



Stonestreet Green Solar

Written Summary of Oral Submissions at Open Floor Hearing 1

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1 Introduction

- 1.1.1 This document contains EPL 001 Limited's ('**EPL**' or 'the **Applicant**') summary of its oral submissions made at Open Floor Hearing 1 ('**OFH1**') which took place in a blended format at the Ashford International Hotel and on Microsoft Teams on 19 November 2024.
- 1.1.2 OFH1 was attended by members of the Applicant team and the Applicant is grateful to all those Interested Parties ('**IP**') that participated and provided their comments.
- 1.1.3 A total of 12 oral submissions were made at OFH1 by IPs in response to Item 4 of to the Examining Authority's ('**ExA**') OFH1 Agenda published on the Planning Inspectorate's website on 22 October 2024 as part of the Rule 6 letter [\[PD-004\]](#). Oral submissions were then made by Mr Hugh Flanagan of Francis Taylor Building on behalf of the Applicant against Agenda Item 5.
- 1.1.4 Against Agenda Item 1, Mr Flanagan for the Applicant noted that the OFH1 agenda provided in Annex F of the Rule 6 letter specifies a hearing start time of 6pm, however, the OFH1 is beginning at 5pm (as specified in Annex E to the Rule 6 letter). He noted that, provided the hearing continues beyond 6pm, there should be no issues of a procedural nature. The ExA agreed and no concerns were raised by other attendees.
- 1.1.5 Against Agenda Item 6 (next steps) and in response to local resident Louise Jessup asking whether there would be another open floor hearing, the ExA confirmed that a week in February has been reserved for further hearings but noted that the resident had the opportunity to present to the hearing this evening and had not taken the opportunity.
- 1.1.6 The Applicant acknowledges the points raised by IPs in OFH1 which covered the following (non-exhaustive) list of topics:
- Public rights of way, including equestrian users;
 - Battery energy storage system ('**BESS**') safety and noise;
 - Scale of and need for the Project;
 - Landscape and visual impacts;
 - Traffic and transport;
 - Policy compliance;
 - Impacts on agricultural land and food security, particularly relating to Best and Most Versatile ('**BMV**') land;
 - Capacity and energy generation; and
 - Impacts to above and below ground heritage assets.
- 1.1.7 The Applicant does not intend to cover these wider topics in more detail within this submission. The concerns raised by the IPs relevant to the above topics are covered

by the Applicant's already submitted evidence and/or will be dealt with in further written submissions and issue specific hearings as may be arranged by the ExA.

2 Summary of the Applicant's Oral Submissions at OFH1

2.1 Summary of the Applicant's Oral Submissions

2.1.1 Mr Flanagan responded to the oral submissions on behalf of the Applicant as follows:

2.1.1.1 He noted that the Applicant's response would be proportionate and would not respond in full to every point raised as this would be impractical. He confirmed that full responses would be provided in response to written representations. He thanked everyone for speaking and raising important points for the consideration of the ExA and Secretary of State ('**SoS**').

2.2.1.1 He asked the ExA and SoS to consider the balancing points in respect of the Project, including the need for the Project and its benefits. In summary, these are:

- the urgent need for significant renewable energy development, noting that the Project is characterised as being of "critical national priority" in the Overarching National Policy Statement for Energy (January 2024) ('**NPS EN-1**'); and
- the other benefits of the Project, these being public right of way ('**PRoW**') network improvements, biodiversity gains and employment benefits.

