The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Adequacy of Consultation Representation Proforma

Under *Section 55(4)(b) of the Planning Act 2008* (as amended) (PA2008) the Planning Inspectorate, on behalf of the Secretary of State, must take any adequacy of consultation representation (AoCR) received from a local authority consultee into account when deciding whether to accept an application for development consent, and this will be published should the application be accepted for examination.

An AoCR is defined in s55(5) in PA2008 as "a representation about whether the applicant complied, in relation to that proposed application, with the applicant's duties under sections 42, 47 and 48".

Project name	Stonestreet Green Solar Project
Date of request	12 June 2024
Deadline for AOCR	26 June 2024
Return to	stonestreetgreensolar@planninginspectorate.gov.uk

Please complete the proforma outlining your AoCR on the above NSIP.

Local Authority	Ashford Borough Council ('ABC')

In the opinion of the local authority, has the applicant complied with the legislative requirements listed below?

Please note that this is specifically about the statutory consultation(s) undertaken.

Assessment of Compliance - *Required*	
S42 Duty to consult	Yes
S47 Duty to consult local authority	Yes - but note (i) the community concerns about the quality of community consultation in the 'additional comments' section further below and (ii) comments in the 'any other comments' section further below
S48 Duty to publicise	Yes

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If you would like to give more detail on any of the above, please do so below.

Please keep it as succinct as possible and refer to facts and evidence related to consultation, rather than the merits of the application.

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Additional comments - *Not compulsory*	
S42 Duty to consult	n/a

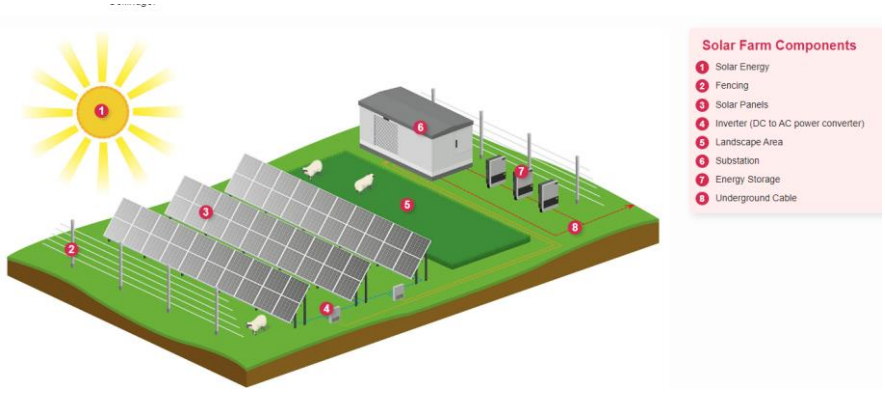
S47 Duty to consult local authority	**[A]** ABC is aware of concerns from the local community in respect of the Adequacy of Consultation issue. In accordance with Planning Inspectorate ('PINS') guidance, the following documents are therefore attached by ABC and drawn to the attention of PINS to assist its assessment as to whether to accept the application;- 1. Aldington & Mersham Support Group ('AMSG') Main Document dated 31/01/2024 ('**31-01-24 FINAL. Pdf' attached**) Summary Document dated 19/02/2024 ('**Consultation Summary Note.19.02.24.pdf' attached**) Further e-mail on AoC dated 24/06/2024 ('**AMSG e-mail on AoC – 24.06.24.pdf' attached**) **2.** Other representations from the local community All made by e-mail, copied to ABC. All redacted as appropriate and combined by ABC into x 1 pdf for ease of reference. ('**E-mails from community in respect of AoC – Stonestreet Green Solar.pdf' attached**) Two of the e-mails included the attachments below and these are also attached. Any other attachments were the AMSG Summary Document dated 19/02/24 as mentioned further above and attached with this AoC response. **'February 2024 comments on Adequacy of Consultation.pdf' attached** **'Wickens Enclosed Document.pdf' attached**

[B] ABC also wishes to draw the attention of PINS to;-

(i) the AMSG's concern that the generating capacity, being greater than the 99.9MW grid connection, was an issue that was not easily able to be both ascertained & understood by the community during the statutory consultations that the applicant carried out,

(ii) the AMSG's concern that the approach to community consultation in respect of co-located Battery Energy Storage System ('BESS') was one where some consultation information***** in respect of BESS was without a clear scale giving rise to a concern that the community might, therefore, not have fully understood that component part of the scheme during the statutory consultations that were carried out,

*(***** ABC notes the solar farm components image below and the comparative form and scale of the numbered substation and energy storage elements that are shown on the applicant's web-site ('Our Proposal')*
https://www.stonestreetgreensolar.co.uk/Our+Proposal

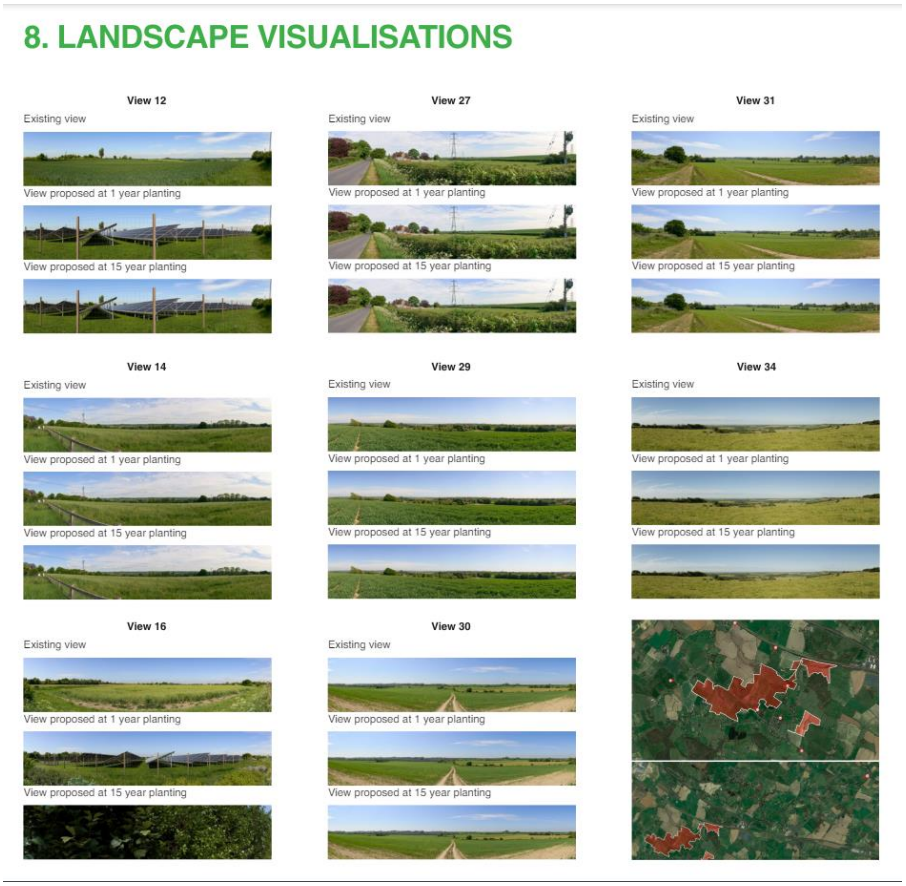


with the same graphic appearing on Page 2 of the non-statutory 'Community Information Leaflet' Spring 2022
https://www.stonestreetgreensolar.co.uk/files/image/consultation/Consultation_Leaflet.pdf)

&

(iii) the AMSG's concern that the approach taken by the applicant to the presentation of visualisations / photomontages****** was one that meant it was difficult for the community to discern the impact of the proposed development on the landscape during the two statutory consultations that were carried out.

*(****** ABC note (a) the limited size of the 24 visualisations presented on Exhibition Board 8 in the Statutory Consultation Autumn 2022 (image further below) & (b) the absence of visualisations in the Exhibition Boards in the Statutory Consultation carried out in Summer 2023)*



S48 Duty to publicise	n/a

Any other comments	The importance of a large scale solar farm in terms of impacts on the landscape & views will have been apparent to the applicant through the applicant's non-statutory consultation. Page 11 section 7 of both the 2022 Statement of Community Consultation ('SoCC') & the 2023 SoCC identify that the operational impacts of the scheme (including impacts on landscape and views) were matters on which the applicant would be seeking community feedback through the consultation process, an important part of which involved the holding of public events. ABC raises its concern that the display size of the visualisations displayed on the exhibition boards at the public events in 2022 was modest and that the approach to the presentation of visualisations on exhibition boards at public events was inconsistent between the 2022 and 2023 events for reasons which are unclear. The 2023 public event material contained no visualisations of the proposed project within the landscape, only text description of the significance of the impacts that had been modelled (Exhibition Board 6) and a plan showing viewpoints from which summer and winter visualisations would be provided and included in a future application for a DCO (Exhibition Board 11). ABC invites PINS to consider whether the approach taken by the applicant acceptably met the community consultation objectives informing the SoCC as well as expected good practice for large solar schemes to be considered through the NSIP process.

Stonestreet Green Solar

Adequacy of Consultation Representation to the Secretary of State

For submission to EPL001 Limited and Ashford Borough Council

By the Aldington and Mersham Support Group, 31st January 2024

The Stonestreet Green Solar Community Consultation

From the Planning Inspectorate's Advice Note No. 9

The importance of consultation during the Pre-application stage cannot be overemphasised, given the 'front loaded' approach established by the Planning Act 2008. Such consultation needs to be appropriate, proportionate (in terms of content, timing and clarity) and reported fully in the Consultation Report such that the response of the Applicant to the comments made in terms of the evolution of the Proposed Development can be clearly understood.

Failure to meet legitimate expectations

EPL001 Limited has failed to meet the legitimate expectations of those people living in the vicinity of Aldington, Mersham and Smeeth that they would be consulted in a fair and open way and be provided with enough and proper information and evidence, so as to make an informed decision and to be able to comment in an intelligent manner.

Sham, unfair and unlawful process

We maintain that the EPL001 consultation process has been a sham, unfair and unlawful process, expressly designed by the company to keep those living in the vicinity of Aldington, Mersham and Smeeth in the dark as to the true requirements and the significant adverse effects upon the environment of constructing a solar generating station and battery storage system in Aldington, Mersham and Smeeth.

Executive summary

A defective communications strategy meant that communications with the community were equally defective and compromised. Effectively dictating that an inadequate process developed into a sham.

The reluctance of the applicant to consult on the design and evolution of the available development options and the subsequent proposal was a consistent feature throughout the consultation process.

The repetitious portrayal of 99.9MW as the rated capacity, combined with the non-disclosure of 165MW as the intended figure, blindsided the community in terms of the intended size and scale of the development.

The virtual failure to divulge in any way the purpose and functionality of the battery energy storage system – one part of a two-part project is extraordinary.

The failure to expose or discuss a plethora of size and scale related concessions underlines the fact that the applicant is not seriously committed to addressing the interests and concerns of the community or the environment.

There has been a failure to properly acknowledge and consult on the significance of the PROW system or to address its unique role and characteristics both within the community and onwards into the network beyond.

Executive summary, continued

The extraordinary decision to locate a substantial number of PV panels and vulnerable electrical equipment within the floodplain adjacent to the East Stour River, represented an increased flood risk to residential properties in the vicinity and over a substantial distance downstream.

When such a large part of a village community and its immediate surroundings stand to be so adversely impacted it is essential that the applicant be open to the concept of alternative land. No consultation on this important aspect has been entertained.

In summary - whether it be expressed as non-disclosure, failure to divulge, expose or discuss - these characteristics in combination with the strategic failure of the process itself means that the community consultation process to date has been defective and inadequate in the extreme.

Quite simply, the community should have been informed of so much more of what the applicant had done and the rationale behind what it was intending to do.

This submission: the community's expectations

The contents of the Executive Summary identify the applicant's abject failure to comply with its section 47 duty and, in consequence, their failure to conform with their section 49 duty, having due regard for the consultation process.

This being the case, the application should not be accepted for Examination and a further round of consultation is a reasonable expectation of the community.

This additional round should not suffer from the defects of the past, and should take account of the inadequacies of the first two rounds, together with the community's best interests, whilst being professionally conducted in an open and honest manner, ultimately having proper regard to relevant responses.

Introduction

The Stonestreet Green Solar project first saw light of day in November 2021 when Evolution Power Limited (the applicant) presented a combined solar and battery energy storage system (BESS) project that would cover 400 acres of land, primarily in Aldington. This to 'act a as a buffer to future housing development'. With hindsight a strange (and distorted) objective for a power station.

As an outcome of its planned size, the project is classified as a Nationally Significant Infrastructure Project (NSIP), which requires that an application be made for a Development Consent Order (DCO) under the provisions of the Planning Act 2008 ("the Act").

Under the Act, the applicant is required to prepare and undertake a process of community consultation. This process commenced with a non-statutory segment in April 2022, followed by a statutory segment in October/November 2022. As a result of the inadequacies in the content and execution of those segments, the applicant was invited by the LPA into an additional second statutory consultation, which took place in June/July 2023.

At the time of writing, with the size of the development having grown very close to 500 acres – an increase of 25% - the next step approaches with the applicant's submission of their DCO application and supporting components to the Planning Inspectorate (PINS), the government agency

Introduction, continued

responsible for managing the examination process for NSIP classified projects, thought to be imminent.

If the application is accepted, the application will be examined by an independent Examining Authority at PINS, who will review the application, ask questions and hold Hearings during the Examination process. The Examining Authority will then prepare a detailed report and make a recommendation to the Secretary of State (SoS). The SoS will then make a decision on whether to grant the DCO for the project, or not.

The purpose of this document is to consider the adequacy of the community consultation process related to the proposed Stonestreet Green Solar project.

A brief summary of the principal inadequacies exposed in this document

One. In the context of effective communication and the requirements of the Act: the failure to state a clear objective; to identify the principal target audience; to structure and present the key information in appropriate consultation formats - all in order that informed decisions could be made by the community.

Two. The failure to consult on any aspect of the planned design – a topic the applicant has studiously avoided throughout the whole process.

Three. The failure to identify and communicate in any way (other than via SoCC3) the intended rated capacity of the project of 165MW, whilst simultaneously perpetuating the perception that the rated capacity was 99.9MW throughout the entire consultation process.

Four. The failure to divulge neither the role nor any significant information whatsoever regarding the battery energy storage system (BESS), representing one part of the two-part project.

Five. The failure to be open to the concept of alternative land. No consultation on this important aspect was entertained.

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PART ONE: PRINCIPAL INADEQUACY 1

The failure of the community consultation process

The following definitions are important and fundamental to the process:

Community: *Those members of the public, residing in the geographical area of the project, most likely to be affected by the presence and characteristics of the project, if consented. In this case, such members reside primarily in the parish of Aldington, also in Mersham parish and, to a lesser degree, in the parish of Smeeth. In effect, they represent the broad 'target audience'.*

Consultation: *The process of providing clear, concise and informative content to the members of the defined community, so as to enable them to make informed decisions about the project and its consequences, if consented.*

The legitimate expectations of those people living in the vicinity of Aldington, Mersham and Smeeth was that they would be consulted in a fair and open way and be provided with enough and proper information and evidence, so that they could make an informed decision and so were able to comment in an intelligent manner. In essence, this is one side of a quid pro quo, wherein, on the other side, lies the characteristics of the NSIP process which seeks to provide an effective, efficient and timely consideration of such applications.

Fundamental to a proper consultation process should have been a process to ensure that:

- First of all, the target audience was defined, in order that its characteristics were understood when compiling the structure and content of the consultation components.

- Secondly, the principles of primary and secondary content were considered, with primary status given to those issues where an understanding would be essential in order to make the aforementioned informed decision.

- Thirdly, to ensure that the primary issues were included in the consultation components in a form readily available and easily accessible to the target audience. In this case, the community information leaflet, website pages and event boards.

Only when all the above had been undertaken in the manner prescribed, could informed decisions be expected to be made by the community.

Had such steps been undertaken, the composition of the consultation components could reasonably be expected to have looked something like this:

Appropriate to target audience	Less appropriate to target audience
Community information leaflet	Consultation booklet
Website pages	Statement of community consultation
Exhibition boards	PEI reports (all volumes)
	PEI addendums (all volumes)
	Book of plans

Please turn to appendix 1, for a more detailed critique of consultation components and their function.

The reality is that such steps were not considered, with the result that the composition of the consultation components was unstructured; the content of the components was similarly random, leading to a situation where the communication components failed to adequately inform the community.

Above all, significant content – capable of defining the project – was not made available in any form whatsoever, or such content was not communicated in a realistic, accessible and practical format appropriate to the target audience.

Parts 3 – 8 of this document provide examples of the resultant inadequate consultation which collectively demonstrate that the applicant has failed to comply with its section 47 duty and in its failure to comply with section 47, it has failed to comply with its section 49 duty, having due regard to its consultation responsibilities.

As such, the application cannot be accepted for Examination.

PART TWO: PRINCIPAL INADEQUACY 2

Within the context of the design of the development and its obligations to achieve "good design" (see Overarching National Policy Statement for Energy EN-1 March 2023 section 4.6 and specifically 4.6.1)

In the interests of good design and accountability (based on the content of the above NPS) the community had a reasonable expectation of being provided with a range of options, such as panel size, panel position, total area and percentage of ground cover, on which to assess proposals at the consultation stage. None such was provided.

