Pilot Cable
 - Pillar
 - Oil Tank
 - Link Box
 - Gauge
 - Joint Bay
 - Cable Joint
 - Oil Pipe
 - Cooling Pipe
 - Cooling Station
 - RAMM
 - Cable Tunnel
 - Gas Operational Boundary
 - Gas Site Boundary
 - Trial Hole
 - Vantage Point
 - Aerial Marker Post
 - Pipe Crossing Point
 - CP Test Post
 - Transformer Rectifier
 - Pipeline Crossing
 - Sleeve
 - Nitrogen Sleeve
 - Other Sleeves
 - Pipe Line Control Point
 - Named Pipeline Section
 - River Crossings

Notes:
 Stonestreet Green Solar Project NGET Asset Plan

0 0.25 0.5 Kilometers

OS Disclaimer: Background Mapping information has been reproduced from the Ordnance Survey map by permission of Ordnance Survey on behalf of The controller of Her Majesty's Stationery Office. ©Crown Copyright Ordnance Survey National Grid UK Ltd -0100059731

Date: 04/05/2022
 Time: 16:24:36

Page size: A3 Landscape Scale: 1: 10,000
 Print by: **Holdsworth, Anne**



NG Disclaimer: National Grid UK Transmission. The asset position information represented on this map is the intellectual property of National Grid PLC (Warwick Technology Park, Warwick, CV346DA) and should not be used without prior authority of National Grid.

Note: Any sketches on the map are approximate and not captured to any particular level of precision.

From: [REDACTED]
To: [Stonestreet Green Solar Project](#); info@stonestreetgreensolar.co.uk
Cc: [Planning SE](#); [Spatial Planning](#); transportplanning@dft.gov.uk
Subject: [REDACTED]: National Highways response (our ref #16635) re EN010135 - Stonestreet Green Solar - EIA Scoping Notification and Consultation
Date: 18 May 2022 16:55:39
Attachments: [image003.png](#)
[image002.png](#)
[Statutory Consultation Letter.pdf](#)

For attention of:	[REDACTED]
Site:	Land located to the north of the village of Aldington and predominantly within the administrative areas of Ashford Borough Council ('ABC') and Kent County Council ('KCC').
Proposal:	Application by Evolution Power Limited (the Applicant) for an Order granting Development Consent for the Stonestreet Green Solar (the Proposed Development). Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested
Your Reference:	EN010135
National Highways' Reference:	#16635

[REDACTED]

[REDACTED] regarding the above referenced EIA Scoping Notification and Consultation; seeking a response no later than 18 May 2022.

National Highways (formerly Highways England) has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Within National Highways, the Spatial Planning Team act as the statutory consultee on behalf of the Department for Transport Secretary of State. We will be concerned with proposals that have the potential to impact on the safe, reliable and/or efficient operation of the SRN (the tests set out in DfT C2/13, especially paras 8 to 11 and MHCLG NPPF2021 especially paras 110 to 113), in this case particularly within the vicinity of the M20 at and between Ashford and Folkestone, by virtue of

- a. The traffic attracted to, generated by or rerouted as a result of proposals and/or

- b. the construction, operation or maintenance of a site adjacent to or in close proximity to the SRN.

Given our roles and responsibilities, and those of other statutory consultees, we have no comments on whether an EIA is required; but if it is, it should be compatible and consistent with any Transport Assessment (TA)/ Transport Statement (TS) for the application site.

In this context, we note the following:

With regards (b)

1. The site is located in the vicinity of Aldington Village, south of HS1 and hence at some distance (approx. 750m-1km) from the SRN
2. Therefore, we have no requirements or comments in terms of any impacts on our assets, nor on the operation of our network (for example by virtue of site lighting, or any glint, glare or distraction risk).

With regards (a)

3. The construction phase is suggested to generate, on average, less than 50 HGV movements per day, the operational phase less than 2 vehicle movements per day and decommissioning phase less than 50 HGV movements per day.
4. Some abnormal loads movements (for example, transformers) will be required
5. Routing for all movements is proposed to be via M20J10a
6. The TA/TS will mainly focus on the Kent County Highways network in the vicinity of the site
7. Therefore, we have no requirements or comments in terms of any impacts arising from traffic associated with the proposals at this time that may impact on the Scoping decision . We will be content
 - for any abnormal loads to be dealt with by the standard roadspace booking process.
 - to review any TA/TS details in due course
 - to review the CEMP/CTMP details in due course

If you or any other party have any queries regarding our response, please contact us at planningse@nationalhighways.co.uk .

