

Stonestreet Green Solar

Outline Rights of Way and Access Strategy (Tracked)

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Table of Contents

1	Introduction	2
2	Existing Rights of Way to be Affected	4
3	Strategic and Wider Benefits	9
4	Legislation, Standards, Guidance and Design	11
5	Implementation Strategy	14
6	Construction (and Decommissioning) Phases	17
7	Operational and Transition Phase	19
8	Monitoring and Maintenance	20

List of Tables

Table 2-1: Proposed Changes (Extinguishment or Diversion) to PRow and Proposed Alternatives, Diversions and Substitutions	5
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1 Introduction

1.1 Introduction

- 1.1.1 This Outline Rights of Way and Access Strategy ('RoWAS') (the 'Outline Strategy') has been prepared on behalf of EPL 001 Limited ('the Applicant') in relation to the Development Consent Order ('DCO') application for Stonestreet Green Solar ('the Project').
- 1.1.2 The Project comprises the construction, operation and 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.
- 1.1.3 The Project will include a generating station (incorporating solar arrays) with a total capacity exceeding 50 megawatts ('MW'). The agreed grid connection for the Project will allow the export and import of up to 99.9 MW of electricity to the national grid. The Project will connect to the existing National Grid Sellindge Substation via a new 132 kilovolt ('kV') substation constructed as part of the Project and cable connection under the Network Rail and High Speed 1 ('HS1') railway.
- 1.1.4 The location of the Project is shown on **Environmental Statement ('ES') Volume 3, Figure 1.1: Site Location Plan (Doc Ref. 5.3)**. The Project will be located within the Order limits (the land shown on the **Works Plans (Doc Ref. 2.3)** within which the Project can be carried out). The Order limits plan is provided as **ES Volume 3, Figure 1.2: Order Limits (Doc Ref. 5.3)**. Land within the Order limits is known as the 'Site'.
- 1.1.5 Areas where infrastructure development is proposed are identified by field numbers, which are shown on **ES Volume 3, Figure 2.1: Field Boundaries and Site Area Plan (Doc Ref. 5.3)**. The areas of the Site where infrastructure development is proposed are referred to as follows:
- South Western Area (Fields 1 to 9);
 - Central Area (Fields 10 to 19 and 23 to 25);
 - South Eastern Area (Fields 20 to 22);
 - Northern Area (Fields 26 to 29);
 - Project Substation (location of the Project Substation, in the north western section of Field 26);
 - 'Cable Route Corridor' (export of electricity from the Project at 132kV via underground cables (the 'Grid Connection Cable') to the Sellindge Substation) and 'Cable Route Crossing' (use of an existing cable duct under the HS1 railway or through Horizontal Directional Drilling ('HDD') beneath HS1 for the Grid Connection Cable); and

- Sellindge Substation (location of the existing Sellindge Substation).
- 1.1.6 The Project will have an impact on Public Rights of Way ('PRoW') and access, including temporary and permanent stopping up and diversions, and new and extended links, as well as effects related to construction activity.
- 1.1.7 The Applicant and Kent County Council ('KCC') (as the Local Highways Authority ('LHA')) recognise that the Project is in an area with a dense network of PRoW and access, and that the Project will result in some current alignments of PRoW being temporarily or permanently diverted during the construction, operational and decommissioning phase. KCC consider that where affected, these PRoW should be formally diverted by the powers of the DCO to new alignments as PRoW in order to maintain access (rather than be instated as permissive paths). It is noted that within the **ES Volume 2, Chapter 12: Socio-economics (Doc Ref. 5.2)** and the **Draft Development Consent Order ('DCO') (Doc Ref. 3.1)** the term 'stopped up' is used to describe PRoW that are proposed to be closed permanently or temporarily in order to divert or substitute.
- 1.1.8 This Outline Strategy has been informed by observation surveys of existing users of PRoW and access within the Site, and by consultation with stakeholders including KCC, Ashford Borough Council ('ABC'), Kent Ramblers and other stakeholders.

1.2 Structure

- 1.2.1 This Strategy is structured as follows:
- **Section 2** provides a summary of the existing PRoW to be affected by the Project, including those PRoW to be extinguished or diverted;
 - **Section 3** summarises the new PRoW to be created by the Project and strategic and wider benefits to rights of way and access to be provided;
 - **Section 4** sets out the relevant legislation, policy and guidance used to develop rights of way and access proposals for the Project, along with a description of how these have been (or will be) applied;
 - **Section 5** sets out the approach to implementation and governance of proposed changes to PRoWs;
 - **Section 6** sets out the measures for implementation and management of rights of way and access during the construction and decommissioning phases;
 - **Section 7** sets out the measures for management of rights of way and access during the operational phase; and
 - **Section 8** sets out proposals for monitoring and maintenance.