2.1 – Whilst declaring the chosen site as 'the carefully selected option", the applicant has failed to consult on any aspect of the planned site design, in both general terms and in relation to concessions and oversizing – topics that it has studiously avoided throughout the whole process. Similarly, it has avoided talking in any detail about PV panel types, rating and layout, or the BESS specification and layout.

Specifically, the failure to consult on alternative site designs, with no apparent consideration of any alignment options other than south facing PV panels.

It is noted in this context the applicant's statement to the Planning Inspectorate, on 16th November 2021, that 'it makes commercial sense to oversize to a greater amount with a view to maximising total exported power'.

2.2 – The failure to explain how the 119.93ha area of the solar array (60% of the overall site area of 200.38ha) has now changed – according to the indicative plan (see reference 3.6) in which the PV solar panel areas in yellow now account for around 85% of the total area in green. *See reference 7*

Is this an indication that the number of PV panels will be expanded beyond those required to achieve the declared rated capacity of the solar array?

2.3 - The failure to consider and explain the broad scope of the design and specification of the PV solar array and its direct relationship with its footprint. Specifically, the applicant has focused on maximum panel coverage and power generation at the expense of good design, minimal footprint, optimum power generation, community impact and desecration of amenities and valuable, productive farmland.

Within the context of visual impact

2.4 - The representatives of the Applicant have not taken proper account of the topographical context of the proposed solar development. At the first consultation meeting two representatives described the development as being located on “a dip” and at the second consultation meeting one of the same representatives described it as being located in “a bowl”. The proposed Stonestreet Green development is actually located predominantly on the Aldington Ridge which has been designated a Landscape Character Area in the Ashford Local Plan. As a consequence of its elevated position relative to the surrounding areas, the visual impact of the proposed development will be enormous, with visibility from the North Downs AONB to the north, across the Stour Valley from Mersham and from the Saxon Shore (AONB) to the south.

2.5 - Given the undoubted critical importance of visual impact, the Landscape Visualisations which simulate the visual impact of the proposed development are clearly a critical part of the consultation process.

At the first Aldington consultation meeting the landscape visualisations were difficult to see and did not give a realistic impression of the visual impact. No attempt had been made to visualise the 31 battery station units.

After consultation with Realm, who produced the landscape visualisations, it was evident that the visualisations had not been produced at the correct scale. Standing at any vantage point with a copy of the visualisation printed at the correct scale, it should replicate what the human eye can see. In order to achieve this Realm recommend, as per the Landscape Institute’s guidelines “printing the image edge to edge on A0 landscape and viewing it from a distance of 370mm”. The width of each image should therefore be 1.189m. In reality the images used on the montages were very much smaller at only 25-30cm wide and it is therefore not surprising that the visual impact of the solar panels could not be discerned.

Feedback comments submitted to the Applicant after the first consultation meeting requested that the correctly scaled visualisations be made available to the community for all existing visualisation points as well as additional points on the North Downs.

At the second consultation meeting no visualisations whatsoever of any scale were presented to the community and it was stated by the applicant that they

would be provided within the DCO Application. When challenged at an information event that this was not adequate to allow the community to respond effectively on the planned development, Giles Frampton responded that "they did not need to provide this information as they were simply carrying out a Statutory Consultation". We were then invited in an aggressive tone by Mr Frampton to leave the event.

2.6 - There has been a complete failure to provide any visual representation in any meaningful form of photo montages or photoshop representations of solar arrays and battery energy storage units within their intended visual environment, (other than the inadequate views 12 and 16 from the 1st statutory consultation). Montages are essential in order that the community can understand the likely impact. The applicant has singularly failed in this key aspect which should provide everyone in the community with the most accessible insight on the proposals and their setting.

The applicant's claims that such representations cannot be provided until the final application detail is known is preposterous.

This inadequate approach is in stark contrast to EDF's East Stour Solar scheme, administered by the LPA, which adjoins the site of this development. Here, full-scale colour AO size photo montages were included on the exhibition boards at information events.

Based on the whole premise of the Act (front loading as much information as possible), it is difficult to think of a better means of openly consulting in a meaningful way with all members of the community than by the provision of large-scale visualisations, even if necessarily caveated concerning their draft status pending submission of the application.

Footnote 1: Planning Act 2008: Guidance on the pre-application process states that "consultation should be based on accurate information that gives consultees a clear view of what is proposed" (paragraph 20). As a result of the incorrect reproduction scale and quality of the landscape visualisations and the failure to include the battery stations, neither the statutory consultees nor the community have been given adequate information on the critical visual impact of the proposed development.

Footnote 2: National Policy Statement, November 2023: **(effective 17.01.24)**
At para. 2.10.59 is stated that "applicants should consider the criteria for good design set out in EN-1 (4.6) at an early stage when developing projects". Further, at para. 2.10.71, the guidance says that "applicants should set out a range of options based on different panel numbers, types and layout with and without storage".
Whilst this guidance may be focused primarily on the application stage, how can the applicant hope to develop a good design and arrive at the best option if these important aspects have not been aired in the statutory consultation process?

PART THREE: PRINCIPAL INADEQUACY 3

3.1 – The rated capacity of the solar array and the size of the development

From our investigations emerges the perception that the applicant has failed to be completely transparent about its true intentions concerning the size and performance capability of the development that it intends to construct. It achieved this by;

- capitalising on the broad absence of energy generation knowledge and understanding throughout the consultation process.
- the way in which the entire consultation process was poorly conceived and executed.
- the repetitious and consistent use of 99.9MW as the principal descriptor of the development's size, presented in such a way as to incorrectly identify this figure as the rated capacity of the entire development.
- the applicant exploiting to the full the 'PV panel' related area and specification related concessions without providing adequate detail of the way this would impact on the community.
- including the 'panel degradation' concession which provides the principal benefit (without any explanation of this facility), but where the corresponding operational requirement cannot be achieved.
- omitting to provide relevant and important information about the BESS and the way in which this facility allows the solar array to be commercially exploited beyond the stated NSIP application parameters.

By these means the objective behind the applicant's sizing and scale of the development was neatly obscured from the community, such that they have had no opportunity to properly understand the issues at play in determining the scale of the proposal, or to discuss them during the course of the consultation.

3.2 – The size of the development: the broader picture

The failure to disclose the reasons behind the chosen size of the solar array – whether in error or with intent - and its relationship with the scale and impact of the proposed development to the distinct disadvantage of the community

This is a multi-faceted story, in which there has been a misinterpretation of industry standard terminology – whether in error or with intent – which plays a key role.

3.2.1 – In a meeting on 16th November 2021, between The Planning Inspectorate and the applicant – then in the name of Evolution Power Limited – it is recorded that 'The applicant is considering a generating capacity of 165MW and an import and export capacity of 99.9MW'.

Generating capacity is conventionally expressed as 'rated capacity' and is registered with authorities as the classification of the power station. In this case, it represents the instantaneous and nominal units of solar power generated under ideal conditions on a summer's day, categorised as AC.

Conventionally, energy generators do not speak in terms of import and export. Fundamentally, this is because they use neither term in relation to Mega Watts (MW). The realistic interpretation of the applicant's terminology is that 'import' is the language of the battery energy world and 'export' is simply inappropriate because energy classified as 'MW' is not 'exported'.

Using conventional terminology, the point of connection with the grid is classified in terms of MW (to match the rated capacity), but the electricity which passes through the point of connection is presented and rated in terms of MWhours, or MWh.

3.2.2 – When presenting their applications or developments, energy generators consistently use the MW rated capacity as the 'headline descriptor'. A look at virtually all other solar proposals or developments will confirm this.

Traditionally, energy generators present generated MW resources only, with battery storage - a relatively new phenomenon - not included. Recently, combined developments embracing both energy generation and battery storage have come forward, in which the convention emerging is to present them in the form of 'a 99.9MW solar farm, together with battery storage'.

3.2.3 - Consistent presentation and consistent usage are fundamental components in successful branding throughout the commercial world. And the applicant has very consistently used '99.9MW' as their headline descriptor but has failed to recognise the consequence of including both the solar farm and the battery storage in this context. *See reference 2*

3.2.4 – The 99.9MW classification alone is consistently presented in every consultation document through the non-statutory phase, the first statutory phase and the second consultation phase, including the consultation booklet, provided as a means of embracing all changes since the first statutory phase. This is so other than on *one instance* in the Statement of Community Consultation 3 that accompanied the second statutory phase in which is stated (without explanation) that 'The project is expected to have a generating capacity of around 165MW of renewable energy'. *See reference 3*

This brings us back to the start of the story and the same 165MW figure recorded in the meeting with the Planning Inspectorate in November 2021.

But why has it taken all this time, close to 2 years, for the true figure – in the form of the most fundamental classification used in UK energy generation - to emerge? Even then it appears in just one document, which cannot be considered as a part of the 'community appropriate' package that members of the community could be expected to readily and easily access and even if they did, would find an inadequate explanation. And why did the 99.9MW moniker continue to be used in the second statutory consultation event boards, whilst simultaneously removing any reference to a MW rating from the community information leaflet?

And why also does the 165MW figure emerge, in the context of the consultation process, at the very same time as the applicant changes its name from Evolution Power Limited to EPL001 Limited?

3.2.5 – Further investigation reveals that the baseline rated capacity is indeed 99.9MW, with the much higher figure of 165MW appearing to be the result of a PV panel degradation concession provided by the authorities, known as 'overplanting', which allows for a theoretical degradation of the panel performance at a rate of 1% to be compensated by the construction of additional panels. This, based on inaccurate calculations, results in a massive increase in the proposed size and scale of the solar array of 65%. *See reference 4*

Whilst the impact of the 65% increase is significant in terms of the impact on the community, we should also consider that it represents a considerable area of the landscape and an acreage that could otherwise be retained for arable farming purposes.

Why does this concession not appear in any 'appropriate' community consultation materials? Why was the community denied the opportunity to debate a 65% increase in the footprint of the solar array with the developer during the consultation process?

3.2.6 - The scale of the PV panel degradation concession is an issue in itself. The applicant appears to be claiming the 1% allowance (already mentioned) relying on the guidance contained in draft NPS – EN1 as a basis for providing a significantly larger solar array. The new NPS, in contrast to the draft does not state a percentage and therefore the applicant must justify why it is reasonable to put forward 1% (also see Footnote 2 at page 24) and should do this in the further consultation with the community.

In terms of the percentage issue, it is easy to find an alternative view on the 1% concession, such as the US Department of Energy's guidance that the rate should be 0.5% per annum.

Even working on the 1% allowance basis, the applicant appears to calculate a gross degradation of 65% over the 40 year lifecycle of the development. In doing so they inflate this most generous of allowances, since an accurate calculation of a compounded reduction of 1% per annum equates to a 40-year concession of approximately 40% not 65% (resulting in a correspondingly lower acreage requirement).

3.2.7 – Whatever degradation concession rate is adopted it is necessary to consider the basis on which the concession is implemented, whereby the additional 65% of panel coverage remains dormant until such time as the degradation takes effect followed by its phased introduction as the degradation effect grows.

Once again, we are expected to accept not just the impact of the additional 65% of dormant panels, but also the means of controlling its phased introduction, without any documented evidence from the applicant that such even exists, let alone its effectiveness. Critically there has been no opportunity to discuss or debate this during the consultation process.

3.2.8 – Where was the opportunity to debate alternative degradation related options open to the developer? It could avoid it completely, or significantly reduce its effect by, for example, specifying higher rated solutions such as bi-

facial panels, with a typical performance gain over one-sided panels of between 10 and 20%.

Looking further into the future, the issue of higher quality, better performing panels can justifiably be considered. In the 2023 PEIR, volume 1 non-technical summary, the applicant states that 'During the operational phase (meaning the 40 year lifecycle of the development: author's note), the activities on-site will be minimal and are expected to amount to limited maintenance and service activities.'

On the other hand, in the context of the concession that enables the applicant to defer the final specification of the panels and their position, the specification and performance is said by the applicant to be 'rapidly evolving'.

This statement supports the widely held view that the performance of solar panels will positively develop to such an extent that the replacement of all panels on a periodic basis, will be justified. In which case, there can be no justification for the degradation related concession of 1%, or any other rate. The focus of the new NPS on this issue speaks volumes as to how important it is and why the applicant's failure to consult the community on the issue represents such a failure in its duty under the Act.

Might hiding all this important detail from the community be a result of the applicant not having any interest in reducing the size of the development by the simple expedient of using fewer, better quality panels, with higher productivity and instead specify more, low quality, cheaper panels with lower productivity? As revealed by the minutes of the 16th November 2021 meeting with the Planning Inspectorate, the applicant discussed the use of 'oversizing' and noted that, as the cost of solar panels have decreased it makes commercial sense to oversize to a greater amount with a view to maximising total output'.

3.2.9 - Tellingly, the applicant's response confirms a desire to extract the absolute maximum output (and in turn create the largest possible panel footprint – within the constraints of the land available to it, with no regard whatsoever to community considerations). The applicant, not content with the degradation concession provided by the draft NPS, advocated 'to oversize to a greater amount'.

3.2.10 – There is a moral dimension here also. Expanding the number of inferior quality panels used (whilst increasing the development's impact on the

community) also increases the loss of productive arable farmland. It also brings into disrepute the applicant's claimed ambition of reducing CO2 emissions bearing in mind the corresponding increase in carbon generated from the manufacture and shipping of a greater number of panels.

Coming towards the end of this story, should be considered:

3.2.11 – There was a complete absence of any visual or written indication during the consultation that the proposed development will contain 'dormant' panels, nor how related monitoring facilities would operate and achieve replacement panel activation.

3.2.12 – Who, with what resources, will monitor and regulate the process of panel degradation, together with the phased introduction of the 'dormant' panels in the form of replacements which is necessary to justify the imposition of the huge 65% increase in panel coverage?

The applicant states that 'the activities on-site will be minimal and are expected to amount to limited maintenance and service activities.' This fits with the perception of no operational staff or facilities but takes no account of the sort of monitoring work in relation to degradation and phased introduction of panels on which no detail is provided.

3.2.13 – The more realistic scenario is that the additional panels will become operational and an integral part of the scheme from the outset.

3.2.14 – If the counter argument is that a rated capacity of 165MW is not a realistic proposition when the facility at the point of connection is rated at only 99.9MW, then the answer might reside in the functionality of the BESS (about which the community has heard very little), in which we speculate that the surplus output of the panels could be charged and stored until such time as market pricing determines it is the right moment to sell into the grid.

Rather than expose this explanation, in the PEIR dated October 2022, volume 2, chapter 1, para 1.4.5, the applicant deliberately encourages the reader to look in the opposite direction by stating the restrictions applying at the point of connection are the overriding limiting factor, with no consideration whatsoever of the BESS functionality.

3.2.15 – On November 14th 2022, in a Parish Council meeting chaired by Cllr Harman, a packed crowd in the Aldington Village Hall unanimously voted by a show of hands to oppose this development on the grounds of its location, scale and cumulative impact. All three factors are linked to the physical size of the development. Proper examination of the claimed 65% concession was the community's due but it heard nothing about this. Any reduction that might have been achieved in consultation would have had a corresponding

benefit in terms of acreage reduction and with that the chance of a scheme that was more acceptable in terms of size and scale.

In summary:

- The 165MW rated capacity was intended from the start

- There is little doubt that consistent use of the 99.9MW headline misrepresents the true performance of the development

- The intended purpose of inappropriate terminology and classifications is considered at best as disingenuous

- The concealment of the true rated capacity and related details over the 18-month consultation is a serious omission in the consultation process

- Why was the overplanting degradation concession and its contribution towards the higher rated capacity omitted from the consultation process?

- The overplanting 'degradation' concession, the applicant's interpretation of this facility and its implementation process is at best 'flawed.'

- The absence of consultation on PV panel types, specifications and values is regrettable and, making the assumptions that the applicant is making, hugely affects the scale of the development

- The concealment of the planned inter-relationship between the solar array and the battery storage is a material failure in the applicant's consultation process

On all these counts the consultation process has failed to be adequately open and informative as prescribed by the Act.

Footnote 1: National Policy Statement, November 2023: **(effective 17.01.24)**
It is noted that the recently published, but not yet designated, NPS-EN3, para 2.10.53, states that 'rated capacities' should in future be formulated according to the maximum combined capacity of the installed inverters, measured in AC, rather than the generated capacity of the solar panels, measured in DC.

Footnote 2: National Policy Statement, November 2023: **(effective 17.01.24)**
The recently published, but not yet designated, NPS-EN3, para 2.10.55 and reference 92 specifically excludes the 1% degradation rate provision and based on the representations made, it clearly now expects applicants to justify the case for a degradation allowance. Any allowance should take account of the way in which solar panel design and performance is improving year on year with the prospect of counteracting this sort of level of degradation.

PART FOUR: PRINCIPAL INADEQUACY 4

In the context of the applicant's failure to provide any meaningful consultation content relating to the battery energy storage system (BESS).

4.1 - It should be noted that during a meeting on April 8th 2022 at Bank Farm, held in the context of the non-statutory consultation process, the applicant's representative (Giles Frampton) in response to two questions from Jonathan Tennant (of our group) regarding the absence of any meaningful BESS related content within the Community Consultation leaflet, gave no answer and instead threatened to close the meeting.

4.2 - The applicant has ever since failed to provide any meaningful content in relation to any aspect of the battery energy storage system (BESS) which, conceptually, forms one part of this two-part project and on which one can only presume the commercial case for the development relies in part.

