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BY EMAIL ONLY

10 December 2024

Dear Sir,

Re: Application for an Order Granting Development Consent for Stonestreet Green Solar – Written Representation Submission

Following the Planning Inspectorate's Rule 8 letter dated 28 November 2024, the County Council wishes to submit its Written Representation.

The County Council set out its position in relation to the proposed development within its Relevant Representation (AS-018). A general update on the principal submissions outlined within the Relevant Representation (AS-018) is provided below. The letter has been prepared in accordance with Government Guidance - Nationally Significant Infrastructure Projects: Advice for Local Authorities (as published 8 August 2024) and should be read in conjunction with the Local Impact Report submitted by the County Council. In summary, the principal issues that the County Council has raised in relation to the application concern:

- Highways and Transportation – as the Local Highway Authority for Kent.
- Minerals and Waste – as the Minerals and Waste Planning Authority for Kent.
- Public Rights of Way – as the Local Highway Authority for Kent.
- Surface Water Flooding and Drainage – as the Lead Local Flood Authority for Kent.
- Heritage Conservation.
- Biodiversity – as the Responsible Authority for the Local Nature Recovery Strategy

The County Council continues to positively engage with the applicant to resolve the outstanding matters and is progressing a Statement of Common Ground which should set out clearly to the Examining Authority, upon submission, any matters which remain outstanding.

The County Council will continue to engage in the Examination stages and review relevant materials accordingly and provide written responses as necessary.

Highways and Transportation

As outlined in the Local Impact Report and the County Council's Relevant Representation (AS-018), the Local Highway Authority is not concerned regarding the level of traffic generated by the completed and operational solar farm.

The site access proposals and measures outlined in the Outline Construction Traffic Management Plan (CTMP) (APP-154) are sufficient and the Local Highway Authority is satisfied that the construction related traffic can be managed to minimise its impact and maintain highway safety. A fully detailed CTMP, inclusive of a worker travel plan, should be provided.

The County Council also accepts Requirement 7 within the Development Consent Order (AS-004) which secures a detailed CTMP and would welcome engagement with the applicant ahead of the submission of this requirement should this development be consented.

The County Council has worked with the applicant to finalise and agree the highway aspects of the Draft Statement of Common Ground and will continue to work proactively with the applicant post decision should the development be consented to ensure commitments are secured and delivered.

Public Rights of Way (PRoW)

The County Council, as Local Highway Authority in respect of PRoW, draws upon the County Council's Relevant Representation (AS-018) for detail of the position and overall views on the application.

The County Council considers that this development would have a substantial adverse impact on the PRoW Network. The agreed Outline Rights of Way and Access Strategy (APP-160) will go some way to maintaining the accessibility and connectivity of the Network, however, the severe impact on the open countryside, landscape and rural character of the area is inescapable and cannot be fully mitigated.

There is one area on which the County Council still requires consideration by the applicant, as set out within the submitted Relevant Representation (AS-018):

“Through pre application discussions and formal responses, the County Council advised the applicant that the project provides an opportunity to improve the PRoW network and develop new links for active travel and outdoor recreation, which would be considered as positive outcomes of the scheme. The public benefits of such work would help to compensate for any disruption caused by the construction of the proposal and the negative effects on the PRoW network, which result from the delivery of the solar park and are unavoidable. However, to date there has been little confirmation of new links or the means of improving the network in the wider area. The County Council, as Local Highway Authority, therefore seeks positive engagement with the application to explore opportunities for positive PRoW outcomes, ideally ahead of the commencement of the Examination.

Through engagement with the applicant, the County Council ensured that the applicant was aware of the County Council ROWIP in which the County Council aims “to create a network that not only provides a safe, sustainable means of travel but also delivers the benefits that access to the network, countryside, coast and green spaces can make to improve the quality of life for Kent’s residents and visitors”. The County Council would request that enhancements to the PRow network should be made in addition to mitigation, compensation, and management strategies that will provide some form of mitigation of the severe impact that the public, residents and visitors alike, will experience on the quantity and quality of access provision”

The Outline Rights of Way and Access Strategy (APP-160) refers to Strategic and Wider Benefits (3.1.2, 3.1.3 and 3.1.4) to connect Mersham to Sellindge. The County Council requests confirmation as to how this is proposed to come forward in terms of land ownership consent, due legal process and funding. The applicant has previously referred to aiding any negotiations regarding landowner consent. The County Council is currently preparing a detailed map, technical specification, works required and cost estimate can be provided by the Examining Authority. This scheme meets the policies and objectives of the KCC ROWIP, Ashford Borough Council Local Plan and Aldington and Bonnington Neighbourhood Plan.

Sustainable Urban Drainage Systems (SuDS)

As Lead Local Flood Authority, from a flood risk management perspective there is no objection to the general principles proposed for managing surface water runoff. There are, however, concerns raised with regards to the technical data contained within the detailed design aspects (and mentioned within the County Council’s Relevant Representation (AS-018)). However, given the recent commitments within the latest Statement of Common Ground for the required adjustments and updated information to be provided prior to Deadline 1, the Lead Local Flood Authority considers that it is likely that these concerns can be ‘designed out’.

Minerals and Waste

The County Council, as Minerals and Waste Planning Authority\ has no further comments to raise in respect of this application.

Heritage Conservation

Overall, the County Council’s current concern is the lack of preliminary ground truthing through evaluation trenches. Since submitting its Relevant Representation, the County Council has not received any confirmation of further field assessment work following the desk based assessment and geophysical survey and some localised, targeted fieldwork trenching.

The County Council considers that the Archaeological Management Strategy and archaeological mitigation is completely unacceptable as they are not suitably informed by a robust evidence base. Such scarcity of ground truthing through evaluation trenches means

that the archaeological mitigation proposals are not evidence-based. Therefore, the County Council would draw to the attention of the applicant and the Examining Authority that if these matters are not dealt with ahead of the close of Examination, the proposal is at risk of encountering significant archaeological remains post consent when details are agreed and there are few options to avoid or mitigate in a proportionate manner.

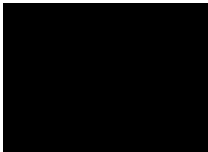
Biodiversity

As set out within the County Council's Relevant Representation (AS-018), and the submitted Local Impact Report, the County Council remains concerned regarding the impact of the development on ground nesting birds. Furthermore, the County Council raises matters around the management of grazing and Proposed Winter Bird Crop Strips within its Local Impact Report. The County Council would encourage the applicant to address the concerns raised.

The County Council looks forward to working with the applicant and the Planning Inspectorate as the project progresses through the DCO process and would welcome the opportunity to comment on matters of detail throughout the Examination.

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

Yours sincerely,



Corporate Director – Growth, Environment and Transport