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Summary

PRoWs

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- Observations on the long-term effect of Project on the Public Rights of Way Network
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- Applicant has not considered alternatives to large scale detrimental changes to ProW network
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- The proposed changes do not meet criteria specified in Highways Act 1980
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- Case by case consideration of the proposed Extinguishments and Diversions

Impact of Construction Traffic on local Highways

Inconvenience and possible hazards to other road users particularly at:

- Smeeth Crossroads
- Along Station Road
- at Principal site access point
- at crossing point of Station Road by Internal Haulage Road traffic
- and impact on Calleywell and Goldwell Lanes
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Background

I am a resident of Aldington village for over 40 years – as such I am very familiar with its geographical location and all its road access routes. I very much appreciate the rural aspect of the village and I support and participate in the village community.

I am also a keen walker and user of the local Public Rights of Way network – especially since my retirement some 8 years ago.

I am familiar with the UK government commitment to reach carbon net zero by 2050 and to make the UK's energy resources more self-sufficient and with the desirability of meeting these targets as our contribution to the mitigation of global warming. I am broadly in favour of implementing additional renewable energy proposals both onshore and offshore to meet these targets – as long as there are adequate safeguards to protect the environment including nature, landscape, heritage and quality of life in the areas affected.

As such, I understand the case being made by Evolution Power and their reasons for making their proposals in the area around Aldington. I have engaged with the developers as much as possible since the non-statutory consultation stage and joined the Community Liaison Panel to draw attention to this issue. Nevertheless, I have some concerns which are the subject of this submission.

Public Rights of Way

My principal concern (because I feel it risks receiving less attention than other concerns and local opinions) is for the effect of the current proposals on the network of Public Rights of Way in the area.

As the Applicant alludes to, there is a dense network of Public Rights of Way in the Project area and no fewer than 16 ProWs will be directly affected by the proposals.

Despite claims at the 2023 June/July Consultation that the Applicant's vision for the Project included a number of Key Objectives – including “Objective 8: Retain existing ProW and connectivity where possible”, and various iterations of its Rights of Way and Access Strategy, the Applicant, from the outset – before any consultation, appears to have taken the decision to extinguish or substantially divert many of the ProWs rather than to seek to accommodate the existing routes within their plans. No explanation has been given as to why the stated Objective has not been met.

This is in contrast to other solar farm developers, such as those at Littlebourne, Cleve Hill and the nearby East Stour projects who have, or propose to retain the existing ProW routes.

Evolution Power, however, appear to have amended only their statements - no mention of the “Key Objectives” was made at the pre-consultation or 2022 Statutory Consultation stages – rather than their actual approach to ProWs.

The Applicant has also downplayed the extent of their proposals by making reference in public information documents only to the plan to “ some existing Public Rights of Way” and in describing diversions of direct routes as “improvements.”

In addition, maps provided by the Applicant have been of inconsistent clarity and have made it difficult even for an assiduous reader to recognise where paths are to be closed or diverted. (The current iteration of the maps in Chapter 3 of the Environmental Statement Volume 3 – is clearer, but still uses neither the more usual Ordnance Survey mapping nor the KCC online version of the Definitive PRoW maps) This version – albeit clearer -has appeared only long after the Statutory Consultations, so was not easily available at the time public views were being sought.

Despite suggestions that a Rights of Way Working Group would be created, and requests from stakeholders to discuss case by case individual PRoWs , no such Group has yet been created and changes to ProWs were not discussed in detail at Community Liaison Panel meetings

Negotiations with KCC as the Highways Authority appear to have focused on the design and maintenance of eg the width of diversions and the potential creation of a few new paths, rather than any consideration of ways to “retain existing ProWs”

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The Applicant has shown little regard to the cumulative and detrimental impact of changes to individual ProWs to the overall network – in particular to the effect on paths which continue beyond the boundaries of the Project.

Most of the affected ProWs are historic routes which existed at the time of the earliest Ordnance Surveys and are likely typically to have provided direct routes between

communities and scattered farms and dwellings. They are part of the heritage of our countryside. As such, they often head directly between the points they serve taking the best “desire line” across the landscape. The current proposals fail completely to recognise this characteristic of the routes and – in several cases destroy this important feature.

Criteria for accepting changes to ProWs not met

The legislation applicable to this application is presumably different to S119 of the Highways Act 1980, but I suggest that the standards applied should be the same - namely that the proposed alteration to the PRowS should: "Not be substantially less convenient to users" and the "Effect on the enjoyment of the path as a whole" should be an important consideration. I feel strongly that the current proposals fail to meet these criteria.

Worrying Precedent


Should the current proposal to affect so large a number of PRowS be approved, I am very concerned that a precedent would be set for future developers to feel able to treat other Rights of Way as of lesser importance and be able to change them substantially at will

Case by case comments on proposed extinguishments and diversions

The Outline Rights of Way and Access Strategy Doc ref 7.15 (PINS ref EN010135) dated June 2024 lists 13 individual PRowS to be Extinguished or Diverted.

I make the following observations on some of these:

Key to maps.

-  Route to be extinguished
 -  Proposed diversion
 -  Suggested alternative route via other path
 -  Proposed new footpath
- AE454 – proposed diversion**



The current direct path from its junction with AE474 will be stopped up for the duration of the construction, operational and de-commissioning phases of the Project then re-instated at the end of the de-commissioning phase – i.e. the proposed change – described as “temporary” would last for at least 40 or more years.

At present AE454 provides a direct link from the direction of Goldwell Lane and Aldington Corner towards the ProW network to Church Lane and beyond to Sellindge. The diverted route would be longer (EP say 34%), less direct and more inconvenient. The claim that the route would be shorter when walking from east to west is somewhat disingenuous, as few - if any - walkers are likely to use the path in that direction as there is a much smaller population in the Church Lane area, and an alternative path – AE475 would be more direct and, for anyone wishing to reach Church Lane near Hogben Farm, the more obvious route would be via Church Lane itself.

The proposed diversion is detrimental to users of the path and of the ProW beyond the boundaries of the Project. The nature of the “Street Work” along part of the proposed diversion is unclear - it would appear to be of little benefit and would be no improvement to the detrimental effects explained above.