4.3 - In a broader context why, as is relatively common practice and was used by EDF in their applications for the East Stour Solar array and the Pivoted Power BESS facility, was the BESS element not applied for under Town and Country Planning procedures through the LPA rather than 'hidden' within the solar array NSIP?

By doing this the applicant failed to conform to changes to planning legislation that removed batteries that have a generation capacity in excess of 50MW from the Nationally Significant Infrastructure Projects regime. This change was proposed in order to bring batteries of any scale within the Town and Country Planning system in England with planning applications determined by local planning authorities. The changes were confirmed in the Infrastructure Planning (Electricity Storage Facilities) Order 2020, which came into force on 2 December 2020.

Expanded content: battery energy storage system (BESS) related

The following serious failings should be noted.

4.4 - Failure to justify the inclusion of a BESS in the Stonestreet Green Solar development.

4.5 - Failure to declare the operating capacity of the BESS, or any other significant elements of the system's operational structure and performance.

4.6 - Failure to justify the way in which the BESS is portrayed as a relatively insignificant part of the whole development when, on the basis of utilisation elsewhere in other solar developments, it is a significant part when considered from a combination of both operational and commercial standpoints.

4.7 – Failure to declare the battery technology, the number of batteries per container, their power density, energy density, amperage, voltage and anticipated life cycle.

4.8 - The failure to address and convey the role of the BESS in terms of 'frequency response' and 'energy trading'.

4.8.1 – In the context of 'frequency response' the failure to address the provision of 'energy over time' resources which are required to act quickly to signals from the system operator to either charge or discharge power into the grid in response to imbalances between generation and load.

4.8.2 – In the context of 'energy trading' the failure to address the provision of 'energy over time' resources that will enable the battery to charge or discharge, in response to price signals in the electricity trading markets.

4.9 - The failure through the provision of conflicting statements concerning the functionality of the BESS. Wherein:

4.9.1 – PEIR Addendum Volume 1 states 'Energy Storage Units are designed to provide grid balancing services to the electricity grid'.

4.9.2 – PEIR Addendum Volume 2 describes the BESS as 'A system which captures and stores electricity generated by the PV panels so that it can be discharged to the national grid at times of higher demand'.

4.10 - In the context of PEIR Addendum Volume 2, chapter 3, para 3.7.30, the failure to clarify or support the statement that 'the PV panels will directly charge the Energy Storage Units via the DC-DC converters' when logic suggests that the function of a converter is to 'convert' – i.e., DC-AC or AC-DC.

4.11 - The wide usage of 'higher demand' in relation to the BESS is disingenuous, as it fails to acknowledge that 'higher prices' are an equally significant factor.

In the context of the decision to locate the 31 BESS stations throughout the site, rather than in a large single compound.

Note: *The following content should be considered in the context of the applicant's original declaration regarding the BESS which included 2 options for BESS placement: units consolidated in a large single compound or 31 units positioned throughout the site.*

4.12 – The failure to justify the decision from an operational standpoint.

4.13 - The failure to explain the principles of 'AC-coupled' and 'DC-coupled' in the context of their role in determining the siting of the BESS.

4.14 – The failure to justify the decision as between the two options from a visual impact standpoint. No meaningful visual representations of the stations and related components were ever provided.

BESS - In the context of fire risk

4.15 – The failure to justify the location decision in the context of fire risk and attendant fire extinguishing resources, in the consideration of direct accessibility to and focused resources for a single compound, when compared to access and resources across 31 individual locations.

4.16 – The failure to recognise the risk of fire in any context, including the resources required to fight such fires.

Specifically, in consideration of the assumed presence of lithium and the carcinogenic characteristics of such fire smoke; the potential provision of Halon or CO2 extinguishants and the water resources required to reduce the temperature levels of such fires, prior to extinguishing.

BESS and Fire Service related notes: in the context of the recent consenting of a dedicated BESS facility of, most likely similar size, on an adjacent site, the Kent Fire & Rescue Service made the following observations:

- Each BESS is unique and should be evaluated on its own merits

- Each Bess site should be assessed and individually addressed on a case-by-case basis

The failure of the consultation process to provide indications that such evaluations and assessments have been conducted is clear.

- A requirement to install a water tank of capacity 228,000 litres, in accordance with NFCC guidance

- The onus remains with the owner/operator of the BESS to suitably mitigate foreseeable environmental damage through the potential use of water by crews and the resulting leachate when responding to an incident

Independent of the Fire Service notes, special consideration should be given to the project's location in a flood plain, with the realistic expectation that both water and chemicals will migrate into the East Stour river.

Such water and chemical related requirements have failed to be a part of the consultation process.

BESS - In the context of noise

4.17 – The applicant's claims that representations regarding noise cannot be provided until the final application is known is both disingenuous and untrue.

The failure during the consultation process to adequately reassure the community regarding the noise levels of the battery storage stations, especially in consideration of their location throughout the site, potentially close to the community, with a propensity for night-time usage, was a significant oversight.

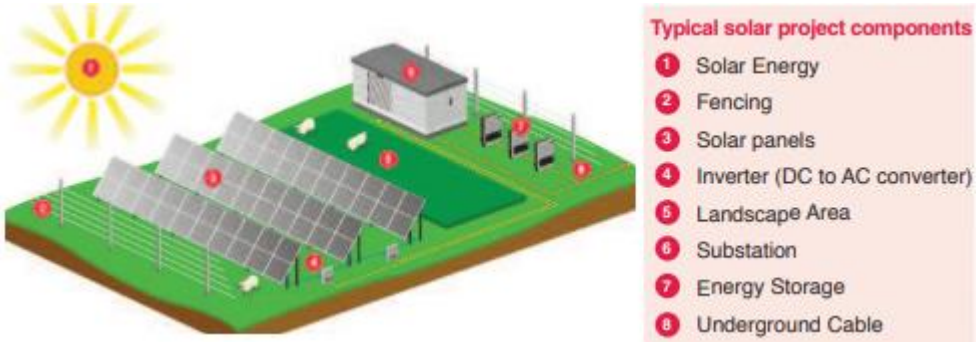
Specifically with consideration of 'frequency response' and 'energy trading' functions during which, with an intensity depending on the quality of equipment specified - transformers will hum, the coolers in the inverters will start up and trunking will vibrate.

4.18 - There is a host of documentation available relating to the size of the inverter systems, their noise levels and the mitigation of these noise levels. Given the power connection to the National Electricity Transmission System will be within the Sellindge Converter Station site, the consideration of the interaction between inverter equipment at differing levels needs to be set out to show that there will be no adverse harmonic frequencies from these inverter interactions that will create significant frequency amplifications in the Aldington, Mersham and Smeeth areas.

Noise will be an invasive element to any development and given the 24/7/365 operation of the proposed development, the potential to cause significant and constant interference within a rural environment is clearly evident.

BESS - In the context of visual impact

4.19 - The failure to adequately communicate the visual significance of the battery storage stations, where in the context of all community consultation materials, the image below is the only attempt to do so, wherein:



4.19.1 – Item 6 fails to visualise that the substation is 80M long x 45M wide. More than this, it misleads by locating it within a setting of panels and inverters which are not to the same scale as the substation building.

4.19.2 – Item 7 fails to recognise that the energy/battery storage stations will be 13.75M long x 2.9M high x 3.8M wide and are traditionally painted white.

4.19.3 – Item 7 also fails to convey that there will be 31 such battery storage station units located throughout the site.

Whilst the origin of the above illustration is from the March 2020 community consultation leaflet and featured in exhibition boards – subsequently deleted - there has been no subsequent realistic portrayal of the battery stations, either in isolation or in situ despite the fact that images and photo montaging facilities for such infrastructure are widely and readily available at reasonable cost.

4.20 - On September 14th 2023, the author of this document enquired of one of the applicant's agents (Charlie Vavasour) 'Are you able to point me in the direction of the most definitive information on battery storage?'. In response to which, he replied 'The Energy Storage System information is in the PEIR Addendum Volume 2 Main Text: Chapter 3; Site Development: Pages 31-32; 3.7.27. ***See reference 8***

The limited content in reference 8 confirms the miniscule information provided on the BESS, despite its significance as one of the two key components of the application and in the context of the community consultation process.

In the context that the application is based on a consolidated project consisting of the solar array and the BESS

4.21 - The inappropriate bundling of the solar array and battery energy storage system components, contrary to industry convention, with the potential to distort the classification (and regulation) of the solar array, according to its power station status. *See reference 5*

4.22 - The failure to explain in appropriate consultation materials the ability of the project and its systems to accommodate the nominal rated capacity of 99.9MW, the actual rated capacity of 165MW and the unstated capacity of the BESS, all under the umbrella of the 99.9MW output at the point of connection.

4.23 - The failure to disclose the use of complex algorithms to monitor and manage the combined performance, output and financial modelling of the solar array and the BESS.

4.24 - The failure to explain the apparent absence of any form of operational management or facilities to oversee operational, management, financial and safety aspects of the consolidated project – either onsite or remotely.

In summary, the failure to be open about the 165MW actual rated capacity of the solar array and the phantom like presentation of the BESS, have combined to create the perception of a project that is not anything like the major renewable energy project that it really is, with plans to connect directly to the National Grid.

Topic specific executive summary in the context of the rated capacity of the planned development, the function of the battery energy storage system and the hidden intention of increasing the footprint of the solar array by a massive 65%

-The true rated capacity of 165MW was not revealed, whilst the incorrect rated capacity of 99.9MW was repetitiously and misleadingly fed to the community throughout the consultation process.
- The degradation concession demands scrutiny (and consultation). There is no information provided as to how it will be deployed.
- The gross value of the suggested 1% degradation rate was miscalculated to the applicant's benefit .
- Without any consultation input whatsoever concerning the purpose and function of the battery storage system, we have speculated that the surplus energy of the 165MW rating over and above the 99.9MW capacity at the point of connection with the grid will be accommodated by the BESS.
- The absence of any consultation on concessions and the applicant's justification for increasing the size and scale of the solar footprint is yet another example of an inadequate process at the expense of the community.

The prevailing theme of this summary is the absence of open and transparent consultation. This has prevented the community's meaningful involvement in the consultation process concerning an issue which the applicant appears to have seized on as an opportunity to increase the size of the solar array by 65%.

PART FIVE: PRINCIPAL INADEQUACY 5

We consider the failure to properly consider alternative land in assembling the application site to be one of the applicant's most serious failings.

It concerns the way in which it has gone about assembling the landholdings for this scheme and has throughout the two consultations refused to engage in the issue claiming that it has no duty to look beyond the location and area it has identified. What follows explains the issue and raises the legitimate question as to whether, either on account of the provisions in the Act or through EIA legislation and relevant guidance notes regarding alternative land parcels should be considered and weighed in the balance when assembling a scheme. Is this not the most basic form of mitigation when applicants have the opportunity at the formative stage of a scheme to minimise significant adverse impact through careful landholding selection?

5.1- The scheme was originally focused predominantly on land owned by one farming landowner. Land Registry searches more recently have indicated that various parcels within the scheme have been sold and two or three other small landholdings have been part of the proposal for some time - possibly from the beginning.

5.2- As with most solar schemes the proposal is for a long lease of the land - presumably through an Option for Lease subject to the applicant obtaining a non-onerous Consent. We know the lease duration is 40 years because it is recorded in the consultation details.

5.3 - The applicant has, throughout the consultation, failed to adequately explain why only a small area of land in proximity to the core area has been considered as an alternative and even then, has only been briefly touched upon within their submissions.

5.4- It has only looked at this one area and it would appear has only considered it as an alternative site for the *whole scheme* in which respect it is of course far too small.

5.5- There is no evidence of the applicant considering a "mosaic" of landholdings. The possibility of there being other more suitable landholdings usable in conjunction with the "existing scheme landowners" appears to have been completely overlooked during the critical formation stage of the project. Even now, when one of the key objections raised in the consultation process concerns the scheme's *location* relative to the village,

the applicant has made no effort to explain and discuss what it has done in this respect.

5.6 - Even from a cursory review of the immediate area near the secured connection point it seems to us that there are a number of areas of land that are more suitable than elements of the applicant's proposed scheme and yet no information is offered other than in relation to one tiny area.

5.7 - Whilst (as far as we are aware) National Policy Statements (NPS) place no obligation on an NSIP solar farm applicant to demonstrate that the subject application site is better than (potentially) numerous other sites in the locality the applicant *is expected*, very specifically, to achieve "Good Design" (see Overarching National Policy Statement for Energy EN-1 March 2023 section 4.6 and specifically 4.6.1 which states that as part of the EIA (Environmental Impact Assessment) requirements - "*The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design" and at 4.6.4, "Given the benefits of "good design" in mitigating the adverse impacts of a project, applicants should consider how "good design" can be applied to a project during the* ***early stages*** *of the project lifecycle*. (bold font our emphasis).

5.8 - We believe that achieving a Good Design envisages the applicant looking at each geographical area (field by field) within the proposed "core" landholding and considering those which present the greatest challenge to achieving this required design status.

5.9 - Mitigation is also an essential component in achieving Good Design. It is a fundamental aspect of solar schemes where adverse impacts are identified that need to be addressed.,

5.10 - Whilst it may be that there is not an onus on the applicant to provide various option locations for whole schemes, we believe it is incumbent on applicants to consider areas of nearby *alternative land* within the overall "mosaic" during the early stages of the project's lifecycle - and that this "optioneering" work should be the logical first step towards developing a scheme of good design.

5.11 - The Act, above all else, introduced the concept of providing an applicant with a means of obtaining not only the required planning consent but also, where considered appropriate/necessary, powers of compulsory purchase.

5.12 - These powers were explicitly not just for rights across land (e.g., for access, cabling etc) but for the *acquisition of land* where this was deemed necessary in the context of developing a scheme of good design.

5.13 - The raison d'être of the Act is to provide a more appropriate and efficacious means of considering large and important infrastructure projects through taking these directly to the Secretary of State's team of planning inspectors for examination.

5.14 - It cannot reasonably have been the intention of the Act to provide a means by which it would be easier for an applicant to achieve a consent for a poorly designed scheme that fails to adequately mitigate significant adverse impacts.

5.15 - As already indicated, we believe that logically the very earliest mitigation should be the consideration of areas of land which are patently unsuited to accommodating the proposed infrastructure. Those areas where no amount of mitigation is going to result in contributing towards a good design. Mitigation needs to include a proper review of alternatives, including site-specific investigations with landowners and occupiers of such potential areas of alternative land – in practical terms most likely to be found in reasonable proximity to the core area and the scheme's connection point.

5.16 - It was surely to cover off this point that the powers for the *acquisition of land* by means of CPO (where terms could not be reached with third parties) was included in the Act.

5.17 - This may be (and this example is used more than once in NPS) to make it possible to site an electricity substation in the best possible location. However, this is just an example, and it is equally pertinent in a situation where a scheme includes similarly industrial infrastructure on open agricultural land where landscaping and other forms of mitigation are simply not going to produce a good design (e.g., for elements of a scheme that are on a highly visible hillside).

5.18 - Rather than trying to make such areas "fit" we maintain that the applicant should instead, at an early stage in the development of the project, carry out work to identify possible alternative options to see whether the totally unsuitable areas could be swapped out.

5.19 - Objectively, how likely is it that all the land being promoted by any applicant and key landowner(s) (each willingly engaged in leasing land for a solar generation scheme) will be capable of achieving the required "good design" - notwithstanding invoking all other conceivable forms of mitigation to try and offset serious adverse impact?

5.20 - In this subject case how plausible is it that all 500 acres can "tick all the boxes"? This would mean all areas achieving minimal impact on BMV land, not encumbering PROWs, having no highly visible areas on hillsides, creating no impact on Red List ground nesting birds, and no use of land at risk of flooding etc.

5.21 - Admittedly there is likely to be a measure of impact on all areas of a proposed scheme but where there is a concentration of several different impacts and where mitigation (principally in the form of landscaping) is not going to be adequate (even after allowing for establishment) then alternative parcels of land should be considered.

5.22 - The applicant should be assembling the best possible landholding. To look at this another way, the Act envisages a scenario where CPO might need to form part of the DCO application to provide "compensation land". This might be where an area of SSSI stands to be affected by the scheme and as a result other suitable land (possibly not in proximity) needs to be acquired to replace what stands to be lost.

5.23 - Why should seeking to secure areas of alternative land close to the "core landholding" (to avoid unacceptable and significant adverse impact) be any less deserving of using CPO powers, particularly in relation to a project that, as the applicant often repeats, is necessary and urgent in the context of the government's legal obligations to meet the Net Zero target?

5.24 - We have no detail of the commercial terms involved between the applicant and the landowners but the widely reported level of payment for these schemes is currently at or about £1000 per acre per annum – incidentally approximately three times the average gross margin achievable on Grade 3a and 3b arable land in the UK.

5.25 - Why is there no evidence provided by the applicant of it talking to other neighbouring landowners about the possibility of including areas of their land within the scheme by way of replacement of unsuitable elements?

5.26 - Assuming those conversations did happen, what was the reaction to the prospect of being offered terms in the region of £1000 per acre per annum for the incorporation of some of their land within the scheme, bearing in mind that this figure would mean that within the first 10 years or so of the proposed 40-year scheme the landowner would receive an amount approximately equivalent to the freehold value of his land.

5.27 - If despite such relatively attractive terms (on the assumption that the land concerned is not allocated in the Local Plan for development or some alternative use of greater value) on what basis would a landowner be able to claim that the applicant resorting to acquisition by compulsory purchase at existing use value (agricultural value) was unreasonable?