Regards



Web: www.nationalhighways.co.uk

From: [NATS Safeguarding](#)
To: [Stonestreet Green Solar Project](#)
Cc: [NATS Safeguarding](#)
Subject: RE: EN010135 - Stonestreet Green Solar - EIA Scoping Notification and Consultation
Date: 22 April 2022 13:41:30
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours Faithfully

NATS

NATS Safeguarding

D: [REDACTED]

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL

www.nats.co.uk



Date: 18 May 2022
Our ref: 390056
Your ref: EN010135-000006



stonestreetgreensolar@planninginspectorate.gov.uk

BY EMAIL ONLY

Consultations
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T [REDACTED]

Dear [REDACTED]

Environmental Impact Assessment Scoping consultation (Regulation 15 (4) of the Town and Country Planning EIA Regulations 2017): Stonestreet Green Solar Project - proposed construction, operation and maintenance, and decommissioning of a renewable energy generating project on approximately 189ha.

Location: Land located to the north of the village of Aldington, Ashford, Kent.

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 20 April 2022 which we received on 20 April 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities based on relevant and up to date environmental information should be undertaken prior to a decision on whether to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

Further information required to determine impacts in relation to designated sites and protected landscapes

As submitted, the application could have potential significant effects on:

- The Kent Downs Area of Outstanding Natural Beauty (AONB)
- Dungeness, Romney Marsh and Rye Bay Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar site
- Folkestone to Etchinghill Escarpment Special Area of Conservation (SAC)
- Stodmarsh Special Area of Conservation, Special Protection Area and Ramsar site
- Wye and Crundale Downs Special Area of Conservation
- Hatch Park SSSI
- Gibbins Brooks SSSI
- Ancient woodland: Park Wood; Backhouse Wood; Round Wood; Burch's Rough; Blackthorn Wood; Handen Wood; Blackthorn Wood; Poulton Wood and Tilelodge Wood

In order for Natural England to be able to determine the significance of these impacts and the scope for mitigation, the following information is required:

- Further information on the landscape and visual impacts that will result from the proposed development from key areas within the Kent Downs AONB
- Further information to demonstrate development of agricultural land is to be necessary
- Two full seasons of bird survey in regard of potential functionally linked land to Dungeness, Romney Marsh and Rye Bay SSSI, SPA and Ramsar site
- An updated detailed traffic generated air quality assessment to understand whether the proposal will result in impacts to the Folkestone to Etchinghill Escarpment SSSI and SAC, Hatch Park SSSI and Gibbins Brooks SSSI sites in-combination with other plans or projects

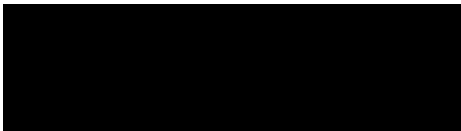
Without this information, Natural England may need to object to the proposal; once this information is available, please re-consult Natural England and we will be pleased to provide further advice.

Natural England's further advice on designated sites / landscapes and advice on other issues is set out below

Further guidance is set out in Planning Practice Guidance on [environmental assessment, natural environment and climate change](#).

We look forward to working with the applicant as the scheme progresses towards the development consent order submission to ensure that our advice is fully incorporated into the environmental statement. Should the applicant want to discuss any of our comments in advance of submitting their application, we would be pleased to provide this on a cost recovery basis as part of Natural England's Discretionary Advice Service.

Yours sincerely,



Annex A – Natural England Advice on EIA Scoping

General Principles

Natural England notes that the overarching National Policy Statement (NPS) for Energy (EN-1) is being updated and is likely to be adopted shortly. Whilst Natural England has referred to the currently adopted NPS' relevant to this application, our advice is that the application documents should fully reflect the relevant Policy Statements that are current at the time of submitting the Development Consent Order (DCO).

[Schedule 4](#) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- A non-technical summary of the information
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information

Further guidance is set out in Planning Practice Guidance on [environmental assessment](#) and [natural environment](#).

Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the

development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Natural England notes that only one development is proposed to be considered as part of the cumulative assessment for the development, the proposed solar farm located on land to the south of M20 and south of railway line to the east and west of, Church Lane, Aldington (Table 16.1 of the Scoping Report). Natural England would recommend that the Otterpool Garden Park development (Y19/0257/FH) which lies to the east of the proposed Development Consent Order boundary should form part of the cumulative assessment of impacts to landscape and ecological receptors. There may be other developments within the boroughs of Ashford and Folkestone and Hythe which should also form part of the cumulative assessment and we would recommend that advice is sought from the local planning authorities.

Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at www.magic.gov.uk.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

Biodiversity and Geodiversity

General principles

The National Policy Statements for Energy (EN-1, EN-3 and EN-5) sets out how to take account of interests in planning decisions for: Habitats and Species Regulations (section 4.3); Air Quality (section 5.2); Biodiversity and Geodiversity (section 5.3); Landscape and Visual (section 5.9) and Land-Use (section 5.10). Further guidance is set out in National Policy Statements for Energy on the [National Policy Statements](#)

The [National Planning Policy Framework](#) (paragraphs 174-175 and 179-182) sets out how to take account of biodiversity and geodiversity interests in planning decisions. Further guidance is set out in Planning Practice Guidance on the [natural environment](#).

