Stonestreet Solar

This paper covers how the Evolution Power application does not address LPA planning policies and guidance. It identifies reasons for refusal that I would present to a planning committee were ABC the planning authority.

The applicant said (at their public meeting on 8th November 2022) that the PINS Inspector, in issuing the SDO, will not be bound by ABC or NPPF policies. I think this is designed to reduce public confidence and to put residents off commenting. I expect PINS will consider both NPPF and ABC policies, alongside the Planning Act 2008 for infrastructure. Where appropriate I have included reference to National Policy Statement for Renewable Energy Infrastructure (EN-3).

Developers are expected to consider the criteria for good design set out in EN-1 Section 4.6 in developing projects. This provides support for my reasons for refusal as the scheme is currently presented.

Reasons for refusal are highlighted. In summary too much of the development is sited on the high ground of Aldington Ridge; in addition it is partly located on best and most valuable farmland, areas of archaeological significance and has a considerable impact on biodiversity rich area.

LPA Planning Guidance
ABC Policy ENV10 allows solar development:

- That does not result in significant adverse impact on the landscape, natural assets or heritage assets.
- That does not generate unacceptable level of traffic.
- That does not cause a loss of amenity (visual impact, noise, disturbance and odour) to nearby residents.
- That provides for the site to be restored to its previous use.
- Where the applicant provides for effective engagement with the local community.

The development, if consented, has an operational lifespan of 40 years which is a long period of servicing equipment and vegetation management. ***ABC guidance specifies a maximum period of only 25 years so the 40 year term is not acceptable so this application should be turned down on this basis***. This view is strongly supported by National Policy Statement at Para 2.49.12. This section puts a limit of 25 years. This means that ABC guidance is supported by National Policy Statement, and this is driven (in part) by the fact that PV panels have a design life of between 25 and 30 years.

ABC published Renewable Energy Planning Guidance Notes for large scale Solar PV arrays (those > 50kW) which recommends:

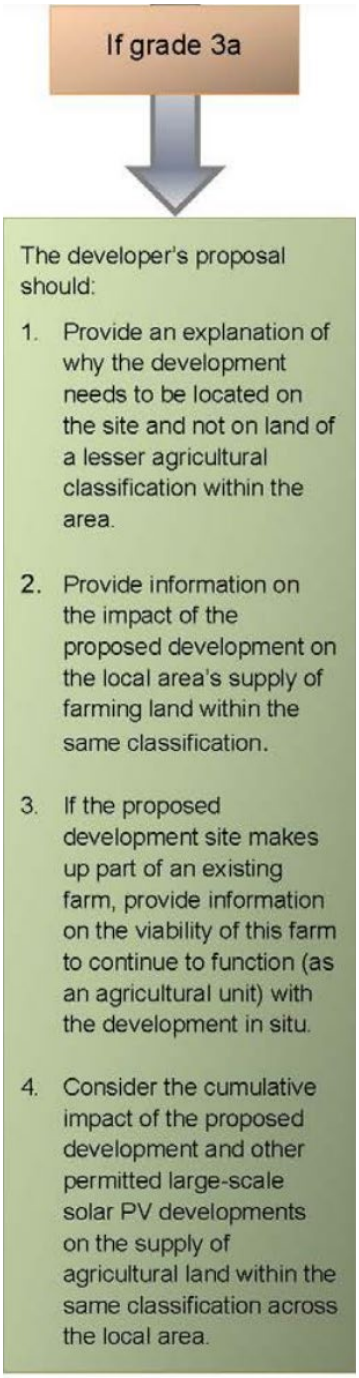
- If built on greenfield land, guidance requires continued agricultural use and encourages biodiversity improvement around arrays. The recommended gap between arrays is 5 metres, illustrated as follows.

Adequate spacing between rows of panels is necessary to avoid overshadowing. Vegetation will grow between these rows and this vegetation will require management. The image to the right shows the 1.4MW Wheal Jane solar PV farm, Cornwall. Image courtesy of Lightsource Limited.

This application does not provide for the required gap between the solar panels to support biodiversity and so should be turned down. This ABC guidance is supported by National Policy Statement at Para 2.50.10 which required developers to extend existing habitats and create new habitats (specifically by installing new cultivated strips or plots for rate arable plants). This can only be achieved with the 5m buffer strip between solar arrays.