5.28 - Surely, based on all that the applicant has said about the imperative of providing this scheme in the context of the climate emergency and the government's legal obligation for meeting the Net Zero date, the acquisition would indeed be in "the public interest" – which is one of the key tests for an applicant seeking to obtain CPO powers under a DCO?

5.29 - Unless this approach is adopted, which involves developing at the formative stage in the overall process, a landholding suitable for solar generation which is of good design, then schemes are inevitably going to be designed in such a way that they are "made to fit" within the landholding where a landowner or landowners are willingly promoting their land for inclusion and no other alternatives need be considered.

5.30 - This optioneering should happen in normal course with a view to developing the best possible scheme, and areas of land walked to consider suitability. The Act even provides the necessary rights of access under Notice for the applicant to access land for survey purposes. In this way the assessment of possible alternative areas can and should be much more than a theoretical desk-based exercise.

5.31 - Alternative areas won't necessarily tick all the boxes either but such shortcomings as they have can be looked at in the context of the overall assemblage of land. The applicant should be able to demonstrate "good design" based on a core land owning component (the catalyst for the workable scheme) to which it then adds further blocks of suitable land by agreement or, if and when necessary, by means of CPO.

5.32 - The applicant has indicated that such other land as it has considered in the vicinity was already "contracted" (this term is not explained). None of the nearby agricultural land that we believe offers the potential to be

much more suitable is allocated for alternative development uses in the Local Plan.

5.33 - The applicant, within PEIR Addendum, Volume 3, Appendix 4.1 (attached as reference 9) included a short section relating to land between the M20 and the HS1 railway and another area between the M20 and the A20. There is very little detail provided and it is a token which the applicant has offered (in response to the representation made about failure to consider alternative land during the first statutory consultation) recognising that this land is indeed potentially suitable, principally because of its proximity to the connection point. Areas PDL 1 and PDL 2 (net of other concurrent proposed developments in the immediate area) could yield between 50 and 60 Ha of PV panel footprint for the applicant. Put another way, this is more than 25% of the area within the current red line proposal.

5.34 Whilst the applicant dismisses this alternative land principally because it is not large enough and in doing so bizarrely fails to understand is that this alternative land does not have to provide an alternative location for the *whole of its proposed scheme.* As already explained, the logic is to replace those areas within the core scheme where mitigation measures are simply not going to be adequate to offset significant adverse impact.

5.35 - Above all else, the applicant refused to engage with the local community about areas of alternative land (like these) claiming that any that were possible were already contracted. It simply would not consult further on the issue. The areas have much to commend them in terms of accessibility, natural screening and as a whole are much closer to the connection point than the majority of acreage within the current proposal.

PART SIX: FLOODING – POTENTIALLY THE 6TH PRINCIPAL INADEQUACY

The applicant did not engage the community in a debate regarding the likely consequences in relation to flooding in fields 23 and 24 and 26 – 29 in the event that the dam overtops - as it is doing to a greater extent on account of climate change. The way in which flood waters (and the debris they will carry into the deer fencing around fields downstream of the dam) will behave is something the applicant has notably avoided discussing with the community.

The assessment of flood risk in the Preliminary Environmental Information Report (Vols 1&2) focuses on the risk of flooding associated with rivers and the East Stour in particular. In Appendix 9.1 of the PEIR there is a brief discussion of pluvial or surface water flooding, which occurs in the western part of the proposed site and will very likely be made worse by the proposed solar development.

Surface water flooding currently occurs at the corner of Laws Lane and Bank Road and affects Spring and Bow Cottages on a regular basis, with extensive damage to the ground floor of both properties (pers. Comm with owners). The stream/drainage system that runs through Spring and Bow Cottages and causes the flooding, collects water from a catchment area in excess of 100 acres, which will be covered almost entirely by solar panels under the proposed development.

Chapter 9 of the applicant's PEIR highlights a number of effects that the construction and subsequent operation of the solar power station will have on surface water flood risk as follows:

Soil compaction from vehicle plant – compaction due to use of heavy machinery reduces infiltration, increases runoff and shortens the rainfall - runoff response and may lead to flooding.

Vegetation removal – Removal of vegetation reduces interception and increases runoff.

Presence of substation and impermeable surfaces - Reduction in recharge to the underlying aquifer therefore locally reducing groundwater levels. This will also increase runoff to surface water drains/ponds and may lead to flooding.

Presence of Solar panels – Rainfall onto the angled panels may cause erosion beneath the lower edge of each panel, resulting in erosion and sediment laden runoff.

Installation of solar panels – Interception of rainfall by panels increases runoff and reduces interception and evapotranspiration rates.

The factors identified by the Applicant will increase the risk of surface water flooding at Spring and Bow Cottages. In addition to these factors, the land that makes up the catchment area has been intensively farmed and the processes of drilling, ploughing etc has broken up the soil, increased infiltration and reduced runoff. Once this agricultural activity ceases, the ground will become compacted, runoff will inevitably increase as will the consequential flash flood risk.

A case study from Ontario has highlighted the increased risk of surface water flooding risks associated with clay soils such as those at Bank Farm, and significant topography (https://esemag.com/stormwater/lessons-learned-solar-project-present unique-stormwater-management-challenges/). Quoting from the study "In hindsight, it has become apparent that the selection of sites must place great significance on topography, existing site conditions and constraints such as nearby watercourses and soil types. All of these factors readily influence the volume and flow rate of runoff that, if not properly managed, can result in negative impacts to downstream and neighbouring properties".

The important issue of surface water flooding was submitted to the Applicant after the Autumn 2022 consultation meeting, but it was not addressed at the Summer 2023 consultation meeting. The PEIR Addendum Vol 2 Chapter 9 notes the community feedback on the risk of surface water flooding in general and refers to the detailed Flood Risk Assessment which will be submitted with the DCO Application. No specific mention is made of the current surface water flooding that affects Spring and Bow Cottages and how the factors affecting surface water flooding identified by the Applicant in its PEIR will impact on the magnitude and frequency of flooding. Flooding that affects property is of particular concern to the community and particularly for those whose are directly affected. We do not believe that the Applicant has addressed this particular case of surface water flooding at all, and no attempt has yet been made to understand the issue, nor how the proposed development may be amended to reduce the flood risk.

Post-consultation footnote: Following common sense (and extensive lobbying of the Environment Agency by our group) the long anticipated and frankly inevitable decision by the applicant not to site PV panels in fields 26 – 29, was announced. However, it still proposes to place EV panels, together with a deer fencing boundary, in fields 23 and 24, where photographic evidence of flooding has so far been ignored.

PART: SEVEN

The applicant's failure to consider the impact of the development's size and scale and alternative options:

7.1 – The applicant's intentions

Fundamentally, there is nothing to suggest that the developer is seriously committed to addressing the interests and concerns of the community or the environment in the context of its solar array and battery energy storage system specifications and designs.

Furthermore, the applicant has failed to declare any rationale or intention regarding the design and specification of the solar array and its footprint, in the context of various concessions, including those provided in relation to the Rochdale Envelope. Indeed, the very existence of both the Envelope and all the concessions were omitted from 'appropriate' community facing consultation materials.

Rather the applicant appears to have opted for the concept of specifying as many low-cost panels as the available land will accommodate. It has used concessions facilitated by Rochdale, (which is explained below in section 2.2) inappropriately to its advantage. The applicant has had no consideration of the community or its trumpeted green credentials which formed the basis of the initial promotional propaganda.

This approach is likely to have been adopted in the light of the Planning Inspectorate's meeting note of 16th November wherein, in response to the Inspectorate's request of the applicant 'to explain the difference between the generating capacity (nee rated capacity) and the export capacity (nee output)' the applicant discussed the use of 'oversizing' and stated that, since the cost of solar panels have decreased, it makes commercial sense to oversize to a greater amount with a view to maximising total output'.

In its most basic sense, the applicant's response confirms a desire to extract the absolute maximum output (and in turn create the largest possible footprint – within the constraints of the available land), with no regard whatsoever to community considerations. It then goes on, not content with the concession provided via 'overplanting', to advocate 'to oversize to a greater amount'.

7.2 - The Rochdale Envelope

In the context of the entire project, the applicant adopts this concessionary facility (based on case law) which enables applicants to adjust their plans, specifically to the development footprint, specifications, performance and quantity of the PV panels, up to 'the point of construction', in order to provide the opportunity to benefit from the latest technology available at the time development commences.

The application of concessions is critical in the context of the number of panels and footprint size of the project but were omitted from the most accessible and 'appropriate' community consultation materials in the form of the consultation leaflet, the website, and the event panels.

Had they been included; the opportunity would have been provided to debate the potential use of the concessions – for example in terms of PV panel specification and output – to the benefit of both the applicant and the community.

Note: a full and proper understanding of the Rochdale Envelope and the applicant's interpretation of the concessions it provides have the potential to play a significant role in this case. Access to the relevant PINS advice note is provided via the following link:

https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-nine-rochdale-envelope

7.3 – In summary

There is an understanding that enhanced energy generation levels sit favourably with the government's renewable energy requirements, but why does a consideration such as this not form part of the consultation where the contra arguments such as size, scale and impact could be considered?

The applicant should tell the community exactly what it is they intend to do. Against their initial clear intention of exploiting every potential acre of land within the red line - including areas known to flood and regardless of the effect on the community - they need to provide the community with a better understanding that takes proper account of the following:

-Whilst we understand the potential impact on the rated capacity of the degradation related ‘overplanting’ concession, what is the potential impact of the use of more, lower cost panels on the rated capacity?

- Conversely, what are the potential impacts on the rated capacity of using the same quantity, or fewer, higher rated panels?

- What is the potential impact of any Rochdale Envelope related concessions on the rated capacity?

- What is the current relationship between the yellow area of indicative panel footprint in plan 3.6 and the rated capacity?

- Does the potential exist to expand the yellow area through oversizing using cheaper panels and thus still further increase the rated capacity?

- Are the applicant’s projections in terms of panel coverage, panel generation and projected rated capacity, best case scenarios or worst case or what?

- What are the current projections for the capacity of the battery storage system and its ability to accommodate incremental growth from increases in the size of the panel array

- What are the applicant’s strategies and projections regarding the replacement of existing panels with panels generating higher output levels on a favourable replacement panel cost/increased generation potential?

- Are there any overriding factors limiting the generation potential of the solar array, other than the point of connection?

- Do any such strategies and projections fall outside the projected tenure of the applicant as owners of the DCO and the development?

PART EIGHT:

Other size and scale inadequacies - all relevant in relation to the applicant's disingenuous approach.

8.1 - There has been a failure to justify the scale of the development**,** according to any of the three rated capacities - 50MW, 99.9MW and 165MW - quoted in the consultation materials.

Considered from an acreage perspective, it was a reasonable expectation of the community that it be provided with detail as to why the project needed to be as large as 495 acres. There was no consultation about 'essential minimum size'. This need not have related to commercially sensitive information, provided that sufficient detail was provided to the community to enable debate of the issue and to reach an informed view.

8.2 – There has been a repetitious and consistent use of 99.9MW as the principal descriptor of the development's size, presented in such a way as to falsely indicate this figure as the rated capacity of the entire development – which it is not.

8.3 - The applicant has inappropriately "bundled" the solar array and battery energy storage system components, contrary to industry convention, with the potential to distort the classification (and regulation) of the solar array, according to its 'power station' status. *See reference 5*

8.4 – There has been an inappropriate, repetitious and consistent use of 'import/export' terminology, contrary to industry conventions. *See reference 6*

8.5 – The failure to declare an **estimated, total rated capacity**, taking into account the (eventually) declared rated capacity of 165MW, plus estimated appraisals of *all* concessions provided, the principle of oversizing, optimal panel ratings and other related factors.

8.6 – The failure to prepare and disclose in any shape or form the forecast output of the solar array, expressed according to conventional industry terminology in MWhours. Such a calculation to include the 'capacity factor' of the solar array, estimated to be in the region of 10%.

8.7 – The failure to prepare and disclose the maximum (and, where relevant, the minimum) parameters for the proposed development's size, where flexibility needs to be retained.

8.8 - In its quest for additional PV solar panel area, the applicant appears to have omitted the environmental impact of a greater area of panels, in the form of the increased carbon footprint in both the manufacture and the shipment of the additional panels in the construction phase.

8.9 – The failure to declare whether the 'panel area' quoted is inclusive or exclusive of the areas of grass around and between the panels.

8.10 – The failure to declare whether the 'panel area' quoted is net of 'oversailing' calculations.

8.11 – The failure to clarify and justify the expansion of the site from the declaration at the launch of the scheme of 'about 400 acres', through various iterations during the consultation process, to the current size of 495 acres

8.12 – The applicant's (Giles Frampton) refusal to discuss 'scale' in any detail whatsoever ("well we just disagree with the community's views on scale") was all that was forthcoming during a public information event at Mersham on 24th June 2023 should also be noted.

PART NINE:

Inadequacies within the context of Public Rights of Way (PROWs)

Inadequate probably best summarises the applicant's approach to PROWs. Pressing ahead with their plans, failing to consult on their presence in a concentrated area of the site, with the applicant's director, Conor McNally having no idea whatsoever of the number of PROWs that would be impacted when arriving at the first consultation event on April 8th, 2022.

Since when, its approach is typified by a lack of regard, not simply for the 18 PROWs, but also their role in the broader network of PROWs in the area.

The applicant has failed to consult adequately on ways in which the development could be designed to safeguard historic alignments.

The final confirmation of the applicant's failure to consult on PROWs *and* the use of inappropriate documentation is that a Rights of Way Working Group, the presence of which was only to be found in Appendix 11.2: Draft Rights of Way and Access Strategy document is only to become active following submission of the DCO application.

PROWs - expanded content

9.1 - Failure to acknowledge the significant presence of a large network of PROWs, some of them historic, when selecting the 'carefully chosen' site for this development.

9.2 - Failure to consider the principle that the large-scale diversion and/or extinguishment, even temporarily, of historic Public Rights of Way, most of which are shown on the earliest Ordnance Survey editions and likely to be centuries old, should be avoided at all costs.

9.3 - Failure, in selected appropriate and practical circumstances, to maintain currently direct routes, rather than re-route them around the outside of fields. This is in contrast to the proposals by EDF in the neighbouring East Stour Solar LPA project, where PRoWs are to be retained along their current alignments and the enclosures arranged around them (e.g. AE457, AE458 and AE459) with additional hedging in mitigation following proper consultation with the community.

9.4 - Failure to adequately consider a detailed assessment of all PROWs (and network connections) provided by Ramblers' representatives.

9.5 - Failure to consult on the creation of several new paths, each of which are token provisions rather than adding meaningful improvements

9.6 - Failure of the applicant (Giles Frampton) to consult as promised via a meeting with Ramblers' representatives, having acknowledged that display panels were not available.

9.7 - Failure to acknowledge that, during the construction phase, provision should be made to ensure that access to PROWs will be maintained throughout, whether on their original or diverted alignment. This should include details of how suitable surfaces should be maintained and not disrupted or churned up by construction traffic, and that priority should be given wherever possible to PROW users, as was the undertaking provided on the comparable Cleve Hill solar generating application near Faversham.

9.8 – Failure to consult adequately on suitable mitigation along and around the PROWs, as appropriate.

9.9 - Failure to publish details of the Rights of Way Working Group in an appropriate publication, in due time, prior to and not post submission of the DCO application.

PART TEN:

Inadequacies relating to various other aspects of the project

Within the context of the application as a whole the following should be noted

10.1 – First of all, there has been a failure to justify **the chosen location of the development** in the 'Borough of Ashford'. Secondly, the applicant has failed to give due consideration of its position on undulating land, impacting the villages of Aldington and Mersham.

10.2 - The failure to provide any substantiation of, or justification for, the varying claims relating to CO2 emissions savings, ranging from 34,000 to 37,000 tonnes.

Furthermore, it is unclear from the consultation materials as to whether these claims take account of the huge environmental costs of lithium extraction.

10.3 - The failure to provide any substantiation of, or justification for, the varying claims relating to the potential number of homes that will be powered by the output of the project as a whole, ranging from 42,000 to 48,000. In any case, such statistics are nonsensical given that output cannot be calculated in the MW classification stated.

10.4 –The failure to adequately explain why it has taken 2 years to unravel the choice between preferred and optioned cable routings, whilst even now the former awaits final confirmation from UKPN.

10.5 - No confirmation that the 'Grid Code' (GC) technical requirements for connecting to and using the National Electricity Transmission System (NETS) been established, observed and met. The applicant has provided no detail on this.

10.6 – The failure to explain or justify the extension of the red line/preferred order limits at the time of the 2nd statutory consultation, to include the entire surface area of the Sellindge Converter Station with the development.

Within the context of planning and communication

10.7 – Through the consultation phase the applicant has declared that the final locations of the equipment within the Stonestreet Green project will not be

available until the actual connection capability and thereby the intra-array connectivity has been determined.

These intra-array connections will determine the locations of, primarily, the arrays themselves but also the positions of the battery stations, power transformers, high voltage cabling, low voltage and control cabling , AC-DC converters and any ancillary cooling plant(s).

Industry standards indicate that within a competent application, sufficient information should be available to set out the probable locations for the various assets and equipment. Such information, reasonable guide as to what would be installed, where it would be set out, and when has been lacking throughout the consultation. This information would have allowed locally affected businesses and residents to fully appreciate what is likely to occur and when. Such phase by phase information is very important for local people and managed in the proper way to invite feedback, in turn, enhances the working relationships between the applicant, the installer, the operator and the community. All such opportunities were missed adding to the inadequacy of the whole consultation process.