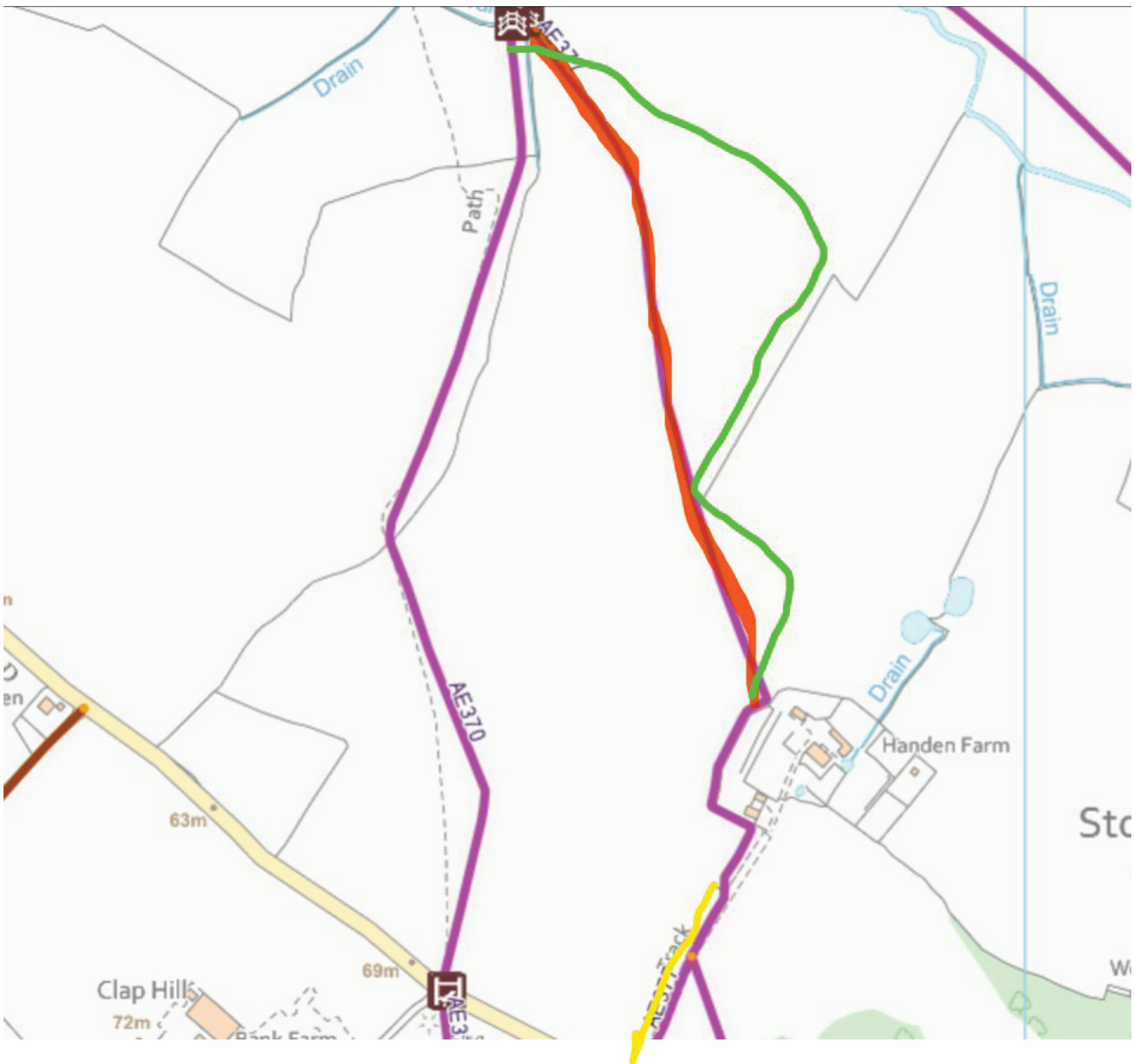
Proposed Extinguishment of part of AE455



AE455 at present runs from its junction with AE475 towards Church Lane adjacent to Hogben Farm and can be reached from Goldwell Lane via AE475, where AE450, across this Lane gives access to a ProW network between Goldwell and Calleywell Lanes.

The extinguishment of the section of AE455 lying within the Project boundary is detrimental to the directness of the path and its wider connectivity with the rest of the ProW network within the area. The use of the phrase “retained section” is misleading as it presumably refers to the greater part of AE455 which is outside the Project boundary – no section of the path within the boundary would be retained! The suggested alternative via the diverted AE454 is less direct and less convenient. There is also no indication that there would be any intention to re-instate this path after the operational phase of the Project – this would therefore be a permanent loss to the network

AE377 Proposed Diversion



AE377 currently follows the driveway from Bank Road towards Handen Farm, then follows the boundary hedge round to its NW corner. The path then heads in an almost straight line NNW downhill across a large field to a gap into the next field, before continuing NW in the direction of Flood Street, Mersham, thus providing a direct walking route from Aldington to Flood Street and Hanover Watermill and the Farriers Arms in Mersham. From Handen Farm, the view is towards Mersham and the direction of the path is intuitive and direct.

The proposed diversion would head NE, then WNW, again NE for some distance before turning NW, making the route much less intuitive and indirect within the confines of the Project – although the Developers claimed at the Public Consultation stage that the “improved legibility and visual benefits of the re-route were considered important” – no explanation of the apparent supposed benefits was given and the claim appeared spurious – in particular, what “improved legibility” there could possibly be compared with the current straight line path and how the visual benefits of walking round the edge of the Project’s compounds could improve the current view defies belief, and how these could be “considered important” is a mystery! This, however, is typical of claims the developers made in their Public Consultations regarding PROWs. This was at best misleading and