- Large PV array applications should ensure heritage assets are conserved in a manner appropriate to their significance, including views important to their setting. A large scale solar farm within the setting of heritage assets may cause substantial harm to the significance of the asset. This application is for a large scale development, disproportionate to the size of Aldington. It is also close to the North Downs ANOB. ***I would therefore argue refusal because the development will become a significant or defining characteristic of the village and North Downs ANOB. Guidance says that large scale PV should avoid landscapes designated for their natural beauty.*** A wider zone of visual influence should have been considered by the applicant and this is required under National Policy Statement at Para 2.51.2.

- LPAs should take into account the economic and other benefits of the best and most versatile agricultural land (defined as land including grade 3a) and will therefore be a significant issue. The following issues need to be addressed when grade 3a is in point:



The fact that a significant element of the development is on grade 3a is a reason for refusal; the developer argues that the lack of brownfield and suitable agricultural land is a reason for the application to be approved. Their point is unreasonable; the lack of suitable land does not mean that development can be brought forward on unsuitable land.

- A management regime should be prepared by an ecological consultant
- Any application should specify the location of designated and undesignated heritage assets affected by the development

The view of ABC that development is preferable outside the Best and Most Valuable land is supported in National Policy Statement at Para 2.48.13.

Agricultural Land and Soils (Natural Assets)

Agricultural Land Classification of the development is 18.23% Subgrade 3a and 75.09% Subgrade 3b. 1% is grade 2.

Draft NPS EN-3 says that the preference is for solar development on brownfield and non-agricultural land and should avoid the use of Best and Most Versatile Land which includes Subgrade 3a. NPS precludes developments such as this coming forward because this development is partly on Best and Most Valuable land.

ABC local plan seeks to monitor the loss of Grades 1 & 2 to major residential development and requires that solar development should not have an adverse effect on natural assets. I would argue that the loss of Subgrade 3a agricultural land represents an adverse impact on natural assets. This means that ***ABC Policy ENV10 precludes this development because it is partly on Best and Most Valuable Land***.

The applicant suggests (erroneously) that because most of Ashford Borough is Best and Most Valuable Land, any solar development of a similar size in Ashford would result in a loss of Best and Most Valuable Land. They say because it is not possible to find an area in the Borough that does not include Best and Most Valuable Land, solar development on Best and Most Valuable land for solar must be permitted in Ashford. This is unacceptable.

The Applicant has not sought to avoid the use of Best and Most Valuable land. Their reference that refers to Grade 3a land as "***potentially*** Best and Most Versatile Land" is incorrect as NPS unambiguously defines Grade 3a as Best and Most Valuable Land.

Arguments why this application results in adverse impact on natural assets
The physical supports for the PV units go 3m into the soil. Over 40 years this would result in leaching into the soil which would damage its viability to resume agricultural activity. Any loss of viability to Best and Most Versatile land would be highly significant. Because the frames will be driven 3m into the ground they will be noisy and produce vibration - both of which can affect badgers in nearby sets. The wider ecological landscape should be taken into account.

The PV panels are 0.8m above the ground and it is proposed that this would allow grass to grow and sheep to graze and so agricultural use will continue. The average height of a sheep is 120cm so I wonder if this statement by the applicant is correct, grass growth would not be sufficient to maintain livestock throughout the year and for that reason there will be an adverse impact on soil quality. ***ABC guidance requires the height to be 900mm above ground level. This condition is not met and so is a reason for refusal.*** Were this application to be approved, I would ask for a planning obligation that 95% of the land ***will remain*** in agricultural use is required (not just "***available for***" agricultural use). An annual report should be prepared by the applicant confirming stocking rates month by month.

The size of the development and the limited time allowed for the installation of just 12 months suggests a very intense period of construction so the dust and noise will exist during construction. The proximity of CTRL and M20 (both sources of dust) means that the cumulative effect of dust must be taken into account. These aspects point to an adverse impact on natural assets (being air quality).

Heritage Assets
Glint and Glare has yet to be assessed for local residents and from vantage points on PROWs including within the North Downs AONB. Long distance views of the site from the Kent Downs

ridgeline mean that the panels will be visible. There is potential for adverse glint and glare on nearby residential properties including heritage assets.

There are 77 listed properties near the application site and although there is no list of non-designated heritage assets maintained by ABC, no proper investigation appears to have been carried out on the Mersham Conservation Area, Aldington Ridge and Colliers Hill footpath where there will be a loss of amenity.

Biodiversity
This development should deliver an overall 20% improvement on the current baseline as set out in KCC's aspirations. This is over and above the 10% envisaged by the NPPF. The applicant claims there will be a 100% improvement in biodiversity from the development because the land currently in agricultural use which will be converted to solar is a biodiversity wasteland (which is not true) and that they will be planting additional hedges. This does not take account of disruption to existing wildlife on the proposed site or on adjacent fields.