The potential impact of the proposal upon sites and features of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment.

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Local planning authorities have a [duty](#) to have regard to conserving biodiversity as part of their decision making. Conserving biodiversity can include habitat restoration or enhancement. Further information is available [here](#).

Designated nature conservation sites

Internationally important sites

The ES should thoroughly assess the potential for the proposal to affect nationally and internationally designated sites of nature conservation importance, including marine sites where relevant. European sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'). In addition paragraph 181 of the National Planning Policy Framework (NPPF) requires that potential SPAs, possible SAC, listed or proposed Ramsar sites, and any site identified or required as compensatory measures for adverse effects on habitat (European) sites, potential SPAs, possible SACs and listed or proposed Ramsar sites have the same protection as classified sites (NB. sites falling within the scope of regulation 8 of the Conservation of Habitats and Species Regulations 2017 are defined as 'habitats sites' in the NPPF).

Under Regulation 63 of the Habitats Regulations, an appropriate assessment must be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a designated site, for example by being linked hydrologically or geomorphologically.

Should a likely significant effect on a European/Internationally designated site be identified (either alone or in-combination) or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an appropriate assessment in addition to the consideration of impacts through the EIA process. Further guidance is set out in Planning Practice Guidance on appropriate assessment. <https://www.gov.uk/guidance/appropriate-assessment>

This should also take into account any agreed strategic mitigation solution that may be being developed or implemented in the area to address recreational disturbance, nutrients, or other impacts.

The scoping report highlights the potential impacts to the following sites (and their underpinning Sites of Special Scientific Interest (SSSIs):

- Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA) and Ramsar site
- Folkestone to Etchinghill Escarpment Special Area of Conservation (SAC)
- Stodmarsh Special Area of Conservation, Special Protection Area and Ramsar site
- Wye and Crundale Downs Special Area of Conservation

Dungeness, Romney Marsh and Rye Bay SSSI, SPA and Ramsar site

The applicant has scoped out potential impacts to the Dungeness, Romney Marsh and Rye Bay designated sites on the basis that no birds associated with these sites have been recorded during the ongoing surveys of the application site. Natural England normally recommends that a minimum of two full seasons of survey are provided where impacts to habitat outside of the designated site, but which may support species associated with the site, are undertaken. Section 10.73 of the scoping report details that:

'Surveys undertaken to date, which encompass the vast majority of the site, have not identified any bird species or numbers to indicate that the site is likely to be functionally linked, for the qualifying bird species or assemblages, to the SPA or Ramsar. On the basis that the remaining wintering bird surveys of the site validate the existing survey data, it is proposed to scope out an assessment of

likely significant effects from the Proposed Development upon Dungeness Romney Marsh and Rye Bay Ramsar and SPA'.

Given that surveys are ongoing, Natural England recommend that the results of these surveys should be used to inform whether the potential impacts to functionally linked land will need to be considered within the Environmental Statement and would recommend that, at present, this site is scoped in for consideration.

Folkestone to Etchinghill Escarpment SSSI and SAC

The applicant has scoped out potential traffic generated air quality impacts on the basis that the site is not currently exceeding its critical load for NOx. Where a development, either alone or in combination with other plans or projects, is likely to result in an increase of 1% of the critical load/level then further assessment should be undertaken. Given the Folkestone to Etchinghill Escarpment SAC falls within close proximity of the A20, we would recommend that further clarity on the potential transport generated air quality impacts is provided within the ES. Such an assessment should be in accordance with Natural England's NEA001 'Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations'¹

Stodmarsh SSSI, SAC, SPA and Ramsar Site

Providing there are to be no discharges to water courses within the Stour Catchment which may result in an increase in nutrients reaching the designated sites, Natural England considers that an impact is unlikely. Should discharges to water course be proposed, then Natural England would recommend that the potential impacts to the Stodmarsh designated sites should be considered within the ES.

Wye and Crundale Downs SSSI and SAC

Given the location of the SAC and the proposed construction traffic route detailed within the scoping report, Natural England considers that impacts to the Wye and Crundale Downs SSSI and SAC are unlikely to result from this proposal.

Nationally designated sites

The NPS provides the following guidance in relation to Sites of Special Scientific Interest:

5.3.10 Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. All National Nature Reserves are notified as SSSIs.

5.3.11 Where a proposed development on land within or outside an SSSI is likely to have an adverse effect on an SSSI (either individually or in combination with other developments), development consent should not normally be granted. Where an adverse effect, after mitigation, on the site's notified special interest features is likely, an exception should only be made where the benefits (including need) of the development at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs. The IPC should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.'