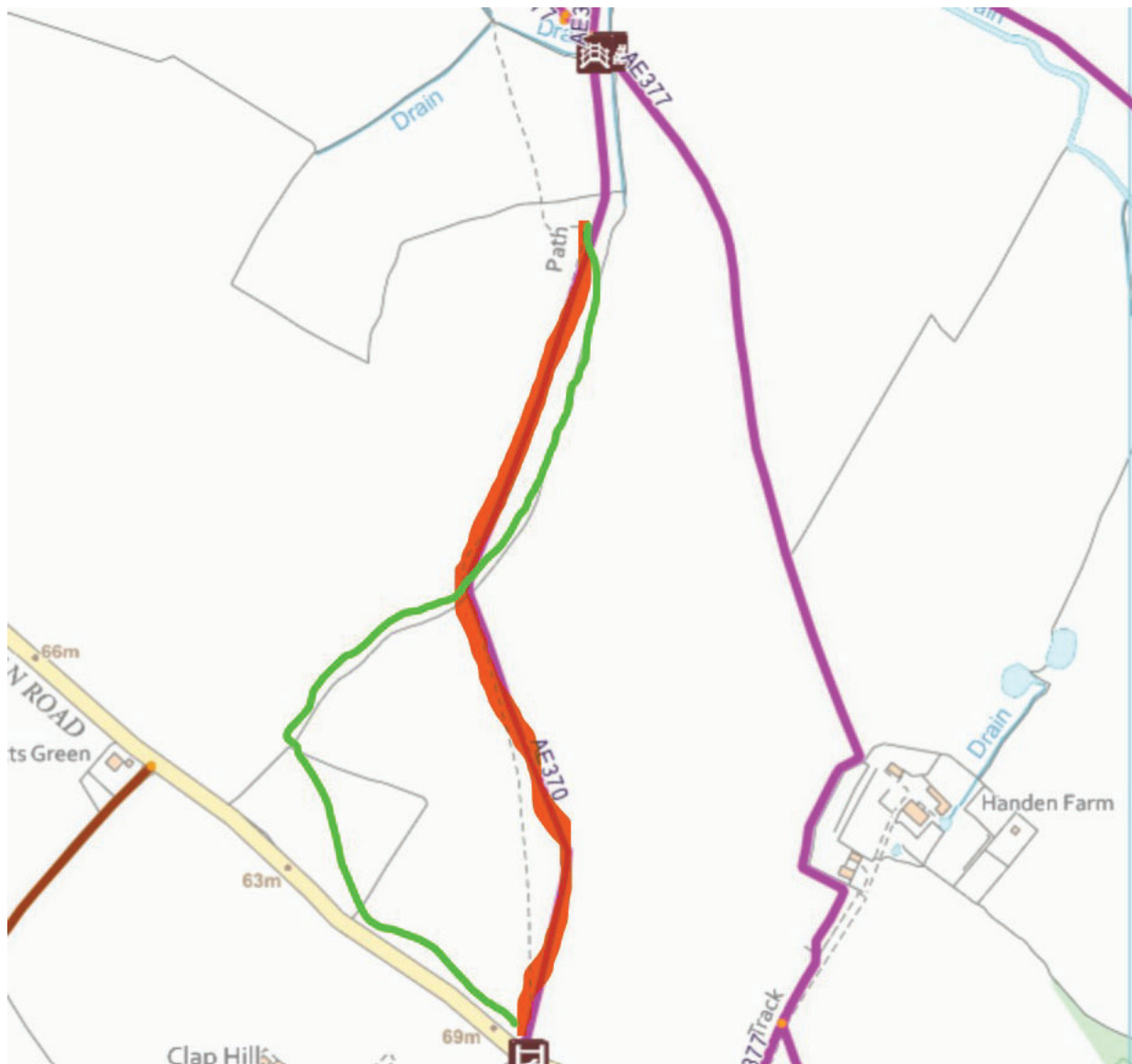
perhaps deliberate avoidance of the truth. In Doc ref 7.15 (Version 1), this claim has been dropped but there is very little explanation of the circuitous nature of the proposed new permanent route. The current document, therefore, still tends to obscure the real nature of this proposed change. In fact, the proposed lengthy and indirect diversion is detrimental to the ProW both within and beyond the boundaries of the Project.

The views from the path towards Mersham and northwards to The North Downs from this path are particularly fine and extensive but would be largely lost as the Footpath would be surrounded by fences, hedges and 3 metre high solar panels.



View looking NNW from Handen Farm towards Mersham and Stone Green. Note the directness of the path as well as the extensive views.

AE370 Proposed Diversion and possible new cycle path (Public Bridle Way?)



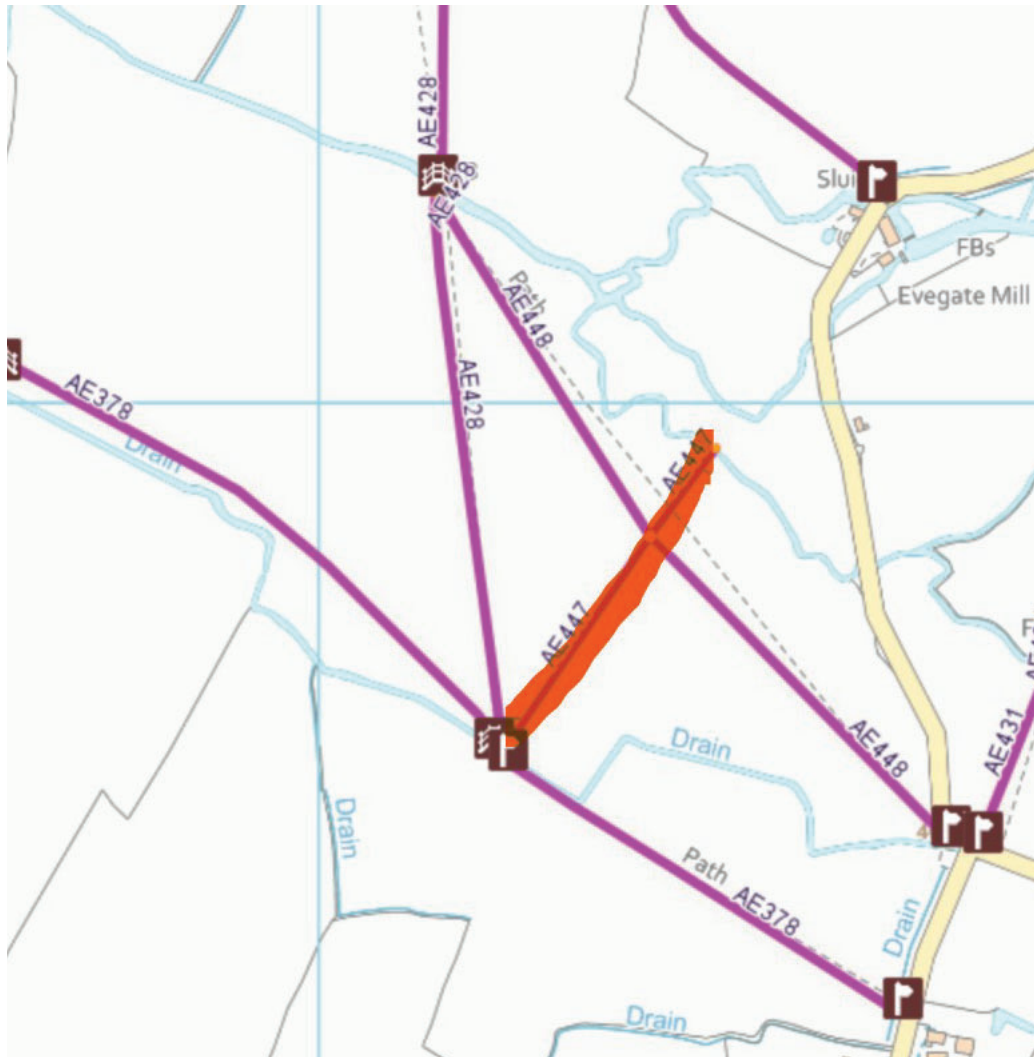
AE 370 currently starts from Bank Road opposite to the entrance to Bank Farm and heads northwards across the East Stour Valley towards Mersham, much of its route lies outside the boundary of the proposed Project.