2.3.1.1 Mr Flanagan then flagged places in the application documents where the points made by IPs have been responded to, as follows:

- **Landscape and Visual Impact ('LVIA')**: The Applicant has looked to develop the Project and proposed mitigation in a sensitive way, mindful of the landscape, community, the public rights of way, and other important aspects of context and setting. He confirmed that the Site is not subject to any natural or local statutory designations; and the Project has responded to the character of the landscape the Site is within. He further confirmed that the package of landscape mitigation measures is set out in the **Outline Landscape and Ecological Management Plan ('Outline LEMP')** (**Doc Ref. 7.10(A)**), which is secured through Requirement 8 in the **Draft DCO (Doc Ref. 3.1(B))**, and are therefore enforceable.
- **PRoWs**: He noted that in respect of PRoWs, it is important to appreciate what is being done in the round: the Project does require diversions but also proposes new and enhanced PRoWs that will improve wider local connectivity. Mr Flanagan directed the IPs to review the **Outline RoWAS (Doc Ref. 7.15(A))**, which is secured by Requirement 10 in the **Draft DCO (Doc Ref. 3.1(B))**, and which sets out the diversion distances. He also confirmed that equestrian impacts have been addressed, not overlooked, in the environmental assessments and application. He also noted this would be considered further during Issue Specific Hearing 2 (Construction and

Traffic).

- **Construction traffic:** He explained that the **Outline Construction Traffic Management Plan (Doc Ref. 7.9(A))** sets out how impacts can be managed. He noted that the Applicant is committed to responsible development. He also stated that the comments raised by Councillor Bartlett would be considered further during Issue Specific Hearing 2 (Construction and Traffic).
- **BESS:** He noted that national policy (EN-3, paragraph 3.10.40) recognises and supports co-location of solar and BESS, as this helps to deal with intermittency in power generation by solar projects, as well as providing grid balancing. Mr Flanagan confirmed that BESS safety concerns are recognised, noting that these are addressed in the **Outline Battery Safety Management Plan (Doc Ref. 7.16) [APP-161]** ('OBSMP'). He noted that the OBSMP contains agreed commitments with Kent Fire and Rescue Service, which meet and exceed National Fire Chiefs Council Guidance, and also confirmed that the commitments in the document are secured through the **Draft DCO (Doc Ref. 3.1(B))**.
- **Capacity and generation:** He noted the comments raised relating to the ratio of the generating capacity of the Project compared to the grid connection agreement. He confirmed that it is usual practice that for solar farms the former is higher and added that if the solar panels are co-located with BESS, the ratio is usually 1.4 – 1.8. He confirmed that the Project holds a grid connection capacity of 99.9MW which, based on these market sizing ratios, would translate to a generating capacity of 140MW-180MW. He noted that the Environmental Statement does refer to the Project having a generating capacity of 140 to 180MW, so respectfully rejects the contention this had been hidden by the Applicant. This is set out in paragraphs 15.6.13 to 15.6.15 of **Volume 2, Chapter 15: Climate Change [APP-039]**.
- **Heritage:** Mr Flanagan confirmed that the Project has been designed to minimise harm to heritage assets and their setting. He noted that the Project Substation has been subject to pre-determination trial trenching to confirm that there is no significant archaeology present and other infrastructure, for example the Inverter Stations, have been relocated to avoid areas of archaeological potential (identified through the geophysical survey report). He added that the **Archaeological Management Strategy ('AMS') (Doc Ref. 7.17) [APP-162]** secures all mitigation necessary to ensure the Project does not have an unacceptable effect on below ground heritage.
- **BMV Land and food security:** He confirmed that the Applicant has sought to avoid the use of BMV land where possible, with preference given to the use of land in areas of poorer quality. He concluded that such loss as there is of BMV land within the local area is not considered to have a material impact on the overall supply of many thousands of hectares of BMV land in Ashford Borough, and therefore the Project would not have a material impact on food security of the wider region.
- **Policy compliance:** Mr Flanagan noted there was reference to Ashford Borough Council Guidance from 2013¹ on solar generation projects. He confirmed that this is not the applicable framework for a nationally

significant infrastructure project which is subject to the policy contained in the relevant national policy statements. He noted that the CPRE Kent submissions referred to a "rooftop first" approach, and concluded that it is not possible to achieve challenging government targets without large scale ground mounted solar, as well as rooftop.

References

¹ Ashford Borough Council, "The development of large scale (>50kW) solar PV arrays" (2013). Accessed December 2024. https://www.ashford.gov.uk/media/iawi5uah/2_large-scale-solar-pv.pdf