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 (as amended) and paragraph 180 of the NPPF. Further information on SSSIs and their special interest features can be found at www.magic.gov.

¹ Available to download from [NEA001 Advising CAs on Road Traffic and HRA June 2018 \(2\).pdf](#)

In addition to the internationally designated sites and their underpinning SSSIs above, the development site is within or may impact on the following Sites of Special Scientific Interest:

- Hatch Park SSSI
- Gibbins Brooks SSSI

Both of these sites are scoped out for consideration within the ES, based upon their distance from the application site (both being approximately 2 kilometres from the development site). From the information provided, Natural England considers that potential impacts may result and we therefore recommend that the ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are interest features of the SSSI, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a site, for example by being linked hydrologically or geomorphologically.

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geportal](#).

Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group. They are afforded protection under Section 5.3.13 of the NPS and under the NPPF (paragraph 174 and 175). The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. Contact the relevant local body for further information.

Protected Species

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#).

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

District Level Licensing for Great Crested Newts

District level licensing (DLL) is a type of strategic mitigation licence for great crested newts (GCN) granted in certain areas at a local authority or wider scale. A [DLL scheme for GCN](#) may be in place at the location of the development site. If a DLL scheme is in place, developers can make a financial contribution to strategic, off-site habitat compensation instead of applying for a separate licence or carrying out individual detailed surveys. By demonstrating that DLL will be used, impacts on GCN can be scoped out of detailed assessment in the Environmental Statement.

Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

The NPS provides helpful guidance in relation to species and habitats within Section 5.3.17:

'Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales and thereby requiring conservation action. The IPC should ensure that these species and habitats are protected from the adverse effects of development by using requirements or planning obligations. The IPC should refuse consent where harm to the habitats or species and their habitats would result, unless the benefits (including need) of the development outweigh that harm. In this context the IPC should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance which it considers may result from a proposed development.'

Ancient Woodland, ancient and veteran trees

The development site is within close proximity to the following areas of ancient woodland:

- Park Wood
- Backhouse Wood
- Round Wood
- Burch's Rough
- Blackthorn Wood

- Handen Wood
- Blackthorn Wood
- Poulton Wood
- Tilelodge Wood

Ancient woodland is an irreplaceable habitat of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Section 5.3.14 of the NPS provides a high degree of policy protection detailing that:

‘Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The IPC should not grant development consent for any development that would result in its loss or deterioration unless the benefits (including need) of the development, in that location outweigh the loss of the woodland habitat. Aged or ‘veteran’ trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons why’. Similarly, Paragraph 180 of the NPPF sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists.

Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland. In addition, the [ancient tree inventory](#) provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared [standing advice](#) on ancient woodland, ancient and veteran trees.

The ES should assess the impacts of the proposal on the ancient woodland and any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Biodiversity net gain

Paragraph 174 of the NPPF states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Biodiversity Net Gain is additional to statutory requirements relating to designated nature conservation sites and protected species.

The ES should use an appropriate biodiversity metric such as [Biodiversity Metric 3.0](#) together with ecological advice to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.

The metric should be used to:

- assess or audit the biodiversity unit value of land within the application area
- calculate the losses and gains in biodiversity unit value resulting from proposed development
- demonstrate that the required percentage biodiversity net gain will be achieved

Biodiversity Net Gain outcomes can be achieved on site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies. Opportunities for wider environmental gains should also be considered.

Landscape

Nationally Designated Landscapes

The development site is within on the setting of the Kent Downs Area of Outstanding Natural Beauty and may result in significant landscape and visual impacts.

Paragraph 5.9.12 of the NPS details that:

'The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid compromising the purposes of designation and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. This should include projects in England which may have impacts on National Scenic Areas in Scotland.'

In addition, the NPPF (paragraph 176) details that:

'...The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'

Public bodies have a duty to have regard to the statutory purposes of designation in carrying out their functions (under (section 11 A (2) of the National Parks and Access to the Countryside Act 1949 for National Parks and S85 of the Countryside and Rights of Way Act, 2000 for AONBs). [Planning Practice Guidance](#) confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Given the location of the proposed development, Natural England advise that consideration should be given to the direct and indirect effects on this designated landscape and in particular the effect upon its purpose for designation. The management plan for the Kent Downs AONB and associated documents may also have relevant information that should be considered in the EIA.

Landscape and visual impacts

The environmental assessment should refer to the relevant [National Character Areas](#). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The ES should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013* ((3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

Natural England note that a number of proposed viewpoints have been proposed for the landscape and visual impact assessment. We would welcome the opportunity to discuss these with the applicant to ensure that the landscape and visual impact assessment provides a robust consideration of the potential impacts to the Kent Downs AONB from appropriate viewpoints. The viewpoints should consider locations within the AONB including the North Downs Way National Trail, other public rights of way and areas of land public access.