The proposed diversion heads initially northwestwards before following the Project boundary and re-joining the route beyond. It is therefore initially less direct than the current route.

The developer suggests that the diverted route -which would be a permanent ProW could be accessible by (and suitable for bicycles)- subject to third party landholder agreement. To be a ProW accessible by bicycles, this would, presumably need to be a Public Bridleway. While a Public Bridleway would be a useful addition to the ProW in this area – as none currently exists, most of the new ProW would be on other landowners' land, so their agreement cannot be assumed or guaranteed. In addition, some quite steep gradients would be involved, as the route descends to cross the Valley and similarly climbs out of it on the other side. Extra width throughout the route to ensure its safe use by cyclists, equestrians and pedestrians – particular care would be needed on the gradients to prevent cyclists - descending perhaps at speed - from endangering other users. An alternative route along the bottom of the Valley -perhaps using AE377 and AE378 – but admittedly not starting from Bank Road – would appear to be safer in this respect but would also need the co-agreement of other landowners.

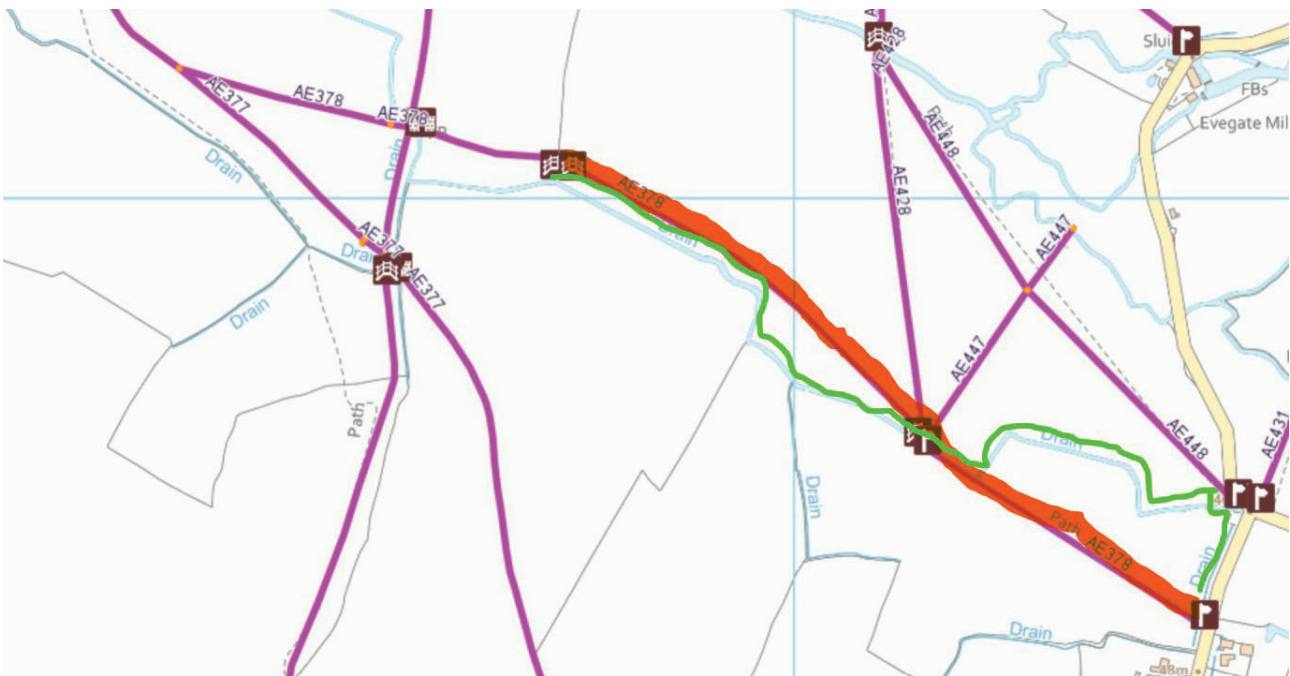
Were the proposed new cycle route not to be agreed – then the ProW network would be left with a detrimental diversion from the current direct route.