2 Existing Rights of Way to be Affected

2.1 Extinguishment and Diversion

- 2.1.1 According to KCC's Definitive Map¹, there are 16 Public Footpaths and one Byway Open to all Traffic ('BOAT') within or interacting with the Order limits.
- 2.1.2 **ES Volume 2, Chapter 12: Socio-economics (Doc Ref. 5.2)** provides a link-level assessment of the changes to each individual link as determined by the KCC Definitive Map where a link interacts with and is affected by the Project for any part of its length. Consideration of wider connectivity effects has also been made, where stakeholders have identified important multi-link routes or circular walks, or where there is a clear defined origin and destination for community access to recreational spaces, community facilities, commercial and residential areas. A further consideration has been given where the Project affects existing, or provides new, strategically important links identified by policy, designation, stakeholder feedback or where they are substantively new routes (for example, the cross-site route from Otterpool towards Ashford, the proposed river walk along the East Stour River, or the proposed circular walk west of Calleywell Lane).
- 2.1.3 The effects assessed by **ES Volume 2, Chapter 12: Socio-economics** are distinct from those assessed by **ES Volume 2, Chapter 13: Traffic and Access**, which draw on Design Manual for Roads and Bridges ('DMRB') Guidance to assess effects related to users of PRow as follows:
- Severance of communities (for example, as a result of changes in traffic flows on roads crossed by PRow);
 - Non-motorised user delay and amenity (for example, where users of the highway including walkers, cyclists and horse riders may experience change in journey time or amenity as a result of a change in traffic flows); and
 - Road user and pedestrian safety (where this relates to changes in traffic flows interacting with paths and highway used by walkers, cyclists and horse riders).
- 2.1.4 During the construction phase, some of the PRow that interact with the Site will experience change related to diversions and interactions with construction traffic where PRow are crossed/impacted intermittently by construction vehicles.
- 2.1.5 Any temporary or permanent PRow provided as diversions, replacements or alternatives to PRow that are diverted or extinguished during the construction phase, as well as new PRow to be provided, will be fully established and accessible during the operational phase ensuring no break in connectivity across the network.

¹ <https://webapps.kent.gov.uk/countrysideaccesscams/standardmap.aspx>

2.1.6 **Table 2-1** describes the relationship between existing PRoW and new and diverted routes to be provided and maintained by the Project during the operational phase.

Table 2-1: Proposed Changes (Extinguishment or Diversion) to PRoW and Proposed Alternatives, Diversions and Substitutions

Current PRoW	Proposed Change	Summary
AE 454	Diversion	<p>Entire length of PRoW to be stopped up temporarily during the construction, operational and decommissioning phases of the Project and then re-instated at the end of the decommissioning phase.</p> <p>Temporary PRoW to be provided to the east of Field 20 and between Fields 21 and 22 replacing existing AE 454 alignment resulting in 21m increase in link length of 19m (3%). The southern origin of the replacement will be 172m further east than current, resulting in a change in origin-destination length of 191m (34%) for users travelling west to east, or a reduction of 153m (-21%) for walkers travelling from east to west. Retains link between AE 474 and AE 455.</p>
AE 475	Diversion	<p>Part of PRoW to be stopped up.</p> <p>Permanent replacement PRoW to be provided largely on the existing alignment, although routing to the north of an existing pylon between Fields 20, 21 and 22 resulting in 32m increase in link length (13%). Retains link to Goldwell Lane and on to AE 450.</p>
AE 455	Extinguished	<p>Existing short section of wider link to be extinguished where it runs diagonally across Field 21. Alternative access from retained section of AE 455 to AE 475 via re-routed AE 454.</p>
AE 656 and AE 657	Diversion	<p>Part of PRoWs to be stopped up.</p> <p>Permanent PRoW route to be provided between AE 656 and AE 657 before the confluence of AE 657, AE 457 and New 3 / FN-3 (as referenced in the Draft DCO (Doc Ref. 3.1), the Streets, Rights of Way and Access Plans (Doc Ref. 2.5) and ES Volume 3, Figure 3.2: Proposed Access Network (Doc Ref. 5.3)) to replace a section of AE 656 that currently runs adjacent to the railway line and a short section at the northern end of AE 657, to improve amenity and reduce distance on this part of the network, resulting in a decrease of 12m (-6%) on this section.</p>
AE 370	Diversion	<p>Part of PRoW to be stopped up.</p> <p>Permanent PRoW with cycle access (subject to third party landholder agreement) to be provided that runs alongside Roman Road to the south of Field 12 before running diagonally across a field and between Fields 10/11 and 13 before re-joining existing AE 370 route west of Field 14, resulting in an increase of 128m (21%).</p>