Within the context of future and related impacts

10.8 – The failure to consider, explain and make allowances and contingencies for the likelihood of PV panel replacement.

First of all, in the context of maintenance and renewal, thus suggesting (without any information to the contrary) that damaged or faulty panels will simply remain in situ.

Secondly, in realistic anticipation of significant gains in panel performance, output and ratings, emanating from the progressive development of PV panel design, materials and process and the resultant replacement of the complete arrays. Such factors will inevitably give rise to periodic, major reconstruction on a grand scale and consequential disruption in the community. None of these issues were addressed at any point in the consultation process.

Within the context of the cumulative impact of the development

10.9 - The failure to consider and discuss in an open way with the community, cumulative impact beyond the narrow and convenient definition of the proposed East Stour Solar Farm.

The applicant has throughout failed to take proper account of the realistic context of all energy generating developments north of Aldington. It should, from the earliest stages, have included the Sellindge Converter Station; the ongoing development and expansion of that facility; the periodic major refurbishment of it resulting from major incidents at that facility; the existing Partridge Farm solar array, the recently consented huge Pivoted Power BESS facility; the recently consented Welsh Power Synchronised Condenser facility, as well as the proposed East Stour Solar farm.

Taking account of the combination of the proposed project and the proposed East Stour Solar scheme alone, creates a total solar generating station acreage of about 745 acres, equivalent to 468 standard size football pitches and will mean that the percentage of Aldington parish occupied by the solar developments would be 22%.

The applicant also failed to "make use of the EIA scoping process to provide information on the Cumulative Environmental Effects (CEA) and ensure that it is appropriately focussed and proportionate" as applicants are required to do. CEA here relates not just to the completed scheme but crucially during its construction which may very well coincide with the construction of one or more of the other projects listed.

Only as late as part of the 2nd statutory consultation process did the applicant start to look in any detail at the CEA question and even now is proposing that this will be dealt with in the DCO application. This has had the effect of hiding this critically important component from the community throughout the consultation phases.

REFERENCE ONE:

Provides the references used to substantiate, where appropriate, relevant detail

<u>Notes to facilitate understanding of industry standard energy terminology. Provided for clarity and in the interests of helpfulness</u>

-The proposed development consists of a solar array, which generates electricity, together with a battery energy storage system (BESS) which stores and redistributes electricity.
- The **'rated capacity'** or **'nameplate capacity'** is expressed in MW (mega watts) and is registered with authorities as the classification of the power station. It represents the instantaneous and nominal units of power generated under ideal conditions on summer's day. The rated capacity conventionally provides the 'headline' descriptor of solar arrays.
- The **'capacity factor'** is applied to all power generating facilities, in recognition of issues which reduce their performance from the 'instantaneous' level of the 'rated capacity' to an accurate reflection of the real world, such as when the sun actually shines in the case of solar, for which a factor of c.10% is applied.
- The **'output'** of the solar array is expressed in MWhours and is calculated using a number of factors including the solar panel specifications, the capacity factor, the irradiation level on the site and coefficients for losses.
- The **'output at the point of connection'** is expressed in MW and matches the rated capacity, on the basis of the requirement to accommodate output up to the nominal level of the rated capacity.

The omission of such useful terminology in consultation materials is vital to the most basic understanding of energy generation and represents yet another example of inadequate consultation.

REFERENCE TWO:

Provides examples of the consistent usage of '99.9MW'

Part B: Proposed Development

3.5 Introduction

3.5.1 The Proposed Development comprises the construction, operation, maintenance, and decommissioning of solar photovoltaic ('PV') arrays and energy storage, together with associated infrastructure and an underground cable connection to the existing National Grid Sellindge Substation. The agreed grid connection for the Proposed Development will allow the export and import of up to 99.9 MW of electricity to the national grid.

Stonestreet Green Solar will have an export capacity of up to 99.9MW and produce enough renewable energy to power almost 42,000 homes and save over 34,000 tonnes of carbon from the atmosphere each year.

Benefits

- The project will export up to 99.9MW of clean, renewable electricity to the national grid, making a significant contribution to the UK's 2050 net zero target and the ambition to decarbonise the UK electricity system by 2035.

- The project will export up to 99.9MW of renewable electricity to the national grid, making a significant contribution to the UK's 2050 net zero target and the ambition to decarbonise the UK electricity system by 2035.

REFERENCE THREE:

Provides the revelation of the intended capacity of 165MW, taken from SoCC3, published in May 2023

Stonestreet Green Solar will provide a range of benefits including:

- The project is expected to have a generating capacity of around 165MW of renewable energy. The agreed grid connection for the project will allow the export and import of up to 99.9MW of clean, renewable electricity to the national grid at any time, contributing to the UK's 2050 net-zero target.

REFERENCE FOUR

Provides 2 references from PEIR 1, chapter 1, relating to the panel degradation concession

1.4.6. With regard to installed generating capacity of a solar farm, paragraph 2.48.8 of the Draft National Policy Statement for Renewable Energy Infrastructure ('NPS') EN-3[3] states:

> *'It should also be noted that the DC installed generating capacity of a solar farm will decline over time in correlation with the reduction in panel array efficiency. Light induced degradation affects most solar panels and on average panels degrade at a rate of up to 1% each year. Applicants may account for this by overplanting solar panel arrays [footnote 43]. Therefore, AC installed export capacity should not be seen as an appropriate tool to constrain the impacts of a solar farm. Other measurements, such as panel size, total area and percentage of ground cover should be used to set the maximum extent of development when determining the planning impacts of an application.'*

[3] Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1015236/en-3-draft-for-consultation.pdf. Accessed June 2022.

1.4.7. Footnote 43 states:

> *'"Overplanting" refers to the situation in which the installed generating capacity or nameplate capacity of the facility is larger than the generator's grid connection. In the case described in para 2.48.8 solar generators may install but not initially use additional panels to act as a back-up for when panels degrade, thereby enabling the grid connection to be maximised across the lifetime of the site. For planning purposes, the proposed development will be assessed on the impacts of the total number of panels installed on the site (i.e., the impacts of the overplanted site).'*

REFERENCE FIVE

Provides examples of the bundling of the solar array and the battery energy storage system

The project will have an export capacity of up to 99.9MW, which is enough renewable energy to power approximately 44,000 homes and saving approximately 34,000 tonnes of carbon from the atmosphere each year. The project has secured nearby grid connection access at Sellindge.

Stonestreet Green Solar will have an export capacity of up to 99.9MW and produce enough renewable energy to power almost 42,000 homes and save over 34,000 tonnes of carbon from the atmosphere each year.

3.2.2. The Proposed Development consists of ground-mounted solar PV arrays and on-Site energy storage, together with associated infrastructure and an underground cable connection to the existing National Grid Substation at Sellindge. The agreed grid connection for the Proposed Development will allow the export and import (to/from the national grid) of up to 99.9MW of electricity at any time.

REFERENCE SIX

Provides reference of the usage of import and export

3.1.1. The Proposed Development comprises ground-mounted solar photovoltaic ('PV') arrays and on-Site energy storage, together with associated infrastructure and an underground cable connection to the existing National Grid Substation at Sellindge. The agreed grid connection for the Proposed Development will allow the export and import of up to 99.9 Mega-Watts ('MW') of electricity to the national grid at any time.

- The project will include energy storage on-site, which will enable the storage, import and export of electricity to and from the grid.

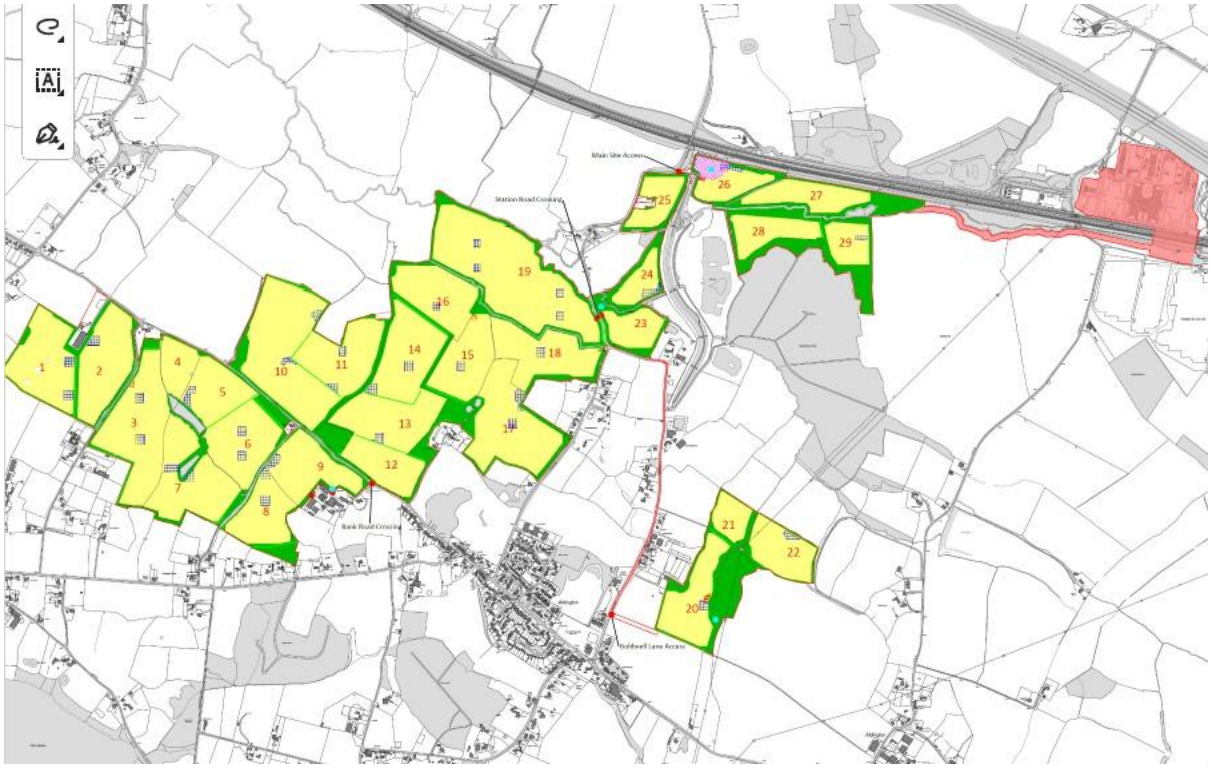
Stonestreet Green Solar will provide a range of benefits including:

- The project will export up to 99.9MW of clean, renewable electricity, contributing to the UK's 2050 net-zero target.

agreed grid connection for the Project will allow the export and import of up to 99.9 megawatts ("MW") of electricity to the electricity grid.

REFERENCE SEVEN

The 3.6 plan



REFERENCE EIGHT:

Provides the extract from PEIR Addendum Volume 2, Main Text: Chapter 3; Site Development: Pages 31-32; 3.7.27

Energy Storage System

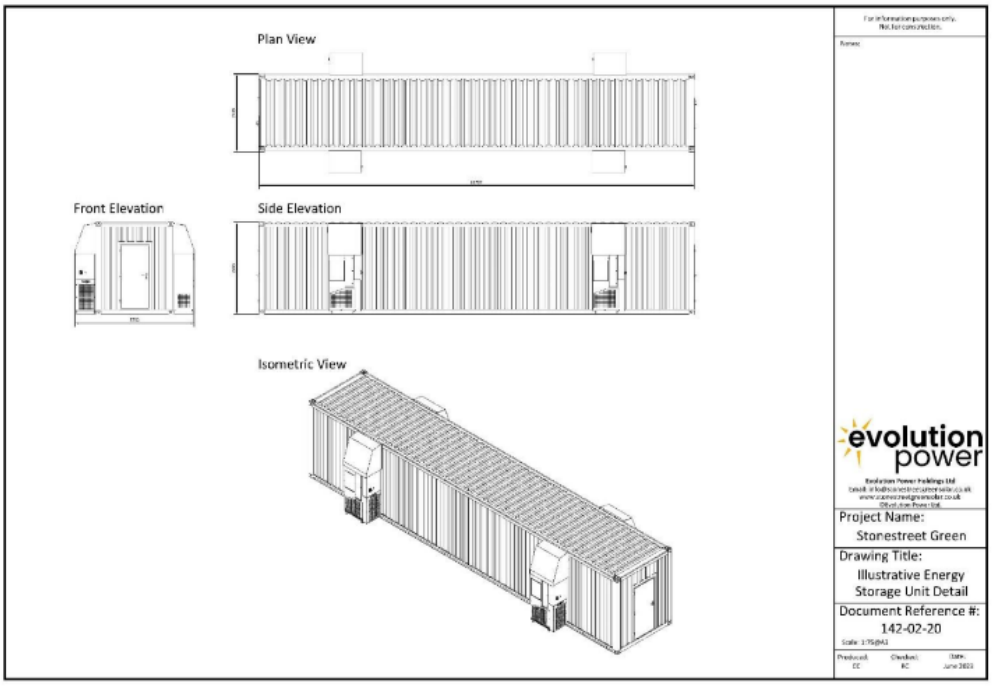
3.7.27 The Proposed Development includes an energy storage system. The primary function of the energy storage system is to capture electricity generated from the PV panels and store it to enable it to be discharged to the National Grid when it is needed most, i.e. during periods of high demand. This allows the Proposed Development to load-shift generation from periods of low demand to high demand (to enable the maximum benefit to be obtained from the renewable energy produced) and to also provide grid balancing services to the electricity grid.

3.7.28 The energy storage system will typically be charged using electricity generated by the PV panels. However, energy may be imported from the National Grid to charge when the PV panels are not generating (for example, during the night). This function will help to further balance the overall electricity grid.

3.7.29 The energy storage system will be charged using DC and accommodated in 31 containerized units ('Energy Storage Units') which will be co-located with the Inverter Stations. Energy Storage Units will be approximately 13.75m (length) x 2.9m (height) x 3.8m (width)) distributed throughout the Site adjacent to the Inverter Stations. Heating, ventilation and cooling ('HVAC') systems will be integrated into the Energy Storage Units to ensure efficiency and safe performance. An illustrative Energy Storage Unit is shown on **Figure 3.14** below.

3.7.30 Electricity from the PV panels will directly charge the Energy Storage Units via the DC-DC converters (approximately 1m (length) x 2.1m (height) x 0.85m (width)) located beside the Energy Storage Units and Inverter Stations. The DC-DC converters also enable the storage units and the inverters to interact.

Figure 3.14: Illustrative Energy Storage Unit Detail (see Appendix 3.3 for higher resolution A3 version)



REFERENCE 9

Relating to alternative land usage and PEIR Addendum, Volume 3, Appendix 4.1

4 Sequential Test Analysis

4.1 Once the Study Area was examined to identify land which can be initially discredited, the remaining Potentially Developable Land ('PDL') areas for solar farm sites were identified.

4.2 The land between the A20 and M20 and the area south of the M20 have been identified as PDL and are shown in Figure 1 as PDL 1 and PDL 2 respectively.

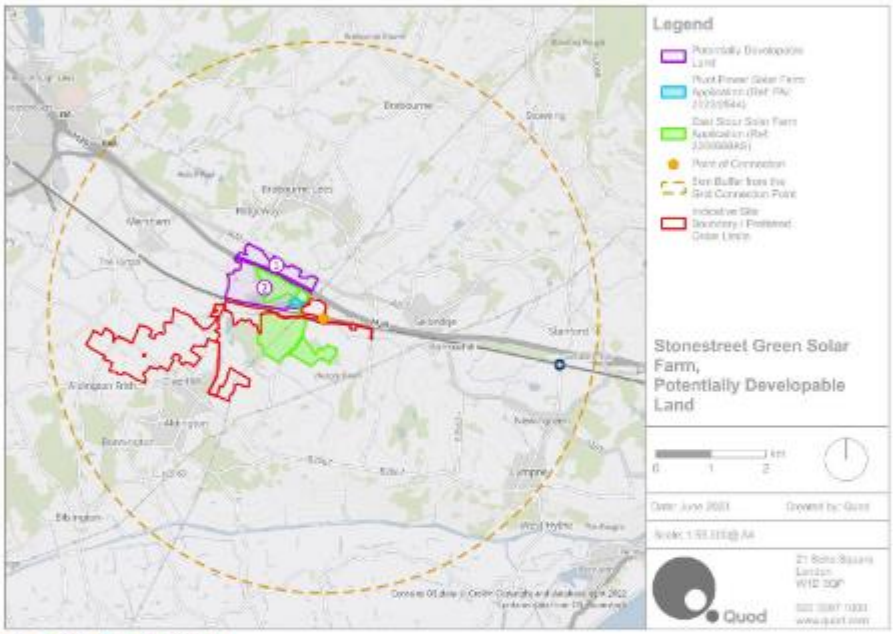


Figure 1 PDL Locations

PDL 1 Land between the A20 and M20

4.3 PDL 1 has an area of 32ha. It is bordered to the north by the A20, to the south by the M20, to the east by Church Lane and Station Road to the west. The western portion of the site is within Flood Zone 3 whilst the remainder of the site is within Flood Zone 1. This PDL is approximately 1.1km from the POC.