AE447 Proposed Extinguishment



AE447 currently links AE 378 with AE448 and, as such, can and does provide the possibility of circular walks for eg dog walkers in the area. North East of AE448, older maps show that the path once continued across footbridges to Evegate Mill. These bridges, however, no longer exist, so the path to Evegate Mill no longer exists. This portion of AE447, therefore, is – de facto - no longer of use, unless the footbridges were to be re-instated and the former route added to the Definitive Map. This seems very unlikely, however, if retained, it would still link with the proposed diversionary route of AE448. The extinguishment of the longer part of AE447 from the footbridge which crosses the drain on A378 NE to its junction with AE448 would be a permanent loss to the network.

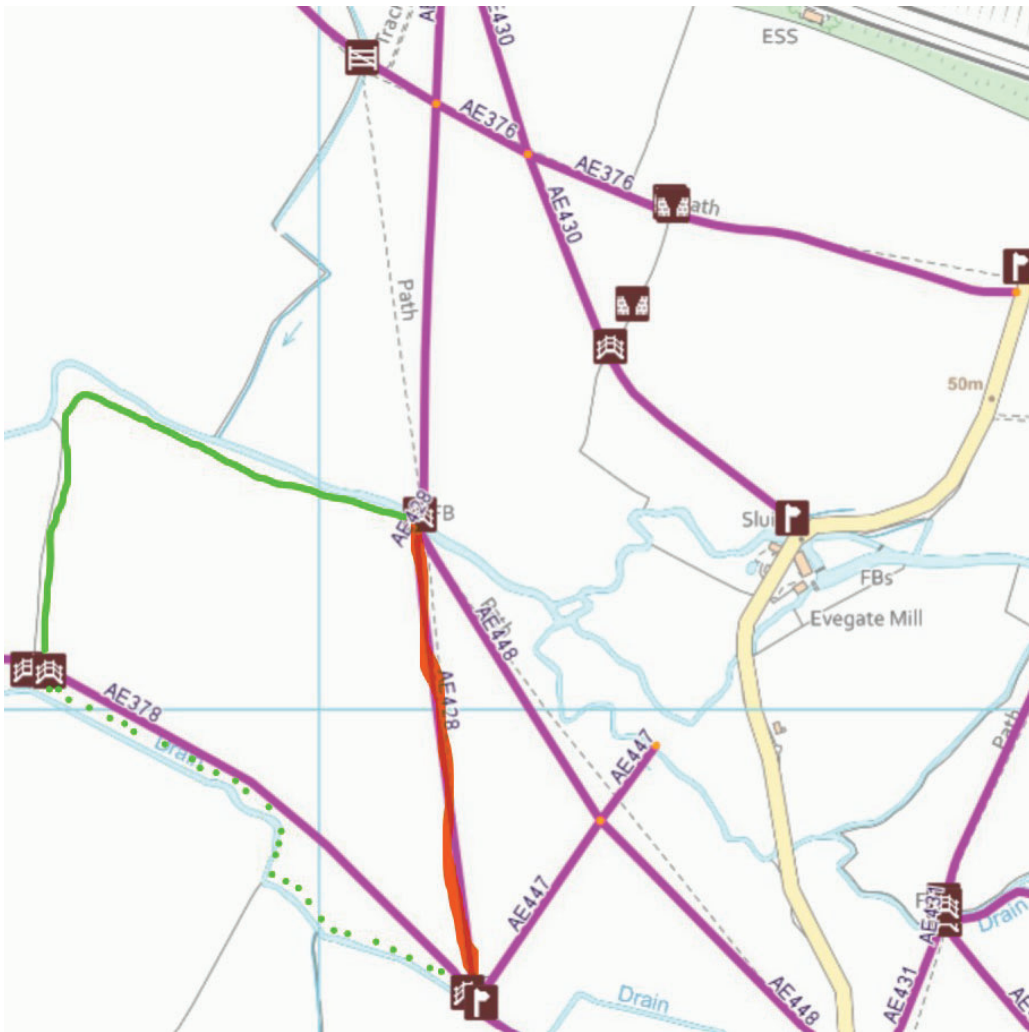
AE378 Proposed Diversion



AE378 currently provides a direct link, northwestwards to join with AE377 to Flood Street, Hanover Mill and the Farriers Arms in Mersham . It also allows connection with AE428 towards the footbridge crossing of the East Stour River and onwards to Bower Lane, as well as to AE370 northwards to Mersham church.

The proposed diversion, setting off northwards instead of westwards then meandering would make the route less intuitive and less direct, and as such would be detrimental throughout the 40+ year lifetime of the Project.