Current PRow	Proposed Change	Summary
AE 377	Diversion	<p>Part of PRow to be stopped up.</p> <p>Permanent PRow to be provided from existing AE 377 section south of Handen Farm running adjacent to re-instated historical field boundaries and hedgerows between Fields 13, 14, 15 and 16, resulting in an increase of 160m (22%).</p>
AE 385	Diversion	<p>Part of PRow to be stopped up.</p> <p>Section 1: Permanent PRow to be provided between Fields 1 and 2 in the northern section, re-joining the existing alignment and also providing new access to a proposed new extension of AE 380 / FN-AE380 (as referenced in the Draft DCO (Doc Ref. 3.1), the Streets, Rights of Way and Access Plans (Doc Ref. 2.5) and ES Volume 3, Figure 3.2: Proposed Access Network (Doc Ref. 5.3)) to the west of Field 2 to Bank Road, resulting in an increase in length of 53m (13%).</p> <p>Section 2: Permanent PRow to be provided, diverting the route around the corner of Field 7 in the southern section, resulting in an increase in length of 10m (20%).</p>
AE 447	Extinguished	<p>Existing short link to be extinguished where it runs diagonally across Field 24-19 linking AE 378 to AE 448.</p> <p>Alternatives will be available via AE 378, AE 448 diversions and New 7 / FN-7 (as referenced in the Draft DCO (Doc Ref. 3.1), the Streets, Rights of Way and Access Plans (Doc Ref. 2.5) and ES Volume 3, Figure 3.2: Proposed Access Network (Doc Ref. 5.3)).</p>
AE 378	Diversion	<p>Part of PRow to be stopped up temporarily during the construction, operational and decommissioning phases of the Project and then re-instated at the end of the decommissioning phase.</p> <p>Temporary PRow to be added to replace AE 378 where it runs across Fields 18 and 19. The replacement route would begin at Calleywell Lane and run adjacent to the existing field boundary where it will link to a replacement for AE 428 at the south west corner of Field 19 and run around the west and northern edge of Field 19, resulting in an increase in length of 178m (24%).</p>
AE 428	Diversion	<p>Part of PRow to be stopped up temporarily during the construction, operational and decommissioning phases of the Project and then re-instated at the end of the decommissioning phase.</p> <p>Temporary PRow to be provided replacing a section of AE 428 that runs north across the middle of Field 19, that links the diverted route of AE 378 in the south west corner of Field 19 to the continuation north of the AE 428 where it crosses</p>

Current PRow	Proposed Change	Summary
		the East Stour River (an increase of 105m or 28% in link length).
AE 448	Diversion	<p>Entire PRow to be stopped up temporarily during the construction, operational and decommissioning phases of the Project and then re-instated at the end of the decommissioning phase.</p> <p>Temporary PRow to be provided along the East Stour River from Station Road to intersect with the AE 428. A newly provided route (New 7 / FN-7 (as referenced in the Draft DCO (Doc Ref. 3.1), the Streets, Rights of Way and Access Plans (Doc Ref. 2.5) and ES Volume 3, Figure 3.2: Proposed Access Network (Doc Ref. 5.3)) completes the origin-destination diversion of this link, resulting in an increase of 20m (4%).</p>
AE 431	Diversion	<p>Part of the PRow to be stopped up temporarily during the construction, operational and decommissioning phases of the Project and then re-instated at the end of the decommissioning phase.</p> <p>Temporary PRow to be provided to replace part of the existing AE 431 between its origin at Goldwell Lane, across its confluence with AE 436 and AE 657, and its current route directly across Fields 23 and 24.</p> <p>The replacement route doubles with a section of the replacement path for AE 436 between Goldwell Lane and Field 23, and then running to the west of Field 24 to rejoin its existing alignment where it interacts with the proposed New 3 / FN-3 (as referenced in the Draft DCO (Doc Ref. 3.1), the Streets, Rights of Way and Access Plans (Doc Ref. 2.5) and ES Volume 3, Figure 3.2: Proposed Access Network (Doc Ref. 5.3)).</p> <p>This would result in an increased distance of 100m (15%).</p>
AE 436	Diversion	<p>Part of the PRow to be stopped up temporarily during the construction, operational and decommissioning phases of the Project and then re-instated at the end of the decommissioning phase.</p> <p>Temporary PRow to be provided to replace part of the existing AE 436 which currently links Goldwell Lane to an intersection with the AE 657 and AE 431 where they cross the East Stour River north of Field 23.</p> <p>A new PRow (New 1 / FN-1 (as referenced in the Draft DCO (Doc Ref. 3.1), the Streets, Rights of Way and Access Plans (Doc Ref. 2.5) and ES Volume 3, Figure 3.2: Proposed Access Network (Doc Ref. 5.3)) will be provided to link Goldwell Lane to the AE 657 which will result in an</p>