Given the national importance of the Kent Downs AONB, Natural England recommends that a robust landscape and visual impact assessment is required. We recommend that photomontages during the summer and winter period (when the maximum visibility of the scheme is likely with trees not being in leaf) are provided. In addition, we recommend that detailed accurate visual representations should be provided. These should show the form the structures proposed and include detail of the materials, the finishes/colours that are to be used. For a project of this scale, we recommend that a rendered, photo-realistic montage for the viewpoints within the AONB should be provided as part of the ES.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage. As mentioned above, Natural England notes that only one development is proposed to be considered as part of the cumulative assessment for the development, the proposed solar farm located on land to the south of M20 and south of railway line to the east and west of, Church Lane, Aldington (Table 16.1 of the Scoping Report). Natural England would recommend that the Otterpool Garden Park development (Y19/0257/FH) which lies to the east of the proposed Development Consent Order boundary should form part of the cumulative landscape and visual impact assessment. There may be other developments within the boroughs of Ashford and Folkestone and Hythe which should also form part of the cumulative assessment and we would recommend that advice is sought from the local planning authorities.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

Heritage Landscapes

The ES should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at www.hmrc.gov.uk/heritage/lbsearch.htm.

Connecting People with nature

As mentioned above, the ES should consider the potential impacts to users of the North Downs Way National Trail that may result from this proposal. The National Trails website www.nationaltrail.co.uk provides further information.

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 100. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to

connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Soils and Agricultural Land Quality

Paragraph 5.10.8 of the NPS EN-1 details that:

‘Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations. Applicants should also identify any effects and seek to minimise impacts on soil quality taking into account any mitigation measures proposed. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination.’

Similarly, under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) Natural England is a statutory consultee on development that would lead to the loss of over 20ha of ‘best and most versatile’ (BMV) agricultural land (land graded as 1, 2 and 3a in the Agricultural Land Classification (ALC) system, where this is not in accordance with an approved plan.

From the description of the development this application is likely to affect 36.42 ha of BMV agricultural land (*based on information from Stonestreet Green Solar Environmental Impact Assessment Scoping Report*). We consider that the proposed development, if temporary as described, is unlikely to lead to significant permanent loss of BMV agricultural land, as a resource for future generations. This is because the solar panels would be secured to the ground by steel piles with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the appropriate soil management is employed and the development is undertaken to high standards.

However, during the life of the proposed development it is likely that there will be a reduction in agricultural production over the whole development area. Your authority should therefore consider whether this is an effective use of land in line with planning practice guidance which encourages the siting of large scale solar farms on previously developed and non-agricultural land. Paragraph 174b and footnote 53 of the [National Planning Policy Framework](#) (NPPF) states that:

‘Planning policies and decisions should contribute to and enhance the natural and local milieu by: recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.’

Footnote 53: Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. We would also draw to your attention to [Planning Practice Guidance for Renewable and Low Carbon Energy \(March 2015\)](#) (in particular paragraph 013), and advise you to fully consider best and most versatile land issues in accordance with that guidance.

Local planning authorities are responsible for ensuring that they have sufficient information to apply the requirements of the NPPF. The weighting attached to a particular consideration is a matter of judgement for the local authority as decision maker. This is the case regardless of whether the proposed development is sufficiently large to consult Natural England.

Should you have any questions about ALC or the reliability of information submitted with regard to BMV land please refer to Natural England's '[Guide to assessing Development proposals on Agricultural Land](#)'. This document describes the ALC system including the definition of BMV land, existing ALC data sources and their relevance for site level assessment of land quality and the appropriate methodology for when detailed surveys are required.

Soil is a finite resource which plays an essential role within sustainable ecosystems, performing an array of functions supporting a range of ecosystem services, including storage of carbon, the infiltration and transport of water, nutrient cycling, and provision of food. It is recognised that a proportion of the agricultural land will experience temporary land loss. In order to both retain the long term potential of this land and to safeguard all soil resources as part of the overall sustainability of the whole development, it is important that the soil is able to retain as many of its many important functions and services (ecosystem services) as possible through careful soil management and appropriate soil use, with consideration on how any adverse impacts on soils can be avoided or minimised.

In the absence of soil survey information, Natural England would advise that any grant of planning permission should be made subject to conditions to safeguard soil resources, including the provision of soil resource information in line with the Defra guidance [Code of Practice for the Sustainable Use of Soils on Construction Sites](#).

Consequently, Natural England would advise that any grant of planning permission should be made subject to conditions to safeguard soil resources and agricultural land, including a required commitment for the preparation of reinstatement, restoration and aftercare plans; normally this will include the return to the former land quality (ALC grade).

General guidance for protecting soils during development is also available in Defra's [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and should the development proceed, we recommend that relevant parts of this guidance are followed, e.g. in relation to handling or trafficking on soils in wet weather.