AE428 Proposed Diversion

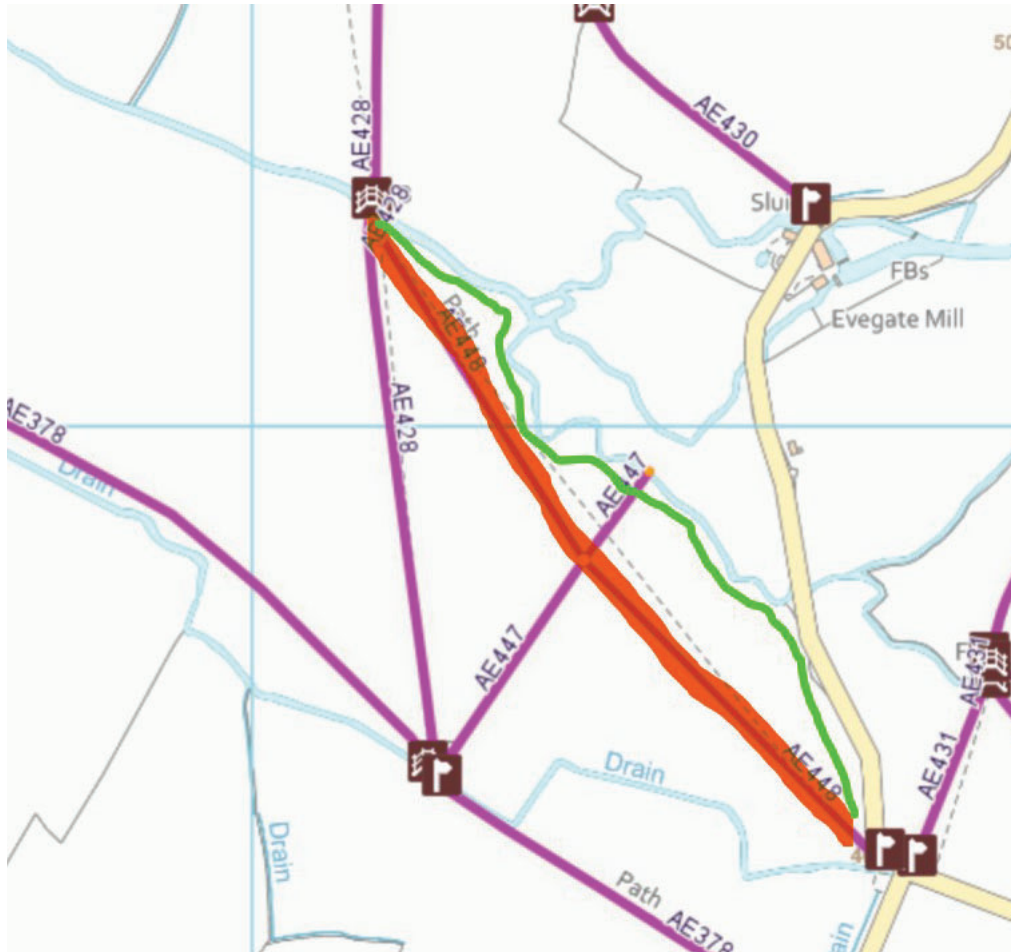


AE428 currently runs northwards from the footbridge over a drain at its junction with AE378 to cross the E. Stour River at the brick-built bridge and continues in a direct line beyond the bridge to the railway bridges near Little Stock Farm and thence to Bower Lane. The proposed diversion – including the suggested use of part of the diverted route of AE378 (shown by the green dotted line above) and to the western and northern edges of the Project is a very significant deviation from the current direct route and would constitute a serious detriment to the wider ProW network for the 40+ year duration of the Project.



Bridge over East Stour at convergence of AE428 and AE448

AE448 Proposed Diversion



Entire ProW to be stopped up for the duration of all three phases of the Project.

AE448 currently runs from near the Junction of Calleywell Lane and Station Road in a direct line towards the brick-built bridge over the East Stour and the footpath network beyond. It is crossed by AE447 and converges at the bridge with AE428. Older editions of the Ordnance Survey maps suggest that it was once a Bridle Road and this may explain the existence of the brick-built bridge, which is more substantial than would be needed for a foot crossing. Its status as a bridle way was not, however, recognised at the time of the compilation of the Definitive ProW map. The proposed diversion from its current direct line – albeit just for the 40+ year duration of the Project would be detrimental to its current – and historic – direct route.

Impact on the Enjoyment of the ProW network

I believe that the detrimental visual impact of such a large area of solar panels is understated. Views across the East Stour Valley both South to North and North to South will be very considerably changed or completely obstructed.

The experience of walking in open countryside with far-reaching views, particularly across the East Stour Valley to the North Downs beyond would be replaced by the proximity to an expanse of 3-metre high solar panel structures with their surrounding security fencing.

The claimed mitigation of wider footpath corridors circumnavigating the enclosures and a few new paths – most of which are necessitated by the diversion of existing Rights of Way does not compensate for the detrimental effects on the network within and beyond the wider historic ProW network



View across the East Stour Valley – the entire foreground would be filled by solar panel installations.

Impact of Construction Traffic on local Roads

In Application Doc 5.2(A) as updated on 25th July 2024 in response to Aldington and Bonnington Parish Council, the Applicant states “The **main road that passes through Aldington village** is the section of Roman Road between Forge Hill and the B2067”

I believe that the Applicant has failed to recognise here that **Station Road – along with Goldwell and Calleywell Lanes** is the main access road to and from Aldington village and consequently, consistently underestimates the impact that increased traffic flows during the construction phase will have on road users travelling from and to Aldington.

Smeeth Crossroads A20/ Station Road Junction

I share the concerns expressed at the Hearings regarding the risks of increased heavy traffic at Smeeth Crossroads where traffic turning right into Station Road obscures the view of drivers waiting to exit on to the A20 of traffic travelling Eastwards.



Large vehicles also need to sweep across the path of vehicles heading North along Station Road – causing potential conflicting movements.



Regular users of Station Road may be aware that a number of accidents have occurred at this junction – even though reported accident records do not appear to reflect this. Indeed, a collision occurred here less than a week after the November hearings.



Main Site Access from Station Road, Smeeth.

During the Traffic and Construction Management Hearing on 21st November, Mr David Stoddart, on behalf of the Applicant, stated that Station Road is mainly straight and wide enough for two-way traffic, including large vehicles to pass safely. He showed dashcam footage, taken from a car, of the proposed construction traffic route along the A20 to its junction with Station Road and then southwards down Station to the turning into the site in fact, the road is NOT straight – it has a significant bend to the left when travelling south, beginning before its junction with Bower Road and continuing beyond this junction. There are further, shallower bends near the entrance to Caldecott School and south of the Bower Road junction. Each of these bends limits visibility ahead. The section of Station Road south of Bower Road is considerably narrower. It is often necessary when driving northwards in a car to pull hard over to the left when a large vehicle appears from round the bend immediately to the North. It is difficult / impossible for two large vehicles to pass here safely, and they would have limited warning owing to the blind bend. This road is also hazardous eg for pedestrians, cyclists. Increased volume of HGV traffic would make it even more so.





When assessing the suitability of the road to carry frequent HGV traffic, the narrowest section should be the limiting factor – not generalised assertions that of the road is suitable.

Site Entrance

Mr Stoddart’s dashcam footage stops without negotiating the proposed site entrance, so – perhaps conveniently – failing to recognise a potentially serious hazard at this point.