PDL 2 Area South of the M20

4.4 PDL 2 has an area of 85.1 hectares. It is bordered to the north by the M20, to the east by the Sellindge Substation, to the south by railway tracks and the west is bordered by Evegate Business Park and Station Road. The southern and western portions of the site include a water

REFERENCE 9 CONTINUED

storage area and areas within Flood Zone 2. The remaining area of the PDL is within Flood Zone 1. PDL 2 is approximately 1.1km from the POC. PDL 2 is subject to other development proposals (Pivot Power's Sellindge Battery Storage Facility (Cumulative scheme ID No. 1, Ref. PA/2022/2544) and EDF's East Stour Solar Farm (Cumulative scheme ID No. 6, Ref. 2200668AS)). Figure 2 below demonstrates the overlap between PDL 2 and those applications.

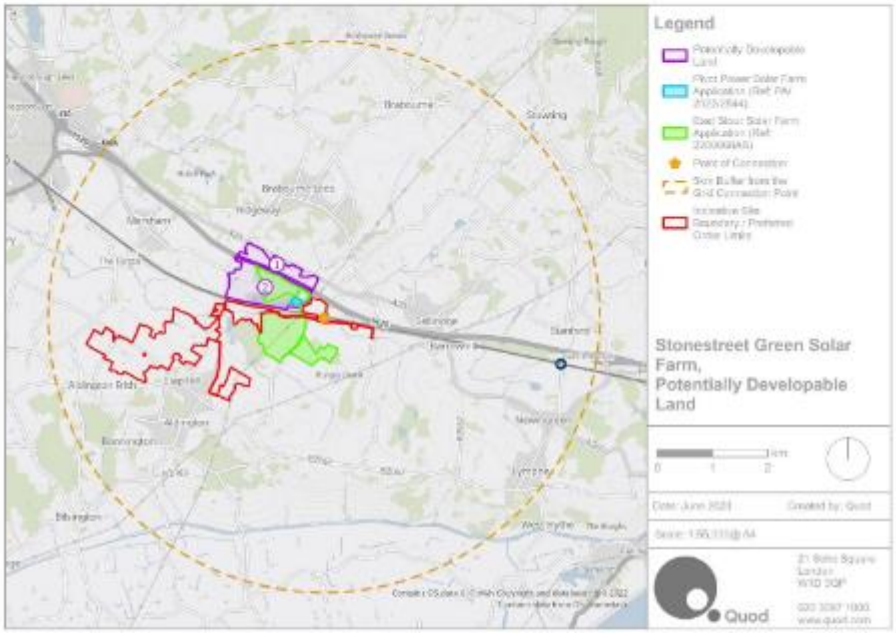


Figure 2 PDL Locations and Cumulative Schemes

4.5 It is therefore considered that PDL1 and PDL2 do not meet the criteria for the Proposed Development. Firstly, because both are too small to accommodate the required import/export capacity proposed in order to make a significant contribution to the UK's urgent requirements for renewable energy.

4.6 Secondly, both PDL1 and 2's western portion of the site are within Grade 2 ALC, BMV land, which would mean that they are less suitable than the Proposed Development Site.

4.7 PDL 2 is partially within the planning application boundary of the Pivot Power scheme (Ref: PA/2022/2544), as shown in Figure 2, meaning that it would not be available for development.

5 Conclusion

5.1 The Sequential Test has demonstrated that there are no sequentially preferable alternatives to the Site that would meet the project requirements for the Proposed Development.

5.2 Furthermore, it is the only site that is also large enough to maximise the economic and environmental benefits of the Proposed Development. Therefore, it can be concluded that the chosen site is sequentially preferable.

5.3 The Proposed Development is considered to provide significant wider sustainability benefits to the wider area that outweigh the limited flood risk and the initial FRA has identified that the development is will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. Further details will be set out within the DCO application, but it is considered that the Project can be designed to meet the Exception Test.

APPENDIX ONE:

The community consultation process

The applicant has failed to implement the community consultation process in a fair and lawful manner in the context of the components, their content and execution, with all 3 stages of the process mired in similar shortcomings, with little or no style or content changes to suggest improvement as the process moved forward, via its 3 iterations.

In particular, there was a failure to identify the profile and resources of a typical Aldington resident; combined with this was the failure to identify which consultation components were justifiably required to contain and convey sufficient information, in order to complete the legal requirements of the process, according to the profile of the residents. In the context of this submission the categorisation of consultation components should have been included as a reasonable interpretation of this requirement:

Failure of specific components deployed by the applicant during the *consultation process:*

8.1 - **Community information leaflet**

The requirement of the consultation process was to adequately consult with the local community. In reality, the applicant's document titled 'community information leaflet' should have been the component most likely to inform the community, potentially with support from the applicant's website.

Yet the leaflets left much to be desired, being printed on poor quality stock, with poor quality maps and images and light on content detail. With the final iteration failing to include the most basic detail in the form of the rated capacity of the development.

8.2 - The website

The website facility was based on the lowest form of viably available technology, with a significant omission being that of the combination of open text content together with a search facility. The combination of which would have facilitated far easier and timely community access to the content.

8.3 - SoCC, PEIR and other documentation

In reality, the task of checking significant detail required a combination of access to the complete documentation set (with the option of paying £500 for a paper copy) and significant devotion to document trawling, made doubly difficult through the applicant's use of addendums as opposed to consolidated new document content (and the absence of a search facility).

The applicant advised that a copy of all the documentation would be available for public inspection at various locations. Ashford Borough Council's offices at the Civic Centre in Ashford was one such location, but on enquiry at their reception it was apparent that no copy had been deposited for public inspection, contrary to details set out in the prior notification by the applicant.

8.4 - The events

The events had little appeal, a fact reflected by the poor attendance, most probably due to repetitive format and content, since virtually all the material presented was already available via the applicant's website. The feedback questions were clearly designed towards achieving developer favourable responses.

In a Community Liaison Panel (CLP) meeting on September 21st, 2023 the applicant maintained that the low turnout at the events was an indication of the community's broad acceptance of the development. The fact that the events provided no further content than the community information leaflet and the website is the much more logical explanation, as word got around about the poor quality of the information events.

8.5 – The Community Liaison Panel

The CLP process and its meetings failed to serve its intended purpose, largely due to its inadequate terms of reference, the absence of impartiality on the part of the Chair, draft agenda formation procedures (or absence of them), the

infrequent meetings and the applicant's lack of detailed input that characterised the entire consultation process.

Furthermore, the author of this document was 'closed down' by the chair, with no justification, in similar circumstances, during two consecutive meetings.

8.6 – Applicant/Community meetings

The applicant's approach to a meeting in the first statutory consultation phase was to stipulate that any questions had to be submitted in advance, with the result that many questions which were not presented beforehand were discarded and those that were not were brushed away with contempt by the applicant's director (Conor McNally).

There was no invitation to the community to meet issued by the applicant during the second statutory consultation phase.

APPENDIX 2: THE APPLICANT'S CREDENTIALS

Provided as a profile of the applicant who has failed to adequately consult.

The applicant's credentials

Broadly speaking, the applicant has failed to provide appropriate credentials across the spectrum of planning, finance and energy generation management and operation in any part of its proposals. Furthermore, there is nothing to indicate whether or not its role with the proposal will continue to the point of construction let alone operation if the application is consented.

2.1 – The applicant's ID

The identity of the applicant morphed throughout the consultation process from Evolution Power Limited at the time of the Inception Meeting with the Planning Inspectorate on 16th November 2021 to no identity at all in the Non-statutory Consultation Community Information Leaflet dated March 2022. It was then stated by director Giles Frampton that the name 'can be anything we choose it to be' at a meeting at Bank Farm, Aldington on 8th April 2022. It remained as Evolution Power Limited in the consultation materials used in the first Statutory Consultation process in October/November 2022 and then switched to EPL001 Limited in the consultation materials used in the second Statutory Consultation process. (With Evolution Power Holdings Limited referred to in all its accompanying plans).

Irrefutably, the applicant's name did change during the course of the consultation process, despite the applicant's claim to the contrary in response to a question from the Planning Inspectorate during a Project Update Meeting with them on 27th January 2023.

In addition to the 'name change' fiasco, the potential emerged during the consultation process for 'additional businesses' to be considered in the form of potential beneficiaries, given the unexplained amendment to the red lines/Preferred Order Limits, which coincided with the declaration of the change in the applicant's name to EPL 001 Limited. Said amendment embraced the majority of the footprint of the Sellindge Converter Station, thus indicating the potential involvement of all or any of the 4 energy companies operational within that footprint – National Grid Plc, National Grid Ventures, National Grid ESO and UK Power Networks - at least one of which is unregulated.

2.2 – The applicant's background credentials

A typical representation of the applicant's credentials can be found in PEIR Addendum, volume 1:

"EPL 001 Limited is a wholly owned subsidiary of Evolution Power Limited. Evolution Power Limited is a UK-based independent solar developer established to develop affordable and sustainable renewable energy projects that will help the UK meet its legally binding 2050 net zero emissions target".

The parent company of the applicant, Evolution Power Limited, was registered on 3rd August 2021 (just 3 months prior to the inception meeting with the Planning Inspectorate); EPL 001 Limited is a subsidiary of Evolution Power Limited and was registered on 5th February 2020; EPL001 has declared assets (as of February 2022) of £1,333; has no staff; has no operational premises; together with its parent company has no experience of building or operating such a solar generating station development; and its day-to-day business appears to be managed by Quantum PR Limited.

2.3 – The applicant's financial credentials

The financially related perception via the consultation process - is of an applicant with a plan to invest many millions of pounds developing the solar generating station and after that having the financial resources that will be required to support ongoing operational management, maintenance and renewal of components on a significant scale. All on the basis of having little more than £1,000 in its bank.

2.4 – The applicant's operational credentials

As stated above, the applicant and its parent company have no operational staff or premises and neither company has had experience of building or operating such a development. Where in the consultation process is the disclosure of the manpower and resources to manage the development, if consented, including the safety risks related to high levels of both generated and stored electricity and both their connection to the grid and the manipulation of electricity in the context of the balancing process?

2.5 – The applicant's possible intent

In summary, the profile of EPL001 Limited (and its parent company) suggests the possibility of a company engaged in the acquisition of a Development Consent Order which will then be traded, with such arrangements becoming increasingly commonplace in the ever-broadening market for 'green energy'.

Such an outcome, as described in the preceding paragraph, is also suggested by the absence of an 'operator' management function and resource, were the application consented.

There is nothing legally to prevent an applicant trading a consent in this way. Indeed, the existing, local Partridge Farm Solar facility (consented through the LPA procedure) was traded by Eco Energy World Limited.

But, in the context of informing the local community and being open, why has the applicant been unclear on such an important issue when, based on some basic research, the prospect of the applicant developing and operating the site if consented would raise grave concerns?

In any case, such circumstances and the absence of any 'right of sight' entitlement in relation to potential EPL001 sale documents, the consultation should have considered the applicant's status and the imposition of statutes or covenants on the development.

A forward-looking assessment could and would have identified a host of appropriate considerations throughout the 40-year lifetime of the proposed development. Ranging from operational, in the form of the long-term maintenance of mitigation measures and the site as a whole; to financial in the context of Community Funding administration and payments; to construction in the realistic expectation that up to 250,000 solar panels will be replaced on a periodic basis throughout the lifetime of the development, in order to financially exploit enhanced technology driven development of solar panels. Or to dismantle and restore the site to its current status, if and when other more efficient and financially rewarding technology emerges.

2.6 - Failure to undertake a risk analysis of the applicant's capabilities in the context of energy management

The failure to undertake a risk analysis in recognition of the applicant's role and inexperience of energy management and their ability to safely manage the output of generated electricity to a facility with the highest concentration of energy generation in the UK appears to be a significant oversight.

APPENDIX THREE:

Ashford Borough Council made the following input in December 2022, referenced on the following 4 pages, which contributed towards the applicant's decision to undertake a second round of statutory consultation. Whilst the Holding Objection detailed a large number of deficiencies in the applicant's proposals, indicating that these would need to be dealt with in the application (and ES), it is implicit in the council's letter that these issues listed should be covered as part of the requested second statutory consultation.

A prime example is the cumulative impact and associated LVIA. It is unacceptable that such important issues have been disregarded (again) in the second statutory consultation with the local community and simply deferred until the application itself, when Ashford Borough Council has, as the local planning authority statutory Consultee, specifically raised these very issues.

We seek a statement from Ashford Borough Council concerning the status of these issues, following the second round of statutory consultation.

Planning and Development

Ask For: Roland Mills
Email: [redacted]@ashford.gov.uk
Direct Line: [redacted]

ASHFORD
BOROUGH COUNCIL

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EC4R 9AN

c/o Mr Ben Lewis
Stantec
Studio 117
The Creative Qaurter
8a Morgan Arcade
Cardiff
CF10 1AF

By e-mail

Our Planning Ref: 22/00001/NSIP/AS
Date: 08/12/2022

Dear Sir

Land at Bank Farm opposite Becketts Green, Bank Road, Aldington, Kent

Planning Act 2008 - s.42 consultation

Proposed solar photovoltaic array plus energy storage with associated infrastructure and grid connection, with a generating capacity of up to 99.9MW

Further to the above and the agreed extended timescale for the Borough Council's response in relation thereto, I confirm that the matter was considered by the Planning Committee 07/12/22 and that the Council responds as follows-

The Council is committed to reducing the reliance on fossil fuels and accepts that there is a compelling need, as a matter of principle, to increase renewable energy generation and consumption in order to support the Government's national agenda to reach net zero carbon by 2050. The Council therefore does not raise objection to the principle of large scale solar photovoltaic generation within the Borough subject to the appropriate siting and mitigation of any significantly harmful impacts that would arise from such development being put in place with mitigation tailored specifically and sensitively to matters of location and related context in order to minimise the impacts of development as far as possible, especially for solar schemes in a rural countryside location.

The Council;-

(i) raises a **HOLDING OBJECTION** to the emerging proposal as detailed in the EP s.42 consultation for the reasons set out in the report to the Planning Committee 07/12/22 and detailed further below relating to inadequate mitigation to minimise the impacts of the proposal on the rural countryside location and those matters that contribute to the character and quality of the countryside as it presently exists and is enjoyed, and

(ii) invites EP to consider the Council's concerns further and work pro-actively with officers to refine and amend the emerging solar scheme, and

(iii) invites EP to then carry out a further s.42 consultation in respect of an updated scheme that seeks to address the concerns that have been raised as far as possible.

Cultural Heritage

1. Each heritage asset needs to be assessed separately, based on a true understanding of the special character of the building/asset,

2. Assessment of setting - The impact is being assessed in a quantitative way using environmental assessment methodology and criteria outlined in the Design Manual for Roads and Bridges. This has limited use when assessing historic buildings and structures above ground, as it provides no criteria for assessing value. The assessment of the impact on the built heritage should be a qualitative not a quantitative assessment.

3. The full ES must reference and consider the Ashford Heritage Strategy (2017) and national 2021 guidance from HE about solar farms. These two documents are relevant to this development and must be considered.

4. The Council strongly supports the comments made by the County Council Archaeologist in respect of the need for a more detailed archaeological assessment in order to ensure that the nature and character of any archaeological site is acceptably mitigated within its particular landscape setting, including any potential barrows within the site.

Landscape and Views

1. The LVIA ES chapter should include both summer and winter views for each Context View.

2. The PEIR largely follows the anticipated layout to a full LVIA and includes preliminary analysis of landscape and visual receptors, based on desk top and site assessments and anticipated impacts and effects. The PEIR references amendments to the proposals informed by consultation and the scoping exercise but details of the evolution of the scheme as informed by this process are not included in the PEIR. The role of LVIA in informing the design process is a clear requirement of GLVIA 3 (Paras 4.5 to 4.10) and an overview of this process should be included in the full LVIA.

3. The approach to mitigation using soft landscape elements is not of a proportionate scale to the significant scale of the development. Insufficient landscape screening is proposed to be provided, particularly in open areas with long range views.

4. There is a lack of woodland block planting. Use of orchard planting will not provide the necessary scale, and the use of this landscape type in this location does not form part of the local landscape character.

5. The reinstatement of historic hedgerows and additional hedgerow planting is welcomed. Hedges should be combined with individual trees (such as oak) within and independent of hedgerow, to reflect the local landscape character. Currently the schedule lists only wetland trees associated with the East Stour River, and no trees to the rest of the development.

6. Security fencing, particularly when located next a PRoW could be better screened.

7. The provision of deeper landscaped buffers of tree planting / meadow adjacent to PRoWs, would improve landscape character and the experience for users of the PROW.

8. More consideration needs to be given to the impact on residential properties. There is a lack of mitigation proposed to the residential properties associated with Bank Farm, and to Becketts Green. Both these properties are along Roman Road, which is open and relatively flat in character, allowing for long views. A detailed appraisal on all the residential properties impacted by the development should be provided.

9. The Council wishes to stress that in (i) order to minimise the impacts of any lighting associated with proposed security CCTV this must not be white light CCTV and should be infra-red CCTV and (ii) CCTV must be positioned so as to not intrude on the privacy of any nearby residents.

10. The Council considers that it is essential that from a landscape and visual perspective, the prospective applicant's LVIA must directly consider the potential cumulative impacts associated with the East Stour Solar Farm proposals subject of planning application 22/00668/AS that is being considered by the Council including the LVIA, photomontages and layout plans submitted with that application.

Biodiversity

1. The Council fully endorses the s.42 consultation response of the KCC biodiversity officer.

Water Environment

1. The Council fully endorses the s.42 consultation response of KCC in respect of matters related to the water environment.