The British Society of Soil Science has published the Guidance Note [Benefitting from Soil Management in Development and Construction](#) which sets out measures for the protection of soils within the planning system and the development of individual sites, which we also recommend is followed.

We would also advise your authority to apply conditions to secure appropriate agricultural land management and/or biodiversity enhancement during the lifetime of the development, and to require the site to be decommissioned and restored to its former condition when planning permission expires.

The following additional guidance is provided for minerals and waste development. The ES should consider and, where appropriate, include the following:

- The methods and equipment to be used for the protection, recovery, storage, and sustainable re-use of the different types of topsoil and subsoil, including consideration of any required phasing to minimise soil handling and maximise the sustainable management of the soil.
- The method of assessing whether soils are in a suitably dry condition to be handled (i.e. dry and friable), and the avoidance of soil handling, trafficking, and cultivation during the wetter winter period.
- A description of the restoration criteria, including the proposed soil horizon depths and soil characteristics; normally to an overall depth of 1.2 m over an evenly graded overburden

layer (or, in the case of waste reclamation, an evenly graded capping layer), suitable for the proposed end-use, including the restored ALC Grade.

- The effects on land drainage, agricultural access, and water supplies, including other agricultural land in the vicinity. The impacts of the development on farm structure and viability, and on other established rural land use and interests, both during the site working period and following its reclamation.
- The restoration and aftercare of the site, in line with Chapter 17 'Facilitating the Sustainable Use of Minerals' of the NPPF.
- A detailed Restoration Plan illustrating the restored soil profile characteristics, landform and the intended standard of restoration including ALC Grade(s), together with details of surface features; water bodies; the availability of outfalls to accommodate future drainage requirements; and aftercare.

Further guidance is contained in the [Defra Guidance for Successful Restoration of Mineral and Waste Sites](#) and the Natural England guidance note [Planning and aftercare advice for reclaiming land to agricultural use](#). Reference could also usefully be made to the Institute of Quarrying (2021) [Good Practice Guide for Handling Soils in Mineral Workings](#) which comprises separate sections, describing the typical choice of machinery and methods for handling soils at various phases. The techniques described by Sheets A-D are appropriate for the successful reinstatement of higher quality agricultural land. The Natural England [Guide to reclaiming mineral extraction and landfill sites to agriculture](#) also contains useful background information.

Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg)^[1]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO_x and SO₂ against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts on air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scail.ceh.ac.uk/>
- Ammonia assessment for agricultural development <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>

[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

- Environment Agency Screening Tool for industrial emissions <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

Water Quality

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels. Further information can be obtained from the Local Planning Authority.

Climate Change

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e. what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g. to adapt to flooding, drought and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that will be adopted to address impacts.

Further information is available from the [Committee on Climate Change's \(CCC\) Independent Assessment of UK Climate Risk](#), the [National Adaptation Programme \(NAP\)](#), the [Climate Change Impacts Report Cards](#) (biodiversity, infrastructure, water etc.) and the [UKCP18 climate projections](#).

The Natural England and RSPB [Climate Change Adaptation Manual](#) (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's [Nature Networks Evidence Handbook](#) (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's [Carbon Storage and Sequestration by Habitat report](#) (2021) and the British Ecological Society's [nature-based solutions report](#) (2021) provide further information.

Contribution to local environmental initiatives and priorities

The ES should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and deliver wider environmental gains. This should include considering proposals set out in relevant local strategies or supplementary planning documents including landscape strategies, green

infrastructure strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas.

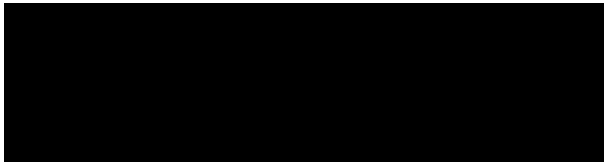
From: [ONR Land Use Planning](#)
To: [Stonestreet Green Solar Project](#)
Subject: ONR Land Use Planning - Application EN010135
Date: 29 April 2022 12:04:16
Attachments: [image001.png](#)
[image002.png](#)
[image002.png](#)
[image001.png](#)
[Statutory Consultation Letter.pdf](#)

Dear Sir/Madam,

With regard to EN010135, ONR makes no comment on this proposed development as it does not lie within a consultation zone around a GB nuclear site.

You can find information concerning our Land Use Planning consultation process here: (<http://www.onr.org.uk/land-use-planning.htm>).