For the avoidance of doubt, National Policy Statement at Para 2.50.11 considers the previous land management of an application site only where it involves intensive agricultural practice. This is not the case here, so the biodiversity harm created by the existing use is not relevant here. ***In addition, Para 2.51.5 requires existing hedges and established vegetation to be retained which is not the case with the application as presented and is a reason for refusal***.

Heritage and natural assets derive their significance from their presence and setting. The hedgerows on the development site provide landscape features that help to create and distinguish the local character and provide a strong sense of enclosure within the local landscape. These characteristics must be protected and there is so far insufficient evidence of such protection. ABC guidance requires buffer strips of 5m to provide for biodiversity, this condition is not met and so is a strong argument for refusal.

Planting proposed to provide visual screening to sensitive heritage assets must be natural regeneration, not just planted trees. Examples of these two different approaches are shown below in Sevington:

The one on the right has nightingales, barn owls, whitethroat and lots of lizards and slow worms; it is rich in actual demonstratable biodiversity and rare species. Removing valuable hedgerows must be

kept to a minimum and any that are removed or altered should require clear and convincing justification. An annual maintenance plan is required to ensure that new planting gets properly established. It is stated that Backhouse Wood and the East Stour River will be robustly buffered so these comments apply here specifically. The East Stour River is a Habitat of Principal Importance. There is a risk of increased run off from what will become compacted exposed ground. This can cause erosion and pollution into the East Stour with resultant downstream flooding risk. Furthermore, some horizontal direction drilling will be required to cross the East Stour River.

The applicant's plans should provide sufficient area for natural grassland habitat away from the PVs, which if grazed with cattle will bring huge benefits for biodiversity and ease of management going forwards (robust fencing will be needed to protect walkers from the cattle).

It would be good if the biodiversity scheme was designed with specific local species in mind. Brown hare enjoy fallow or short grassy areas; can the scheme not facilitate some sort of targeted beneficial recovery scheme for brown hares? Skylarks could benefit too, if some wider spacing, open areas and corridors were provided within the panel footprint. The developer could put in some decent habitat and then have a proper bird hide installed as an asset for locals to watch wildlife, brown hares, birds etc. The area could be a destination on a walking route and a draw for a local pub.

PROWs

Some sort of benefit for the people of Ashford and Folkestone in terms of access as well as biodiversity seems essential. Where the development creates biodiversity areas, it would be good if people can then enjoy them and experience it via a footpath etc. Can I suggest a circular route is created or at least some sort of sensible connection somewhere? All too often, the paths either lead out onto a road that you don't want to walk down, or you have to go back on yourself, which is just frankly boring, so it would be good if there was a circular route as a gain out of this proposal or perhaps some sensible links/new paths to create circular walks and connections to the current PROW system.

The proposed link to Mersham via a new bridleway needs to be led by the applicant through contact with the landowners (Church Commissioners for England) to negotiate access and not left to local authorities. Preserving and/or enhancing definitive rights of way should be part of the benefit package the scheme delivers in compensation for the impact it would cause. The applicant needs to recognise this responsibility.

Too many PROWs are at risk of being lost permanently by the scheme. Footpaths follow the historic desire lines and the diversion (and sometimes closure) results in additional distance, inconvenience and are less enjoyable due to the high 3m fencing. These historic paths are part of our heritage and many new people have moved into the area recently (with more to come) and it is essential that we give all residents the opportunity to enjoy the countryside.

It is important that we use this as an opportunity to support the local tourism industry as there will be a significant effect on the socio-economic system locally. There will be a loss of local activity in the agri economy both from the loss of a poultry farm and a substantial arable acreage which will have a knock-on effect on local support businesses. Tourism is a significant driver in the area but people will not want to visit when the landscape changes unless proper mitigation and safeguards are provided.

Level of Traffic Use

The proposed access route during construction via A20 / Station Road is unacceptable due to the crash history at that crossroads. A number of abnormal traffic movements can be expected and the speed of traffic movements at that junction can be problematic – and not just at rush hour. A more imaginative and safer arrangement for deliveries needs to be proposed.

The developer says 80% of traffic will directly access the site from Station Road, 10% will use Goldwell Road and 10% will need to cross Station Road. There is a need to cross Bank Road. Access to the fields off Laws Lane would have to be either via Bank Road or through Bank Farm, neither of which is acceptable. Bank Road is a single track lane. It is in constant customer use, as well as being used by the various businesses located in the farm buildings and agricultural vehicles. The trenching of Goldwell Lane is unacceptable as is HGV traffic. It appears that access to this part of the site is proposed via the field entrance and is the single most important PRoW in the village. The developer states 'no traffic impacts on the village' which suggest they only count Roman Road as 'The village' which is not the case. Goldwell Lane and Calleywell Lane are key to the community.