Land contamination

A watching brief must be maintained during construction and decommissioning works and reported to ABC Environmental Health before works continue.

Socio-Economics

1. The Council considers that in terms of employment impacts the applicant needs to provide an Assessment of the impacts of the proposal on the local agri-economy.

2. The Council encourages the applicant to consider combining the proposed solar farm with agriculture ('agrivoltaics') given the potential benefits of that approach to local agricultural employment.

Traffic and Access

1. The Council fully endorses the s.42 consultation response of KCC Highways and Transportation in respect of traffic and access matters.

Noise

1. Given that noise levels are predicted to be low with plant located away from the boundaries of the site and the proposed noise assessment will consider planning polices and local and national guidance, standards and documentation and use BS4142 and BS5228, the Councils Environmental Health Officer is satisfied with the information provided within the PEIR and raises no objections.

Climate Change

No comments

Cumulative Effects

1. As per the Landscape and Views comments above, cumulative impacts are not directly addressed in the landscape and visual chapter. The LVIA should consider the potential cumulative impacts associated with the neighbouring East Stour Solar Proposals (planning application reference 22/00668/AS). Given the combined extents and similarity of the schemes this is considered to be of particular importance in this instance and there is a full LVIA including photomontages available for the East Stour scheme that needs to be considered.

Community Benefits

1. The Council notes and supports the principle of the scheme potentially helping deliver an enhanced / upgraded off-road connection between Aldington and Mersham but considers it essential that (i) such connection needs to be discussed more fully with residents and rambling groups and (ii) that which is proposed within the identified application must be embedded within a cohesive design for the site that seeks to minimise the landscape impacts of the proposed development.

2. The Council would wish to understand from the applicant how the proposed inflation-linked £40,000 annual sum (for the duration of the lifetime of the project) has been derived including any details of valuation comparables from other solar farm schemes that have informed the applicant's stated Community Benefit Fund offer.

Yours sincerely

Roland Mills
Strategic Development & Delivery Manager

APPENDIX FOUR

Linda Harman's (Chair of Aldington and Bonnington Parish Council) input into consultation response 1 in relation to flooding:

9.3.2. *Operational mitigation includes a surface water drainage regime for the Proposed Development that accounts for a climate change uplift. The drainage proposals would ensure the existing greenfield (pre-development) rate of surface water run off discharged to the adjacent watercourses is maintained*

This is noted. However, it is also noted that the plans include areas of flood zone 3 as part of the proposed scheme, whilst the panels may sit at a level that they and their electrical connections are above the potential flood level, we are concerned about runoff. At present the area has a wide surface area of ground to absorb rainwater and flooding mostly sits in fields. The installation of solar panels creates flat sloping surfaces that will channel water, reducing the surface area that the rain can land on. The water from the panels will run to the lower edge giving a far greater quantity of water to a reduced surface area of ground. This will potentially increase runoff from the fields during extreme weather events, potentially worsening the flood zone. Heavy vehicles may compact the soil to a greater degree than farm machinery which could affect the soil structure and its ability to absorb rain. The roads in Aldington and Bonnington already experience significant flooding and need to be traversed with care during inclement weather. Extreme weather events are increasing. The installation of renewable energy production should not be argued as necessary to reduce extreme weather events that are a fact, where the location of the installation is inappropriate. SUDS drainage will not retain ground water sufficiently due to the sloping nature of a large part of the site and the nature of the clay soil. Areas in the flood zone 3 and on undulating land that drains into it should be excluded from the proposal.

Linda Harman's input into consultation response 2

The Parish Council considers that its concerns about the nature of rainfall behaviour on large areas of land that naturally drains into a known flood zone area are not addressed to the point of being ignored.

All fields in Flood Zone 3 and sloping sites that drain into those fields should be removed from the proposal. We await the hydraulics modelling and updated Flood Risk Assessments to permit the Parish Council to review the subsequent

determination of flood extents, levels, depths, velocities, and overland flood routing not evidenced in the proposal

The proposal and consultation have failed to address specific concerns in relation to climate change, and the increasingly wetter winters experienced nationally as a result. Of key local interest is the flooding of country lanes which is now a regular occurrence. We consider that this is a significant material concern where solar panels are proposed on undulating land.

Linda Harman's input into consultation response 1 in relation to alternative sites

4.1.1. *Under the EIA Regulations, the Applicant must provide a description in the ES of the reasonable alternatives that have been studied by the Applicant that are relevant to the Proposed Development and indicate the main reasons for selecting the Proposed Development.*

There is no evidence presented that any alternative sites have been considered by the applicant, despite questions on this topic being raised during the public consultation sessions. Justification for the site selected is founded upon the availability of grid connection and a willing landowner, even though grid connection would be available and accessible from a range of other sites in the vicinity. Alternative sites could include land between the A20 and M20, which would also offer proximity to the Sellindge Converter Station but is flat and impacts fewer residential properties, therefore more appropriate.

Source: https://abpc.org.uk/all-planning-applications/solar/

DOCUMENT ENDS

Summary Note on the Adequacy Submission that has been made by AMSG to Ashford Borough Council (ABC) concerning Evolution Power's (EPL) Statutory Consultation for its proposed Stonestreet Solar generating station

The Aldington and Mersham Support Group (AMSG) comprises a number of concerned local residents who aim to reflect the strongly held views of the community regarding the proposed Stonestreet Green Solar development currently being promoted by Evolution Power (EPL).

After very careful consideration and analysis of all submissions that have been made by EPL (Applicant) in the course of two rounds of Statutory Consultation (and following discussions with local residents) we do not believe that the consultation process has been carried out adequately by the Applicant and importantly not in accordance with the relevant legislation and guidance.

We have identified the following key areas:

1. The Applicant failed to communicate its proposals openly and effectively, such that their plans could be adequately understood by the majority of local residents.
2. The Applicant's failure to consult on the design of the scheme (and to discuss development options) has meant that the opportunity has been missed to achieve the best possible scheme, with the least impact on the community and the landscape.
3. Critically the Applicant did not adequately explain how it has incorporated the "degradation concession" into its design whereby a scheme of 165MW capacity is being proposed rather than the repeatedly stated capacity of only 99MW. The oversizing of the scheme results in greater visual impact and loss of amenity for the community, than would otherwise be necessary. Not only was this aspect not clearly explained through the consultations but the concession itself has been incorrectly applied resulting in an even greater oversizing of the scheme.
4. No attempt whatsoever has been made by the Applicant to consult on the battery energy storage system (BESS). Our research indicates that this aspect forms an integral part of the project as a whole and yet its functionality and the various BESS options (for example single unit or multiple units) were never consulted on. Furthermore, the Applicant failed to provide any realistic visualisation of the scale of the associated infrastructure it proposes to install in amongst the field scale panel array and instead relied on one, not to scale, diagrammatic representation.
5. The Applicant has not properly consulted with the community in relation to flood events in the East Stour valley which sometimes cause the Environment Agency's dam to overtop. By locating panels on the flood plain downstream of the dam the Applicant's scheme risks flooding nearby properties and settlements currently safeguarded. This is because of the way in which security fencing around the panel arrays will catch floating debris when these events occur, causing flood water to back up. Surface water flooding affects properties at the corner of Laws Lane and Bank Road. The Applicant has not addressed the potential of the scheme to increase the magnitude and frequency of this flooding, with concerned residents.

6. The proposed scheme is located on parts of the Aldington Ridgeline and has significant visual impact. The visualisations generated by the Applicant during the first statutory consultations did not meet industry standards and because of that, did not allow the community to get a proper impression the way the proposal would impact on the landscape and to discuss what mitigation measures might be put in place. Despite requests from the community this was not rectified at the second statutory consultation, when no visualisations whatsoever were presented.
7. The applicant has failed to consult adequately with the local community about how the scheme's impact on the 18 Public Rights of Way can be adequately mitigated. For example, the Working Group idea discussed with and agreed with the Applicant was never progressed and instead deferred until after the application is submitted.
8. When such a large part of two village communities and their immediate surroundings stands to be so adversely impacted it is essential that the applicant should be open to the concept of considering alternative neighbouring land parcels. No consultation on this important aspect has been given the serious consideration it demands other than token consideration of a very small alternative area.

We have raised these issues with a barrister specialising in this field of work, who has confirmed that they represent significant shortcomings in the required consultation process. As such, and on account of all these reasons (set out in detail within the submission we have made to ABC and EPL) we maintain that the Applicant has failed to meet its obligations to consult with the community in the manner required by Section 47 of the Planning Act 2008.

We strongly believe that if the community had been consulted adequately as envisaged by the Act (and relevant National Policy Statements), a scheme could have been designed that contributes to the country's renewable energy requirements, whilst causing the least impact on the local community, in terms of visual impact, loss of agricultural land and important landscape.

We have therefore asked ABC to carefully consider our submission and to indicate to the Planning Inspectorate, when asked, that an additional round of community consultation needs to be carried out by the Applicant so that the material points we have raised can be addressed in an open way with the community ahead of any DCO application.

We have indicated that such further round of community consultation should not repeat the failings of the previous rounds but instead must be carried out in a way that can be seen to have regard to the views expressed by those who contribute to the process.

Aldington and Mersham Support Group

19th February 2024

From: simon lun [redacted]
Sent: 24 June 2024 15:45
To: Roland Mills [redacted]
Cc: Jonathan Tennant [redacted] Jerry Newson [redacted]
Subject: Adequacy of Consultation

Dear Roland

I am sending this email on behalf of the Aldington and Mersham Support Group (AMSG)

Thank you for your email to Jonathan explaining the Council's position regarding this matter.

To be clear, Derek Burles was originally part of the AMSG but stepped down earlier this year. He was heavily involved in the production of the AMSG submission to Ashford Borough Council in January this year - but so were others within the group - including myself.

Turning to your email, and on a positive note, our group is very pleased to note that Ashford Borough Council maintains its objection to the Stonestreet Green proposal – specifically indicating that the proposal *would provide inadequate mitigation to minimise the impacts ……. on the rural countryside location and those matters that contribute to the character and quality of the countryside as it presently exists and is enjoyed.* We have particularly noted the council's refusal decision in respect of the EDF scheme broadly (but not entirely) on precisely this aspect of mitigation whether it be inadequate or impossible to achieve.

However, on the question of the AoC we would like to raise the following points on what you have said:

1. The actual wording of section 49(2) of the Act is – "*The applicant must, when deciding whether the application that the applicant is actually to make should be in the same terms as the proposed application, have regard to any relevant responses".* Whilst we must now wait and see what the application contains, "relevant responses" can only derive from relevant information supplied and if that information is not in an easily accessible form, or at least partially hidden away, it is hard to understand how the requirements of section 49(2) can be met. We suggest that Ashford's and PINS' decision on this should not be just about process but also about *content* and the visibility of that content.

2. You state that "*during the 2022 & 2023 statutory consultations, I did not receive any communications to suggest that the applicant's approach to consultation was preventing the community from understanding the nature of the scheme and making support/concerns/objections to the proposals known to the applicant through the various feedback channels".* This goes to the heart of the concern we have because the community has no means of knowing whether the applicant's approach to consultation has been anything other than fulsome if it has no proper understanding of the key elements. By way of example, if the linkage between the proposed geographical scale of the scheme, it's generating capacity and the provision of battery storage is not clearly displayed at information events – ideally pictorially but certainly in writing - and is instead *a "little buried away"* as you put it, within the thousands of

pages of PEIR, how is the "reasonable man" expected to be adequately informed about the "*nature of the scheme"*?

3. The Planning Act 2008 guidance (paragraph 20) on the pre-application' process states that "that consultation should be based on accurate information that gives consultees a clear view of what is proposed". We simply cannot agree that there was "*sufficient visual material available to the community"* to allow them to understand the impact the scheme would cause. Based on the points we have made about the value of large-scale photomontages - of the type that EDF helpfully used - we wonder whether the requirements of the SoCC were, in hindsight, insufficient. The display scale of the landscape visualisations presented at the 1st statutory consultation were actually very misleading, in that it was very difficult if not impossible to discern the effect of solar panels on the landscape. This issue was raised with the developer at the consultation meeting in Aldington and in written feedback, but no attempt was made to rectify this at the subsequent statutory consultation.

4. You indicate, following clarification from the applicants, that it is not unusual for the generating capacity to be higher than the grid connection figure – "*typically 1.4 and 1.8 times the grid connection capacity".* Why was such an important aspect concerning the size of the scheme (which has a direct bearing on the impact on communities and landscape) not set out clearly at the information events? How could the community be expected to understand these things if they were not highlighted and why is it any surprise that no comments were received? It was only through us unearthing these aspects that the issue has come to light at all. None of this was helped by the misleading sketch of the component parts of the scheme.

As far as the three highlighted numbered points you propose to raise with PINS are concerned we are pleased to see these - and happy for you to raise them. However please will you reconsider what I have said about the visual presentations - whether or not these were specifically asked for at the information events? It is entirely reasonable to expect these to have been done – particularly in the second consultation when the applicant knew that it was expected to go further and provide the community with a more meaningful consultation. We think this should be the basis of a fourth comment.

Finally, as far as the comments you have received from the community regarding the submission we have made, we would be grateful if all of these are appended to the document, that you also provide PINS with the two-page summary submission which was sent to you subsequently, and a copy of this exchange of correspondence.

Regards,

Simon, Jonathan, and Jerry
Aldington and Mersham Support Group – *Protecting the Rural Environment of Aldington and Mersham*
AMSG
[redacted]

1 - E-MAIL FROM MR CANNEY 08/02/2024

From: Peter Canney [redacted]
Sent: 08 February 2024 13:19
To: [redacted]
Subject: Adequacy of Consultation document

Dear Sirs,
My wife and myself are residents in Aldington and , as such, we have been taking a keen interest in the proposals for the solar installation scheme for Aldington and Mersham.
From the outset we have been sceptical about the whole project mainly on the grounds of the scheme using such a huge acreage of the villages concerned in relation to their overall size. The proposals mean that we would be swamped by the unsightly panels. How many other villages in the UK have had proposals for or installations of acreages of panels and supporting infrastructure in the same proportion to the overall acreage of the village as is proposed for us?
Further to the above we have now been given the opportunity , as villagers, to read the Adequacy of Consultation document that has been prepared by the Aldington and Mersham Support Group. This is clearly a very well researched and comprehensive body of work and , quite frankly, we are surprised by the numerous and various important deficiencies in the planning process by the applicant company or(due to the company name changes) , the applicant companies which have been highlighted by the Support Group Report.
We do not feel that we need to go into further detail as the report covers all important issues in great detail already , but suffice to say we are fully in support of everything that is said. We are also extremely indignant ,and moreover appalled, at the fact that there appears to have been subterfuge and concealment of important information in providing necessary information to us villagers as the interested parties . To my mind that is totally unacceptable.
In summary , my wife and I are totally in support of everything set out in the support group's report which , I understand , has recently been delivered to the Directors of EPL 001 Limited and Ashford Borough Council.

Yours faithfully,

Peter Canney

2- E-MAIL FROM MS GUY 09/02/2024

-----Original Message-----
From: Ruth Guy [redacted]
Sent: 09 February 2024 17:31
To: [redacted] Roland Mills [redacted]
Subject: Aldington Stone Street Green Solar

As an Aldington resident, I wish to add my support for the Adequacy of Consultation Statement submitted by the Aldington & Mersham Support Group. I live on the southern boundary of the village so my home will not be affected by the proposed panels. The consultation I have witnessed has been totally inadequate throughout. I attended an early Evolution Power meeting in Aldington Village Hall. It was a shoddy smoke and mirrors exercise - the posters contained inaccurate information and irrelevant photographs, the questions I heard asked by concerned residents were laughed off as "irrelevant" or "based on a misunderstanding". Sadly the quality of the consultation process has not improved.

This proposal, for what would be the largest solar installation in Kent, has been made with no consideration for local views, concerns, impacts or ideas The arguments made in the Adequacy of Consultation Statement are indeed accurate.

Ruth Guy
[redacted]

3 - E-MAIL FROM MR O'DRISCOLL 22/04/2024 (see AMSG SUMMARY DOCUMENT 19/02/2024)

From: Matthew O'Driscol[redacted]
Sent: 22 April 2024 12:37
To: Roland [redacted]
Subject: Proposed Solar project in Aldington

Dear Mr Mills

I am writing because of my concern that the project to build a large Solar array around Aldington is being handled in entirely the wrong way.

The disorganised and haphazard nature of the consultation process together with the notable lack of firm detail can only lead one to believe that the company doing this is not competent to run such a project. Whether the application can be refused on these grounds i do not know but careful consideration should be given to the detail of the application and enforceable conditions imposed, in order to avoid expensive and unnecessary mistakes.

I attach a summary of the inadequacy of the consultation process so far.

Yours Faithfully

Matthew O'Driscoll

I, Grove Cottages, Church Lane Aldington TN25 7EG

4 - E-MAIL FROM MS HOWARD 26/04/2024

From: Maureen Howard [redacted]
Sent: 26 April 2024 15:18
To: Roland Mills <[redacted]
Subject: Re: Stonestreet solar

On Fri, 26 Apr 2024 at 14:31, Maureen Howard [redacted] wrote:

Dear Sir
I am writing to express my concern at the inadequate consultation we have received about the proposals for this very large solar farm that will indeed devastate the village of Aldington.

The project is too vast and the battery storage system has not been properly explained.