Current PRoW	Proposed Change	Summary
		increased distance of 123m or 61% between Goldwell Lane and the existing northern end point of AE 436.

- 2.1.7 The proposed temporary and permanent diverted and new routes would be implemented as PRoW prior to the end of the construction phase.
- 2.1.8 **ES Volume 3, Figure 3.1: Existing Access Network (Doc Ref. 5.3)** shows the existing PRoW network in the context of the Project, and the proposed approach to new and diverted routes.

3 Strategic and Wider Benefits

3.1 New PRow and Strategic Enhancements

3.1.1 In addition to the above changes the following additional PRow will be established and maintained within the Project for the operational phase as referenced in the **Draft DCO (Doc Ref. 3.1)**, the **Streets, Rights of Way and Access Plans (Doc Ref. 2.5)** and **ES Volume 3, Figure 3.2: Proposed Access Network (Doc Ref. 5.3)**:

- **New 1 / FN-1** – this is referred to in the context of changes to AE 436 in Table 2.1. It provides a new PRow linking to the east of Field 23 to AE 657, as an alternative to the proposed diversion to the west of Field 23.
- **FN-AE657** – a new link between the AE 657 and the west of Field 23 connecting to the AE 381 diversion.
- **New 2 / FN-2** - a new PRow running from the existing AE 657 at the south of Field 28 / west of Backhouse Wood and New 3 / FN-3 at the East Stour River, enhancing wider connectivity as a new link in the network rather than replacing an existing link.
- **New 3 / FN-3** – a new PRow running from the existing intersection of AE 657 and AE 457 at the East Stour River, and running alongside the river to meet the diverted AE 431 at the north east corner of Field 25. This will enhance wider connectivity as a new link in the network rather than replacing an existing link, providing an alternative route across the northern part of the Site.
- **New 6 / FN-6** - a new PRow between Roman Road and Handen Farm, which would run parallel to an existing PRow (AE 377) that currently shares a driveway into Handen Farm with motorised users, to the west side of the hedge next to Field 12. This will improve user safety rather than change connectivity, as the link length remains the same.
- **New 7 / FN-7** – this is referred to in the context of changes to AE 447 and AE 448 in Table 2.1. This PRow running between AE 378 and AE 448 on the west side of Goldwell Lane has the benefit of removing the need for users to cross Goldwell Lane when travelling between these links, and creates a new circular recreational walk around Field 19.
- **New 8 / FN-8** – a new PRow that would link AE 457 and AE 657 to the north of Backhouse Wood resulting in a more direct route and a decrease in journey length of 124m (45%) (taking into account the start and end points of New 8 / FN-8).
- **AE 380 Extension / FN-AE380** - a new link between the replacement for the diverted AE 385 east of Bank Road, where it would link to the existing AE 380 (north of Bank Road). This would have the benefit of connecting the existing AE 380 path (that terminates at Bank Road) with AE 385, avoiding the need to walk on Bank Road and Laws Lane to continue progress. The

Bank Road / Laws Lane route will remain in place for individuals who prefer this route.