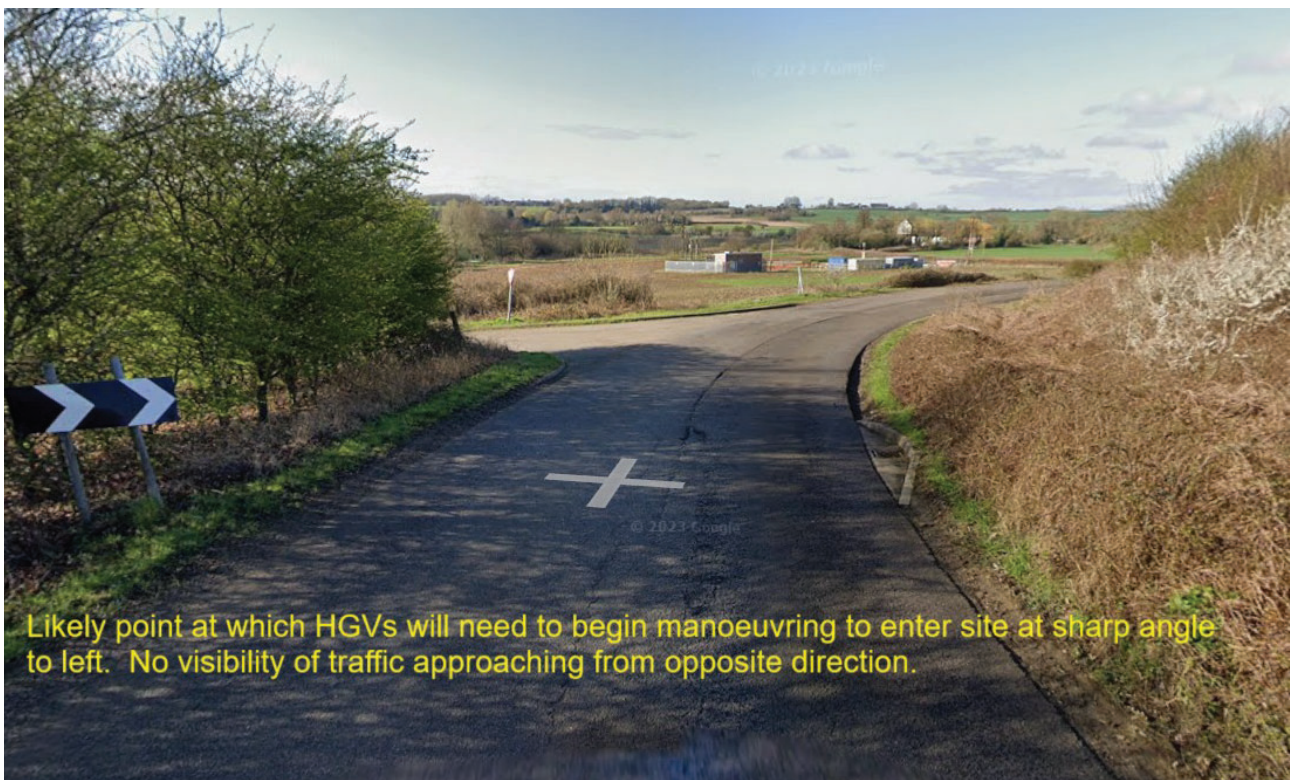
HGVs arriving at the site will be obliged to steer across the road to their right some distance before the left turn into the site in order to negotiate the sharp turn into the site entrance. Small scale diagrams prepared by Mr Stoddart’s firm, Prime Transport Planning (their reference P22034-001 – but copied below) appear to show the vehicle’s sweep will be across the entire width of the road.

The same drawing also purports to show that “visibility splays” are “deliverable... existing access” – ie that the driver of a vehicle the site would have a clear view of the road in both directions before turning out on to Station Road. This is not disputed.

No account appears, however, to have been taken that a driver of a vehicle at the site and beginning to manoeuvre to enter it will have NO view of traffic approaching from the South, owing to the almost 90° bend at this point. Similarly, drivers travelling northwards will have no sight of a HGV until they round the bend.

I have never seen an HGV attempt to turn into the proposed entrance, but on a number of occasions I have been confronted by vehicles injudiciously “cutting the corner” on this bend, and encountering an oncoming vehicle, necessitating avoiding action on the part of one or both drivers. Swerving vehicles have sometimes fallen off the road into the field below as a result – including an emergency ambulance on one occasion.

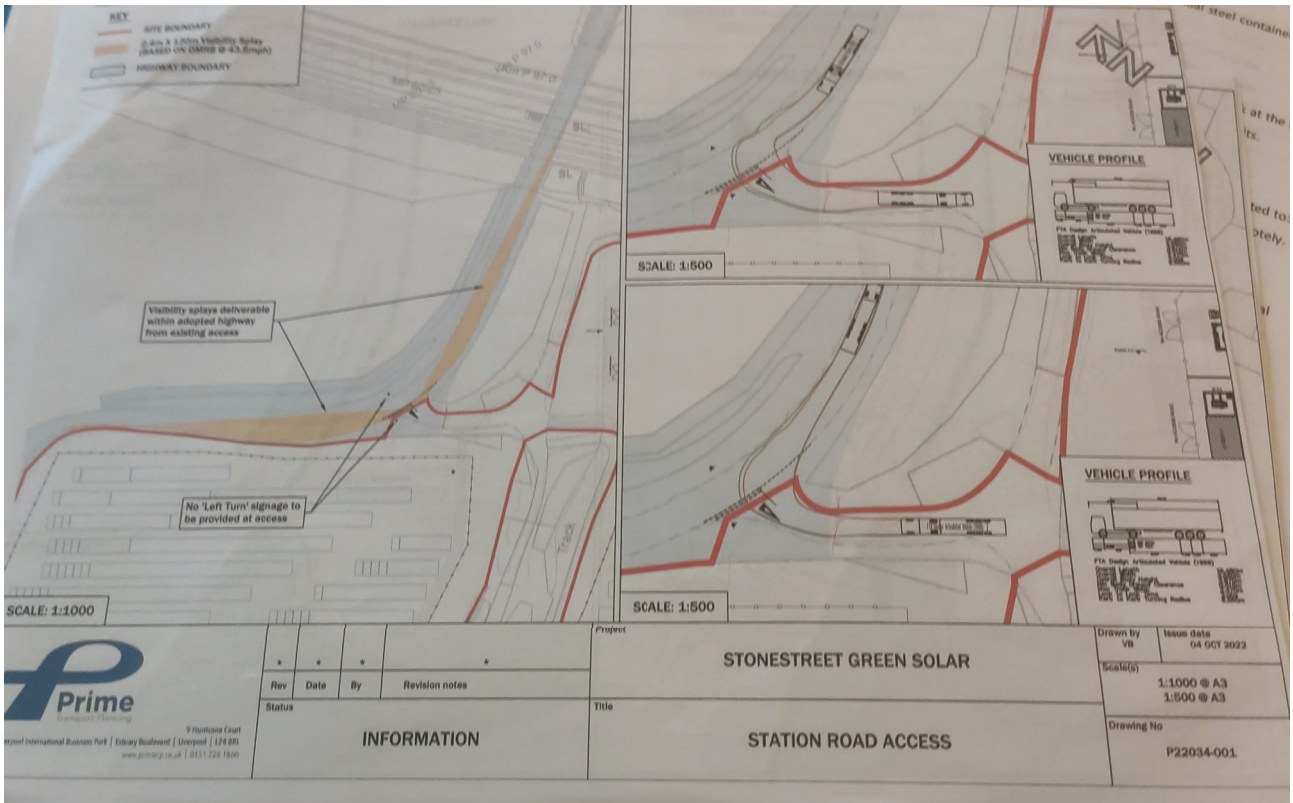
I believe that this hazard – to be created at regular intervals throughout the duration of the construction period has NOT been properly recognised or adequately addressed