The large number of footpaths in the area that are regularly used by walkers have not been given serious consideration and the traffic proposition for construction vehicles is outrageous on a road that is used by the local school and Eco Centre and Village Hall attendees.

I urge you to support the residents in our lovely village, maybe spend some time walking the footpaths through picturesque countryside. Then you will understand why we are objecting to a project that has not been adequately explained to the people who will be seriously affected.

We all know that renewable energy is needed so let us get it in the right place with minimum destruction of beautiful countryside areas and historical villages.

This is purely a profit making enterprise for the companies involved and Aldington villagers have been deceived in relation to the yearly sum being paid to the village. The fields have been chosen because a local farmer was willing to lease them and without any environmental consideration.

Yours faithfully
Maureen Howard.

[redacted]

5 - E-MAIL FROM MR SWARBRICK 07/02/2024 (see February 2024 comments on Adequacy of Consultation pdf)

From: andrew swarbrick [redacted]
Sent: 07 February 2024 18:06
To: [redacted]
Subject: Stone Street Green solar

Dear Sirs

I would like to add my support to the recent submission by the Aldington and Mersham Support Group regarding the adequacy of the Consultation procedures - particularly with regard to proposals for the extinguishment or substantial diversion of no fewer than 12 Public Rights of Way which will have a detrimental impact on the wider PRoW network.

Please see attached details of my concerns.

Yours faithfully

Andrew Swarbrick

6 - E-MAIL FROM MR SNAITH 09/02/2024

From: Peter [redacted]
Sent: 09 February 2024 16:49
To: [redacted]
Subject: Stonestreet Green Aldington, proposed solar station

I write to express my support of the Adequacy of Consultation Statement lodged by Aldington & Mersham Support Group. The consultation has been wholly inadequate; a box-ticking exercise by Evolution Power in respect of their proposals for what would, if allowed, be of the largest solar installations in the county.

As far as I am, concerned the "consultation" process consisted of Evolution Power (or its chosen nominee entity for the time being) publicising partial information about its plans, selectively ignoring concerns raised by local residents, refusing to consider alternative sites, pushing its preferred mangling of PROW routes in the area to suit its own convenience, not being transparent about its intentions, and generally lobbying for its own views without considering representations made by anyone. No attempt to engage with local concerns and address them. A sham indeed.

Peter Snaith
[redacted].

7 - E-MAIL FROM MS DAY 06/02/2024

From: Karen Day Day <[redacted]
Sent: 06 February 2024 10:37
To: [redacted]
Subject: Stonestreet Green Solar - Adequacy of Consultation submision

Sir/Madam

I am writing to express my support of the Adequacy of Consultation document submitted by the Aldington and Mersham Support Group, its contents, and the remedial action requested. I do this as a resident of Calleywell Lane, Aldington whose visual amenity will be severely impacted by the threatened development of the solar array and battery energy storage facilities. Quite simply, the wonderful view

that I have enjoyed for the past 38 years will be destroyed and the impact on my well-being is something that I find difficult to face up to. I have sent various, legitimate objections, after intense research, which I hope you would have seen. If not I'm happy to send them to you.

I have worked since 1976, had no children, and was looking forward to my deserved retirement but this stress and losing my wonderful view is not how I planned to spend my retirement. Everyone that comes here, even today the Tesco driver always comments that it's an amazing view.

The submission document clearly and amply demonstrates the failure to adequately consult with us, whilst the serious issues set out within the submission make it unacceptable for the proposal to progress to a DCO application.

Yours faithfully

Karen Day
[redacted]

8 - E-MAIL FROM MR EMMERSON 16/02/2024

From: NIGEL Emmerson [redacted]
Sent: 16 February 2024 15:59
To: [redacted] Roland Mills [redacted]
Subject: Stonestreet Green Solar - Adequacy of Consultation submission

To the Directors of EPL 001 Limited and Roland Mills (Ashford Borough Council)

I am writing to indicate my total support for and to endorse the contents of the adequacy of consultation document submitted to yourselves by Derek Burles of the Aldington and Mersham Support Group a couple of weeks ago.

Regards

Nigel Emmerson
[redacted]

9 - E-MAIL FROM MS ARTHUR (VILLAGE ALLIANCE) 16/04/2024

From: Linda Arthur [redacted]
Sent: 16 April 2024 22:30
To: Roland Mills [redacted]
Subject: Stonestreet Green Solar - Adequacy of Consultation

Dear Mr Mills,

Representing the Village Alliance in Mersham, we consider that the Stonestreet Green public consultation has been inadequate and misleading and the applicant has failed to meet is obligations to consult with the community in the manner required by Section 47 of the Planning Act 2008.

- The original Consultation Events held in Mersham and Aldington Village Halls were held over the weekend of 4th and 5th November 2022, a weekend when families were generally involved in celebrating Guy Fawkes. Certainly in

Mersham, a Firework event opposite the Village Hall at the Farriers Arms, involving many hundreds of people and cars, meant it would be impossible for anyone trying to attend the consultation event to park. The poor attendance at the event in Mersham and subsequent lack of feedback from residents would have been the consequence. The consultation material and communication has been poor and meant that plans could not be adequately understood by the majority of local residents.

- The developer repeatedly stated that the rated capacity would be 99.9 MW, whereas a scheme of 165MW capacity is actually being proposed. The community has been mislead as to the intended size and scale of the development.

- There has been a failure to divulge the purpose and functionality of the battery energy storage system. No attempt has been made to demonstrate the scale and size of the infrastructure and address the concerns of the community.

- The decision to locate a substantial number of PV panels and electrical equipment within the floodplain adjacent to the East Stour River represents an increased flood risk to residential properties in the vicinity and further downstream. The potential of increased surface water flooding in Flood Street Mersham has not been adequately addressed with local residents.

- The scheme is sited on parts of the Aldington Ridgeline and has significant visual impact. The visualisations and landscaping proposed were inadequately presented, lacking in detail, at both consultations.

- The developer has failed to consult adequately with the local community on the impact to the PROWs affected by the development.

It is for these reasons we consider it is unacceptable for the applicant's proposal to progress to a DCO application without the benefit to the community of a further, more comprehensive consultation, addressing these areas of concern to residents of both Aldington and Mersham villages.

Yours sincerely,

Linda Arthur

The Village Alliance
[redacted]

10 - E-MAIL FROM MR HERLIHY 20/04/2024

From: Paddy Herlihy [redacted]
Sent: 20 April 2024 18:35
To: Roland Mills [redacted]
>
Subject: Stonestreet Green Solar - Inadequacy of Consultation

Dear Mr Mills,

Having considered this matter in detail, I consider that the Stonestreet Green public consultation has been inadequate and misleading and the applicant has failed to meet is obligations to consult with the community in the manner required by Section 47 of the Planning Act 2008.

- The original Consultation Events held in Mersham and Aldington Village Halls were held over the weekend of 4th and 5th November 2022, a weekend when families were generally involved in celebrating Guy Fawkes. Certainly in Mersham, a Firework event opposite the Village Hall at the Farriers Arms, involving many hundreds of people and

cars, meant it would be impossible for anyone trying to attend the consultation event to park. The poor attendance at the event in Mersham and subsequent lack of feedback from residents would have been the consequence. The consultation material and communication has been poor and meant that plans could not be adequately understood by the majority of local residents.

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- The developer has failed to consult adequately with the local community on the impact to the PROWs affected by the development.

It is for these reasons that I consider it is unacceptable for the applicant's proposal to progress to a DCO application without the benefit to the community of a further, more comprehensive consultation, addressing these areas of concern to residents of both Aldington and Mersham villages.

Yours sincerely,

Padraig Herlihy

11 - E-MAIL FROM CHARLES LORD ALDINGTON 13/03/2024 (see AMSG SUMMARY DOCUMENT 19/02/2024)

From: Charles Aldington [redacted]
Sent: 13 March 2024 13:23
To: Cllr Jessamy Blanford [redacted]
Subject: Stonestreet Green Solar Project

Dear Councillor Blanford,

I write to you as chair of the Planning Committee whose advice will be sought by the Inspector on receipt of the Application for Solar Power at Stonestreet Green.

I am aware of the paper dated Jan 31 2024 sent by the Aldington and Mersham Support Group expressing concern about the quality of the Consultation process handled by the project developer EPL. That has been supplemented by a useful summary dated 19.2.24 which I trust you are already aware of and which I attach.

The contents of that summary are concerning. It does not appear that EPL has been open on some important aspects, in particular in respect of the effect on flooding of panels and fencing, and the size and fire risk in the storage batteries. At the same time, Aldington's Neighbourhood Plan is currently under consideration by your committee, and it stresses the importance of view lines going across the central area of the project.

I would therefore hope that your committee would find that EPL's Consultation to date has not been adequate.

Charles Lord Aldington
[redacted]

12 - E-MAIL FROM MS & MR WICKENS 15/04/2024 (see WICKENS ENCLOSED DOCUMENT pdf)

From: Lesley Wickens <[redacted]
Sent: 15 April 2024 12:49
To: Roland Mills <[redacted]
[redacted]
Subject: Stonestreet Green Solar Station - Failure to consult adequately

Dear Mr Mills

We enclose our concerns regarding the above application and Evolution Energy's failure to adequately communicate with the affected communities.

Thank you
Lesley and Bruce Wickens

[redacted]

13 - E-MAIL FROM MR GIBSON 20/06/2024

-----Original Message-----
From: ian gibson [redacted]
Sent: 10 April 2024 17:07
To: Roland Mills [redacted]
[redacted]uk
Subject: Stonestreet Solar

Dear Sir,

I am an Aldington resident and having attended a meeting the other week embracing the communities of Aldington, Bonington and Mersham to discuss the impact of the proposed Stonestreet Solar generating station I felt compelled to add my voice to the growing number who feel the consultation process has NOT been carried out adequately by the applicant, namely Evolution Power, regarding the Stonestreet Green Solar development. The sheer scale of the project is simply overwhelming and EPL seem unwilling to listen nor take into account the views of those who are most severely impacted by the project. However, I am most concerned of the impact this project will have on the rural environment on a number of fronts: I will not go into too much detail as I am sure you will have been inundated with many similar representations but to summarise: the applicant's failure to consult adequately re the scheme and to make clear the impact on the community and the landscape, the sheer oversizing of the scheme resulting in greater visual impact and loss of amenities, no attempt to consult on the battery energy storage system which is an integral part of the whole project, no proper consultation as regards the very real risk of serious flooding of surrounding areas, the visual impact from the entire project and little or no consultation re public rights of way.

The applicant has also failed to give any consideration to alternative neighbouring land parcels which could be used to offset the visual impact, loss of agricultural land and important landscape. I hope you will take into account my views and those of other concerned residents as to the complete lack of consultation by the applicant through this whole process.

Yours Sincerely,
Ian Gibson

Regarding the adequacy of the Public Consultations concerning the proposed Stonestreet Green Solar developments, I concur with the concerns expressed by the Aldington and Mersham Support Group in their document of 31st January 2024 – especially in respect of the details made available by the applicants at the time of the non-statutory and statutory consultations concerning the impact of the proposals on the Public Rights of Way network in the area covered by the proposals and the surrounding areas.

In particular, the applicants appear to have consistently sought to downplay – and indeed failed to clearly explain the substantially detrimental effect on at least 12 ProWs their proposed development would cause. In several cases the information published at the time of the consultations was misleading or made so obscure as to be unlikely to found by most members of the public. In addition, claimed mitigations are far less useful than suggested.

Finally, requests by stakeholders such as Ramblers, myself and others to meet to consider case by case changes to each affected PRoW were not implemented and an apparent provision within the appendices for an ad hoc working group was subsequently explained on enquiry at a Community Liaison Panel meeting to be intended to be implemented only after the submission of the formal application – making such a group unable to have any meaningful input into the proposals..

Examples:

Community Information Leaflet March 2022 made no reference to ProWs and the "Indicative Location Plan" based on a shaded aerial photo lacked details.

Information Event April 2022 at Aldington Village Hall The display panels showed no detail of impact on ProWs and the developer (Connor McNally) appeared to have no knowledge of the ProWs potentially affected (I supplied him with a list of 16!)

Community Information Leaflet October 2022 "It is proposed that the project would *modify* the existing PRoW network while introducing new ProWs *to improve connectivity."* There was no mention of the extent of the proposed extinguishment of ProWs or of the nature and numbers diversions proposed.

Consultation Booklet October/November 2022 "The project will *modify some* existing Public Rights of Way whilst also introducing new ProWs to improve connectivity…." No mention again of the extent of the changes proposed which were not indicated on either of the two maps included in the booklet. The booklet did mention "Appendix 12.6 of the PEIR" but this was accessible only via a relatively obscure footnote on the proposers' website requiring a complicated pathway of subsequent clicks, thus making the document less likely to be seen by the majority of consultees. In addition, the maps contained in the document were of very poor quality and not based on Ordnance Survey mapping.

Public Presentation evening Aldington Village Hall 8th November 2022 Only in response to a direct question tabled by me did Connor McNally concede that no fewer than 12 ProWs would be extinguished or diverted – again showing that the extent of the changes were not clearly indicated.

Consultation Booklet June/July 2023 This publication did contain a map at the back of the booklet showing "Proposed Diversions and New Routes". This did not however showed proposed ProW extinguishments or the existing routes before the proposed changes.

The booklet did state in Objective 8 the intention to "Retain existing ProWs and connectivity *where possible*" No information or explanation has ever been given as to why it was NOT possible to

retain the existing routes of the 12 ProWs as other developers have proposed to do in their plans for ProWs affected by the East Stour and Cleve Hill solar projects.

PEIR Addendum Appendix 11.1 June 2023 Substantial diversions of eg path AE 377 are claimed to be improvements "While there remains a change of 'directness' .. the *improved legibility, visual and biodiversity benefits of the re-route are considered important"* I have no idea what "improved legibility" of what is currently a very direct well-used and clearly marked public Footpath connecting with paths beyond the limits of the proposed development can result from making a substantial diversion to it!
Equally, claimed benefits of e.g. "NEW 6" or "NEW 4"both of which run immediately adjacent and parallel to existing ProWs outside the Project boundaries are overstated: AE377 which currently follows a driveway leading to two houses is characterised as "an existing on road route" making the claim that NEW 6 "will improve public amenity and safety concerns" at best misleading.

Andrew Swarbrick 17 Longsfield Aldington Ashford TN25 7DP
Local resident, regular walker and member of Ramblers. Member Community Liaison Panel.
February 2024

Stonestreet Green Solar Generating Station –Evolution Energy's failure to consult.

Currently a travesty of the planning system will happen if Evolution Energy are not required to revisit the consultation process for their NSIP application for the above solar generating station. The lack of communicating the real impact on the affected communities has been and is still inadequate. A further consultation period with real detailed information that can be understood by the people who will be affected would be a starting point.

1 Location and Size

I would like to ask why any planning authority thinks it is a good idea to surround a rural village community with a total of 764 acres of solar generation – not withstanding the need to generate green energy. The huge Stonestreet plan of 462 acres is wrongly sited and infills between two village communities. (40 years on, this brownfield site will be open for likely development)

Whilst the EDF and Church Lane solar projects are within the 50MW limits – Evolution Energy's Stonestreet project application at 99MW now going on for 165MW is hugely out of scale for its location.

2 Alternative options

Evolution Energy's application has no mention of exploring any more suitable sites within easy access of the Sellindge Converter Station- say alongside the rail and road line, thereby removing the impact from the immediate village. We raised this question at a consultation display – to be told that Evolution Energy were made aware the proposed site was available to lease – so no compulsory purchase orders required- regardless of the question of overall suitability and impact. (Part is on the Aldington ridge and highly visible – part on the East Stour flood plain)

3 Visible impact and Flooding

No landscaping or visual screening is deemed viable within their application. Some details of their proposed security fencing indicate a likely unsightly barrier with lighting.
Because the siting of the adjacent EDF proposal is more appropriate, they can plan for relevant landscaping.

Being on the East Stour flood plain, Evolution Energy admit that the flood risk will be increased. Some of their current investigation work appears to have affected the existing flood alleviation scheme.

4 Loss of productive agricultural land

Soil analysis undertaken for Evolution Energy show grades 2,3a and 3b giving 80 acres of '*best and most versatile*' land. In an era of rising food import prices and shortage of good agricultural land in the South East – surely the loss of quality land should be avoided. Site construction and waterlogging have been shown to degrade the quality of land.

5 Public Rights of Way
18 public footpaths and a byeway are within the site. The developers approach seems to relocate the paths around the perimeters of its site regardless of walking quality or distances – in many stretches alongside their security fences. Would this remain a countryside walk?

6 Safety – Battery storage
Within the consultation there has been a lack of transparency on the number, siting and whether single or multiple units for the battery energy storage system to be used. Are there any test results / figures regarding the noise and safety of the particular units?
What are the risks of an explosion? Does the vehicular access for Fire fighters fit the current regulations? Is there a risk assessment and evacuation plan regarding the siting close to Aldington School and the village in general?

7 Traffic
Both construction and maintenance traffic will be heavy and frequent. The suggested plan to carry this traffic appears inadequate for this size of development. Other similar projects have found that private staff cars avoid the designated HGV / construction vehicle route in favour of local lanes and through villages to their parking area.

The best way forward for the communities of Aldington and Mersham should entail a further, more realistic conversation addressing their concerns on this overly large scheme. To date, Evolution Energy has failed to inform the affected communities as to the true size, impact and risks resulting from this project.

Lesley and Bruce Wickens
[redacted]