National Policy Statement Para 2.54.7 requires the cumulative effect on the local road network to be considered by the highway authority to protect the residential amenity from multiple solar farm developments from impact of access routes. It goes on to say that applicants of various projects should work together. There is no evidence that this has been done so is a reason for refusal. The view of the highway authority can be taken into account by the Secretary of State (Para 2.54.9).

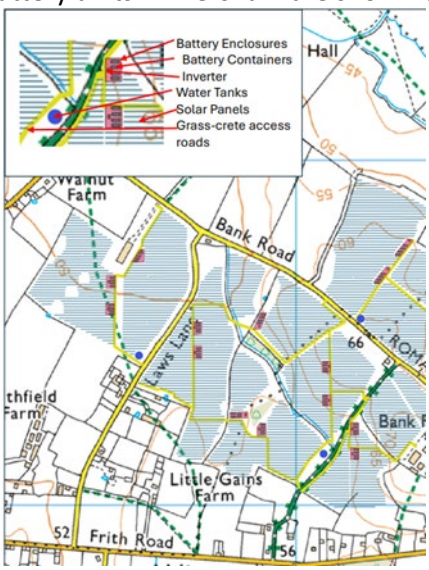
Effective Engagement with Communities

There is a lot of support for renewable energy in the UK but the key is making sure this is done in the most effective way and takes into account the views of local people. Villages around proposed solar farms aren't being offered any sort of benefit in terms of their own energy needs, so it's unsurprising there isn't a community buy-in. ***The applicant has failed to set out the benefits locally - including annual village funding - that it is prepared to offer the local community.*** A £40k annual sum has been mentioned but is insufficient when spread across 4 parishes and at least 2 primary schools.

An analysis of the whole supply chain is essential to properly understand the climate change impact. The supply chain for the panels needs to be assured (In 2019, China made 80 percent of the world's supply of solar panels). Buying Chinese solar panels to reduce emissions is like using gas to put out a fire. China is set to become Russia's top business partner in 2023 and will continue to increase its purchases of Russian oil & gas, do we really want to support that? The developer said (8 November 2022) China using Slave Labour to build the panels will be "old news" in 3 to 4 years time as they are improving their record. This is plainly untrue. China represents a systemic challenge to our values and interests and the biggest state based threat to our economic security . ***We need to have a full understanding of the applicant's ESG credentials– and an understanding of the way in which Ashford can be legally assured that the entity that develops out the site, if approved, stands by the same credentials.***

John Pettigrew, the chief executive of National Grid, has said (Telegraph 2 November 2022) said they will "need to build about seven times as much infrastructure in the next seven or eight years than we built in the last 32" to meet the demand for electricity from electric vehicles, heat pumps and industrial electrification, and to enable new renewable energy projects to connect to the grid. Changes to regulation and planning laws would be needed. National Grid will need to work with local communities who should get the benefits when they're hosting this infrastructure. ***How confident are we that EP (and EDF for that matter) has any agreement to connect their solar farms to the National Grid?***

Battery Units
A map showing the location of battery units in Mersham are shown below.



Put simply these battery units are similar, but on a much larger scale, to those used in mobile phones. They store energy collected from the photovoltaic units ready to be sold at a time when there is demand from the national grid. ***The battery units proposed to be used are at risk of "thermal runaway"; they are phosphate and are at risk of explosion and producing toxic fumes covering an area of up to 250m, in addition to fire risk.***

The road infrastructure is not designed to provide access to large industrial developments such as Stonestreet Solar by Kent Fire and Rescue Service. There is no acknowledgement in the DCO that each of the batteries are independent; a potential problem for Kent Fire and Rescue Service who has only a fraction of the number of fire units needed if several of the batteries combust at the same time. ***There should be two access routes to each battery and routes to get a fire unit to any of the batteries is extremely tortuous and creates a red flag for safety issues.***

Battery fires cannot be put out and the only current advice is to prevent the fire from spreading as the fire needs to be allowed to burn out. A lot of water is needed to do this and the DCO only provides for the standard amount of water in each tank which is not sufficient.

Paul Bartlett
ABC Member, Mersham, Sevington South and Finberry ward (covering Plots 1-4 plus parts of Plots 9 and 9)
KCC Member, Ashford Central
Member, Sevington with Finberry Parish Council