Kind regards,

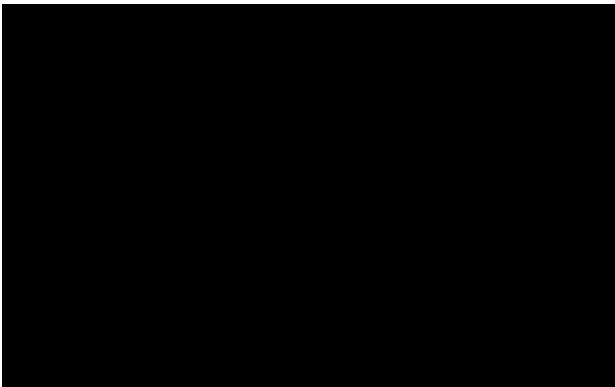


From: [REDACTED]
To: [Stonestreet Green Solar Project](#)
Cc: [REDACTED]
Subject: EN010135 - Stonestreet Green Solar - EIA
Date: 20 April 2022 09:52:28


Dear [REDACTED],

The above EIA is not in this Board's district and has no impact on it, accordingly we have no further comments to make other than it does sit in the River Stour (Kent) IDBs's district who may wish to comment.

Regards



This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please contact us.

From: 
To: [Stonestreet Green Solar Project](#)
Subject: RE: EN010135 - Stonestreet Green Solar - EIA Scoping Notification and Consultation
Date: 18 May 2022 11:18:45
Attachments: [image001.png](#)
[image003.png](#)

Dear Sir

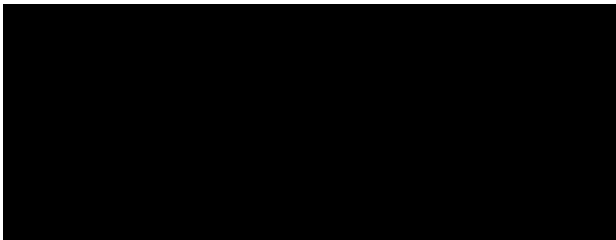
Further to your letter of the 20th of April 2022 in respect of the Stonestreet Green Solar proposal submitted by Evolution Power Limited, we would confirm that Smeeth Parish Council have carefully considered the submission documents and would comment as follows:

Whilst the Parish Council is broadly supportive of the provision of energy by means of solar arrays we do have some general concerns regarding these particular proposals, despite the fact that only a relatively small proportion of the development falls within the Parish boundary.

These concerns revolve around the very large scale of the development and the resultant considerable environmental impact; the use of a substantial amount of good quality, productive agricultural land; the uncertainty of the viability of a secondary agricultural use once the solar panels are installed; and the impact on the local transport network during the construction phase.

We are aware that both Aldington and Mersham Parish Councils have similar concerns and will be responding accordingly and we concur with and support their findings. We are also aware of the comments being put forward by Councillor Paul Bartlett, Deputy Leader of Ashford Borough Council, and we also concur with and support his submission.

Kind regards





Evolution Power Ltd
[REDACTED]
Planning Inspectorate
Environmental Services
Central Operations
Temple Quay House
2 The Square
Bristol, BS1 6PN

28 April 2022

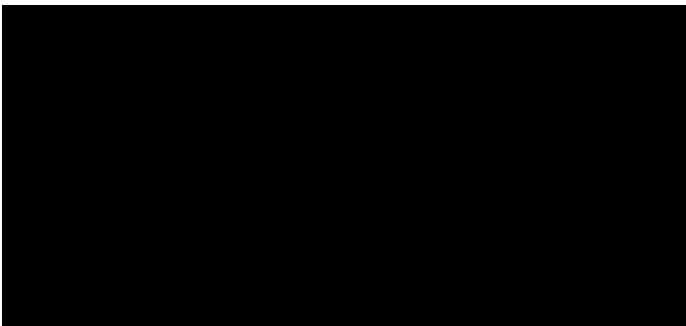
PLANNING DECISION NOTICE

APPLICANT:	Evolution Power Ltd
APPLICATION REFERENCE:	22/01193/ADJ
PROPOSAL:	Adjoining Authority Consultation: EIA Scoping Opinion - Ground mounted solar PV arrays and onsite energy storage, together with associated infrastructure and an underground cable connection to the existing National Grid Substation at Sellindge.
ADDRESS:	Land At Stonestreet Green Aldington Kent

Following consideration of your application/notification the Local Planning Authority **RAISES NO OBJECTION** to the proposal above subject to any Condition(s)/Informative(s) outlined below.

Informative(s):

- (1) Given the distance from the site to the borough of Tunbridge Wells, the development is unlikely to have an impact on the local authority's area and no objection is therefore raised.