- 3.1.2 A '**riverside walk**' will be created by **FN-3 / New 3** running east to west through the north of the Site and connecting existing route AE 376 directly to AE 657 thereby directly connecting the network between Mersham and Sellindge.
- 3.1.3 Subject to third party landowner agreement and appropriate permissions for areas outside the Order Limits, a shared walking / cycleway will be provided (delivered to a specification and design standard to be agreed with ABC, in consultation with KCC) along the route of the diverted AE 370 from Aldington towards Mersham. The Applicant will engage with KCC to agree a proportionate provision of contributions to assist the delivery of the sections outside of the Order limits with the aim of creating a continuous offroad link between the two villages.
- 3.1.4 Improved connectivity through the north-eastern part of the Site via **FN-2 / New 2**, **FN-3 / New 3** and **FN-8 / New 8**, along with a proposed diversion of AE 656 and AE 657 (to improve amenity by moving the route away from the railway line and linking it to **FN-3 / New 3**, the 'riverside walk') will be provided with the long-term aim of providing wider network improvements between the forthcoming Otterpool Park, the Project, and on to Mersham and Ashford. KCC has aspirations for strategic network improvements that accord with these proposals.
- 3.1.5 New circular walks will be created around the edge of Fields 19 and 23 through the diversion of AE 378, AE 448 and AE 428 and the implementation of **FN-7 / New 7**, and the diversion of AE 436 and AE 431 and the implementation of **FN-1 / New 1**.

4 Legislation, Standards, Guidance and Design

4.1 Compliance with Legislation

- 4.1.1 As set out within the subsequent sections of this document, the implementation of any new route, and the approach to diversion and extinguishment of any route, would comply with the legal requirements of the Highways Act 1980 and Equality Act 2010 in terms of temporary access infrastructure and management, by ensuring that there are no physical barriers to access without lawful authority and that reasonable adjustments are made to facilitate participation by all.

4.2 Compliance with Policy

- 4.2.1 The implementation of any new route, and the approach to diversion and extinguishment of any route, will comply with the following relevant national and local policy relating to rights of way and access.

- 4.2.2 The role of PRoWs for public use and leisure is stated in the National Planning Policy Framework ('NPPF')¹, which requires planning policies and decisions to:

“protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails” (paragraph 104).

- 4.2.3 The Overarching National Policy Statement for Energy (EN-1) ('NPS EN-1')² (2023) outlines that the construction, operation and decommissioning of energy infrastructure may have socio-economic impacts at local and regional levels such as job creation, provision of local services and effects on tourism. In decision-making, the Secretary of State *“should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike”* (paragraph 5.13.8).

- 4.2.4 NPS EN-1 also includes a reference to active travel stating at paragraph 5.14.9 that:

“If additional transport infrastructure is needed or proposed, it should always include good quality walking, wheeling and cycle routes, and associated facilities (changing/storage etc) needed to enhance active transport provision”.

- 4.2.5 The National Policy Statement for Renewable Energy Infrastructure (EN-3) ('NPS EN-3')³ (2023) notes that (paragraphs 2.10.41 to 2.10.45):

- *“Public rights of way may need to be temporarily closed or diverted to enable construction, however, applicants should keep, as far as is practicable and safe, all public rights of way that cross the proposed*

development site open during construction and protect users where a public right of way borders or crosses the site.

- *Applicants are encouraged to design the layout and appearance of the site to ensure continued recreational use of public rights of way where possible during construction, and in particular during operation of the site.*
- *Applicants are encouraged where possible to minimise the visual impacts of the development for those using the existing public rights of way, considering the impacts this may have on any other visual amenities in the surrounding landscape.*
- *Applicants should consider and maximise opportunities to facilitate enhancements to the public rights of way and the inclusion, through site layout and design of access, of new opportunities for the public to access and cross proposed solar development sites (whether via the adoption of new public rights of way or the creation of permissive paths), taking into account where appropriate the views of landowners.*
- *Applicants should set out detail on how public rights of way would be managed to ensure they are safe to use in an outline Public Rights of Way Management Plan.”*

4.2.6 KCC's Rights of Way Improvement Plan (2018-2028)⁴ sets out future strategies for the PRowWs for Kent to continue to provide a dense network of PRowWs and the benefits that are associated with use. KCC set out the following key strategies:

- Increase the provision of traffic free routes to offer a safe and sustainable alternative to car travel.
- Create links to places of work, schools and other amenities.
- Provide good circular and promoted routes for leisure and tourism.
- Remove barriers and replace stiles with gaps or gates.
- Introduce strategies and policies to ensure connectivity of the network through the consideration of PRowWs within new development and within transport plans.
- Protect, enhance, expand and integrate the PRowW network. With the limited resources available, focus on priority routes which are promoted or provide primary access to amenities.

4.2.7 The Rights of Way Improvement Plan identifies that issues related to PRowWs in Kent include overgrown vegetation, cleanliness and poor maintenance of paths.