Likely point at which HGVs will need to begin manoeuvring to enter site at sharp angle to left. No visibility of traffic approaching from opposite direction.



driver's view on Station Road approaching blind bend from South Site entrance is by chevron sign. HGVs would be hidden here.

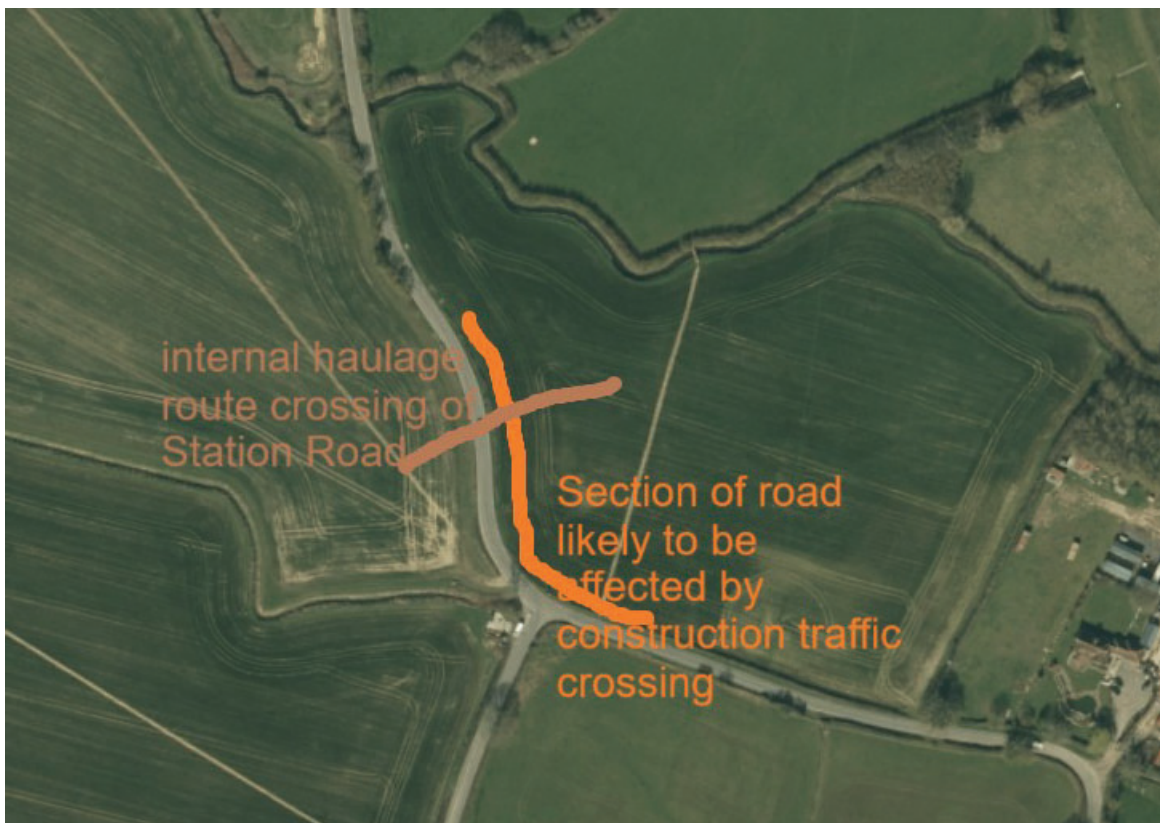


Internal Haulage Route crossing of Station Road

The Applicant suggests that the bulk of the construction materials will be carried across Station Road at a point between where the road crosses a drainage stream and the junction of Calleywell Lane, Goldwell Lane and Station Road.

This section of road has reverse bends and a more severe bend immediately before the junction, when travelling South. It also carries all of the traffic between the A20 and Aldington village. Although the Applicant states that traffic control measures will be put in place here, and that frequency of crossing construction traffic will be on average 4 two way crossings per hour (ie 8 crossings per hour?) and that crossing time will be 20 seconds – this combined with the traffic control – coupled with the use of a mechanised road sweeper suggests that delays will occur here – on the bends already mentioned – every few minutes during the construction phase.

This is likely to cause **significant** inconvenience to users travelling between Aldington and the A20 for at least the projected 12 month period – the Applicant, however, asserts in 13.4.19



Effects on Calleywell and Goldwell Lanes

The applicant suggests that the use of Goldwell Lane for Construction Traffic and the installation of underground cables may cause "minor adverse (not significant)" impact on road users – but that traffic can use Calleywell Lane instead. This would lead to at least a doubling of traffic on Calleywell Lane which is more residential (apart from houses in Stonestreet Green Calleywell Lane serves Quarry House, Wheatfields, Celak Close and some properties in Longsfild) than Goldwell Lane.

Once again, the Applicant underestimates the impact on road users of disruption caused by during the Construction Phase.