UK Health
Security
Agency

Environmental Hazards and Emergencies Department
Seaton House, City Link
London Road
Nottingham, NG2 4LA

nsipconsultations@phe.gov.uk
www.gov.uk/ukhsa

Your Ref: EN10135
Our Ref: CIRIS 59251

[REDACTED]

[REDACTED]

The Planning Inspectorate
Environmental Services Central Operations
Temple Quay House
2 The Square
Bristol BS1 6PN

16th May 2022

Dear [REDACTED]

**Nationally Significant Infrastructure Project
Stonestreet Green Solar [EN010135]
Scoping Consultation Stage**

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up, to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from, for example, emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

Environmental Public Health

We understand that the promoter will wish to avoid unnecessary duplication and that many issues including traffic emissions, emissions to water, waste etc. will be covered elsewhere in the Environmental Statement (ES). The relevant sections should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*¹, setting out aspects to be addressed within the Environmental Statement¹. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

Recommendation

Our position is that pollutants associated with road traffic, particularly particulate matter and oxides of nitrogen are non-threshold; i.e, an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

Electromagnetic Radiation

Recommendation

We request that an adequate assessment of the possible impacts of EMF is undertaken and included in the ES.

Human Health and Wellbeing – OHID

This section of OHID's response, identifies the wider determinants of health and wellbeing we expect the ES to address, to demonstrate whether they are likely to give rise to significant

¹
<https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658>

effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

Having considered the submitted scoping report OHID wish to make the following specific comments and recommendations:

Population and Human health assessment

It is noted that population and human health will be considered within existing chapters and not form a separate chapter within the ES. Given the current knowledge of the scheme and potential impacts this appears to be a proportionate approach. This should be kept under review as more information becomes available and a separate population and human health chapter may be justified as the assessments develop.

The scoping report notes population and human health will be considered within the Traffic and Access and Noise chapters (Table 6.5), but fails to recognise the contribution of socio-economics as a health determinant.

Should no separate health chapter be produced the socio-economics chapter should include the identification of vulnerable populations. The impacts on health and wellbeing and health inequalities of the scheme may have particular effect on vulnerable or disadvantaged populations, including those that fall within the list of protected characteristics. The identification of vulnerable populations and sensitive populations should be considered. It should be noted that the existing construction vehicle routes via the A20 will be adjacent to 2 sensitive locations (Caldecott Foundation and the Caldecott SEN School)

Recommendation

Baseline health data should be provided, which is adequate to identify any local sensitivity or specific vulnerable populations. The identification of vulnerable populations should be based on the list provided by the Welsh Health Impact Assessment Support Unit² and the International Association of Impact Assessment (IAIA)³

² [WHIASU \(2020\). Health Impact Assessment – A Practical Guide](#)

³ Cave, B., Claßen, T., Fischer-Bonde, B., Humboldt-Dachroeden, S., Martín-Olmedo, P., Mekel, O., Pyper, R., Silva, F., Vilianni, F., Xiao, Y. 2020. Human health: Ensuring a high level of protection. A reference paper on addressing Human Health in Environmental Impact Assessment. As per EU Directive 2011/92/EU amended by 2014/52/EU. International Association for Impact Assessment and European Public Health Association.

Housing affordability and availability / Socio-economic assessment

The scoping report does not identify the projected numbers of construction workers required for the scheme. The presence of significant numbers of workers could foreseeably have an impact on the local availability of affordable housing, particularly that of short-term tenancies and affordable homes for certain communities. The cumulative impact assessment will need to consider this across the wider study area.

Access to accommodation for residents with the least capacity to respond to change (for example, where there may be an overlap between construction workers seeking accommodation in the private rented sector, and people in receipt of housing benefit / low paid employment seeking the same lower-cost accommodation) should be considered. It should be noted the Housing Needs Assessment for Ashford Borough Council (2020)⁴ identifies the private rented sector makes a significant contribution to meeting affordable housing needs. There are a number of infrastructure schemes proposed for the wider region, increasing the potential for non-home-based construction workers to be seeking accommodation.

Recommendation

The peak numbers of construction workers and non-home-based workers should be established and a proportionate assessment undertaken on the impacts for housing availability and affordability and impacts on any local services.

Any cumulative impact assessment should consider the impact on demand for housing by construction workers and the likely numbers of non-home based workers required across all schemes.

Traffic and Transport

It is noted that 7-day, 24-hour Automatic Traffic Count ('ATC') surveys will be completed (para 13.9.2), but it does not specify if non-motorised users will be included within the counts. The sensitivity of the local roads will in part be a function of the presence of these vulnerable road users and will assist in the proposed use of the IEMA GEART assessment. The ES should consider the potential impact of construction delays due to disruption at nearby sea-ports and the resultant traffic management along the M20 corridor. There are also related sensitivities for the A20 corridor with drivers who have had to remain in their cabs for more than four hours at a time, lacking toilet facilities and the results causing upset to local residents along the A20 road.

⁴ [Ashford Strategic Housing Market Assessment \(2014\)](#)

Recommendation

The traffic and transport assessment should assess the impacts on cyclists and horse riders, including usage data.

The ES should consider local road congestion and driver delay resulting from disruption to sea-port operations.

Yours sincerely

On behalf of UK Health Security Agency
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Please mark any correspondence for the attention of National Infrastructure Planning Administration.