4.2.8 The Framing Kent's Future Strategy (2022 – 2026)⁵ sets out KCC's vision in delivering a healthy environment for residents to live in. Improving access to natural and green spaces is one of the key strategies set by the Council, which notes that PRowWs could support access and improve health and wellbeing outcomes.

4.2.9 The Kent Downs AONB Management Plan 2021-2026⁶ notes that the good maintenance and enhancement of the PRowW network is essential in ensuring access to the Kent Downs Area of Outstanding Natural Beauty (now National Landscape).

- 4.2.10 Any works on or to, or provision of new or diverted PRow would be undertaken in accordance with the Kent Design Guide and KCC Countryside Access Objectives and Policy.

4.3 Consideration of Guidance

- 4.3.1 Any new or diverted PRow implemented by the Applicant shall be designed in accordance or with regard to design standards adopted by KCC, including details such as surfacing of routes to create an appropriate high-quality network. Accordance to those standards will be reviewed on completion prior to adoption of any new or diverted PRow into the local highway network.

5 Implementation Strategy

5.1 Overview

- 5.1.1 The Applicant has produced this Outline Strategy to inform the DCO application.
- 5.1.2 The detailed RoWAS for each phase of the authorised development incorporating any part of a PRow which is to be temporarily or permanently stopped up pursuant to Article 18 of the **Draft DCO (Doc Ref. 3.1)** will:
- Include details of measures to minimise the distance of any sections of the PRow to be temporarily or permanently stopped up;
 - Include details of advance publicity and signage in respect of any sections of PRow to be temporarily or permanently stopped up; and
 - Be generally in accordance with this Outline Strategy.
- 5.1.3 The approach to implementation of this Outline Strategy and any subsequent detailed RoWAS is set out in the following section.

5.2 Implementation Plans

- 5.2.1 The detailed RoWAS will include an Implementation Plan with respect to each diverted or extinguished PRow, diverted or new PRow (see **Table 2-1** and **Section 3** above).
- 5.2.2 Within each Implementation Plan, the Applicant will supply all necessary technical information, drawings and other details (including a statement in accordance with section 53 of the Wildlife and Countryside Act 1981) that KCC would reasonably require to enable updates to the Definitive Map. The Implementation Plan will include:
- Information required to demonstrate accordance with all relevant legislation and policy, and regard to guidance and standards set out within this Outline Strategy including related to accessibility, design, surface materials, widths, gradient and safety and security;
 - Information required to demonstrate accordance with the commitments in the Management Plans secured by the DCO; and
 - Information required to demonstrate accordance with the principles set out under Part 6 and Part 7 in this Outline Strategy.
- 5.2.3 Plans will be required for each new or diverted PRow. Any plans produced to support the Implementation Plans will reflect the necessary diversions, be at an adequate scale (1:2,500) and be sufficiently detailed to enable amendment of the KCC Definitive Map and Statement.

- 5.2.4 A Rights of Way and Access Working Group will be formed to review the Implementation Plans with the aim of minimising disruption and amenity loss to PRow users during implementation.
- 5.2.5 The Rights of Way and Access Working Group will include the Applicant, the Contractor(s) responsible for the Project, ABC, and KCC with other parties invited to contribute where the Group considers this to be beneficial.
- 5.2.6 The Applicant will have due regard to responses from the Rights of Way and Access Working Group prior to finalisation of the submission of an Implementation Plan. Any detailed RoWAS must be generally in accordance with this Outline Strategy, as required by a Requirement of the **Draft DCO (Doc. Ref. 3.1)**.
- 5.2.7 The Implementation Plans will include the following in terms of safety, convenience, recreation, amenity, signage, design and accessibility:

Safety, Convenience, Recreation and Amenity

- 5.2.8 All new or diverted PRow crossing or within the Order limits shall have a detailed design that is safe and considers the convenience of the users and appropriateness to the context of the adjacent landscape character, with changes in level minimised where possible.
- 5.2.9 The Applicant has taken a pragmatic and balanced approach to screening and openness, with proposed routes through the Order limits determined with legibility in mind – in some cases following tree and meadow planting, and new and/or historic hedgerows where practicable.
- 5.2.10 The **Outline Landscape and Ecological Management Plan ('LEMP') (Doc Ref. 7.10)** sets out plans for annual inspection and maintenance/management of this environment including litter collection, weed control, clearance and management of scrub. It is anticipated to include management principles including:
- Footpaths checked for wear and tear. Any areas of settlement or damage will be made good in accordance with current UK safety standards. Vegetation will also be managed along the routes of PRow to allow for safe passage where appropriate;
 - Footpaths kept free of litter, weeds, grass cuttings, and general debris; and
 - Any furniture and signage inspected monthly to ensure there is no vandalism or missing features, and no health and safety issues. Missing or broken items will be replaced. Any necessary repairs are to be carried out in accordance with UK safety standards.
- 5.2.11 The **Design Principles (Doc Ref. 7.5)** secure that all PRowS will be a minimum of 2m wide and will sit without a corridor of 10m minimum width, with the exception of the section of New 3 / FN-3 adjacent to Work No. 3 (Project Substation) which will sit within a 5m corridor. In some cases, the corridor width is likely to be much wider, and in some cases enabling interaction with existing and new open spaces where reasonably practicable (such as at AE 475 and AE 657).

- 5.2.12 Certain routes and locations within the network are anticipated to be recognised as opportunities for enhancing recreational experience, through the provision of suitable wayfinding, design features and where appropriate, facilities such as seating.
- 5.2.13 This Outline Strategy has taken account of user experience and amenity, in order to identify a balanced approach that retains accessibility, reduces severance and maintains (and where practicable) improves user experience across local links and the strategic network.

Signage / Information Boards

- 5.2.14 In order to allow users to recognise and appreciate their whereabouts, routes across and adjacent to the Project within the Order limits shall include appropriate clear and informative signage to provide wayfinding for the users.
- 5.2.15 In some cases, particularly where new infrastructure is to be implemented, this signage can provide educational material about the purpose and operation of such infrastructure, in the context of the wider approach to low carbon and renewable energy and Kent's contribution to the UK's 'net zero' agenda, along with technical information about solar energy.

Design and Accessibility

- 5.2.16 Surfacing, signage, boundary treatments and access controls shall be designed with the intent of being efficient and integrated, appropriate to the type of usage permitted and appropriate to its surrounding context as much as is reasonably practicable. Design shall be in accordance or with regard to design standards adopted by KCC.
- 5.2.17 Where practicable and proportionate to the existing network, in order to improve access to the existing network and for travel and outdoor recreation, the design of new or diverted routes shall maximise access for users (including those with limited mobility) through good design, while considering the use of robust design elements to prevent and mitigate the potential for misuse of the network by unauthorised vehicles and to prevent and deter anti-social behaviour.

6 Construction (and Decommissioning) Phases

6.1 Construction (and Decommissioning) Phase Principles

- 6.1.1 During the construction and decommissioning phases, the implementation of changes to routes will be subject to the principles of this Outline RoWAS (and subsequent detailed RoWAS).
- 6.1.2 Save in respect of those for which no alternative is to be provided (Part 3 of Schedule 8 of the **Draft DCO (Doc Ref. 3.1)**), no PRow will be permanently closed during the construction or decommissioning phase without a suitable alternative in-place, which in most cases for the construction phase would be the proposed alternative PRow for the operational phase (see **Table 2-1**).
- 6.1.3 At the end of the construction phase, it is anticipated that all extinguishments and diversions via proposed PRow would be in-place.
- 6.1.4 New or diverted PRow temporarily implemented by the Applicant as new paths or diversions to existing PRow would be re-instated to their original alignment at the end of the decommissioning phase – this applies to AE 378, AE 428, AE 448, AE 431, AE 436 and AE 454.
- 6.1.5 KCC has indicated that it may wish to amend the network permanently to adopt temporary replacements for these PRow following decommissioning and the Applicant will look to facilitate discussions between KCC and the landowners should that be the case.
- 6.1.6 KCC has agreed that certain replacement PRow implemented as part of the Project should be permanent amendments and continue beyond the decommissioning stage of the Project. This position applies to AE 385, AE 370, AE 377, AE 656 and 657, and AE 475.
- 6.1.7 The Applicant and Principal Contractor will adhere to the following principles relating to any change in access to existing PRow that interact with the construction/decommissioning areas during the construction and decommissioning phase:
- Minimise as far as reasonably practicable any physical disruption or any other reductions in amenity on existing PRow, permissive footpaths, and all other pre-existing linear and area access;
 - Minimise as far as reasonably practicable any reductions in connectivity in and around the Project;
 - Comply with the legal requirements of the Equality Act 2010 and the Highways Act 1980 in terms of temporary access infrastructure and

management, by ensuring that there are no physical barriers to access without lawful authority and that reasonable adjustments are made to facilitate participation by all;

- Ensure that all new surfaces are easy to use;
- Minimise the need for temporary path closures and diversions beyond those listed in Schedule 8 of the **Draft DCO (Doc Ref. 3.1)**, and where these are unavoidable, to provide and maintain alternative routes so as to reduce to a minimum any disruption or loss of amenity;
- Minimise road crossing points where possible and, where unavoidable, to carry out relevant road safety audits and implement recommendations to ensure user safety;
- Apply and maintain best practice in terms of on-Site signage and other information provision, and to maintain visitor enjoyment and safety; and
- Justify, manage and agree temporary closures beyond those listed in Schedule 8 of the **Draft DCO (Doc Ref. 3.1)** in advance and to publicise closures to members of the public, as required.

6.1.8 PRow on which operational infrastructure is not planned may require temporary closure or be impacted intermittently during the construction and decommissioning phases. The detailed RoWAS for the relevant phase of the Project will identify these impacts and appropriate signage and other mitigation will be included to ensure the safety of PRow users. If temporary closure is required the detailed RoWAS will include suitable alternative provision.

Community Relations / Engagement and Resolution of Complaints

6.1.9 The **Outline Construction Environmental Management Plan ('CEMP') (Doc Ref. 7.8)** sets out the roles and responsibilities of the undertaker and Principal Contractor which includes establishing and maintaining community relations and the development of a formal complaints procedure (as agreed with ABC), along with the provision of monthly environmental monitoring reports. This will include the identification and resolution of any issues related to construction effects on PRow.

7 Operational and Transition Phase

7.1.1 The following principles relating to the implementation, maintenance and management of existing, new and diverted access will be adhered to during the operational phase:

- Comply with the legal requirements of the Equality Act 2010 and the Highways Act 1980, in terms of any new or existing access infrastructure and management, by ensuring that there are no barriers without lawful authority and that reasonable adjustments are made to facilitate access to all;
- Ensure that all new surfaces are easy to use;
- Ensure that all new or diverted routes are accessible and well-maintained in terms of vegetation management, clearance of obstructions and flooding / waterlogging; and
- Apply and maintain best practice in terms of on-site signage and other information provision, and to enhance visitor enjoyment and safety.

7.1.2 Improvements to PRow, such as signage and surface improvements, will be provided in accordance with the detailed RoWAS.

8 Monitoring and Maintenance

8.1 PRow Maintenance

- 8.1.1 During the construction, operational and decommissioning phases, the PRow network within the Order limits will be maintained (vegetation clearance, surface improvement/repair, signage etc.) by the undertaker or an appointed third party at the expense of the undertaker, to the standards set out within this Outline Strategy.
- 8.1.2 The undertaker will monitor the condition of these PRow and identify any activities required to address effects. Any remedial works will be agreed with KCC prior to implementation and will be advertised and undertaken to minimise any break in connectivity provided by the new or diverted PRow.

8.2 Byway Open to All Traffic (BOAT) AE 396

- 8.2.1 The undertaker will clear and maintain access along the Byway Open to All Traffic ('BOAT') AE 396 to the appropriate standards for a BOAT as set out in legislation, policy and guidance referred to in this Outline Strategy. This link is not extinguished or diverted, but it forms an important part of the network.

8.3 Obstructions and Wider Connectivity

- 8.3.1 The undertaker and KCC will work with third party landowners to seek to address pre-existing obstructions identified where reasonable and practicable, including the known obstructions on AE 657 between Backhouse Wood and Woodleas Farm.

References

- ¹ Department for Levelling Up, Housing and Communities (2023). *National Planning Policy Framework*. Accessed January 2024.
- ² Department for Energy Security & Net Zero, (2023). *Overarching National Policy Statement for Energy (EN-1) –November2023*. Accessed January 2024.
- ³ Department for Energy Security and Net Zero, (2023). *Overarching National Policy Statement for Renewable Energy Infrastructure (EN-3)*. Accessed January 2024.
- ⁴ Kent County Council (2018). *Rights of Way Improvement Plan (2018 – 2028)*. Accessed April 2023.
- ⁵ Kent County Council (2022). *Framing Kent's Future - Our Council Strategy 2022-2026*. Accessed April 2023.
- ⁶ Kent Downs AONB Unit (2021). *The Kent Downs AONB Management Plan 2021-2026*. Accessed April 2023.