

# Aldington and Mersham Support Group

## Written Representation to PINS

December 2024

### Executive Summary

There is in Aldington a convenient point of connection with the Grid, and this is not in dispute. Whilst the majority of the community would rather not have a solar scheme that disfigures the countryside where they have chosen to live, they recognise the country's legal commitment to Net Zero and the natural pressure there will always be for a scheme at this point on the Grid. What they cannot accept is this scheme as designed.

As a direct result of the Applicant's failure to engage with the community in a genuine and meaningful way from the earliest stages in this process the scheme will cause considerable harm which will outweigh the benefit it proposes to deliver. In short, the dis-benefits of the proposal far outweigh the benefits.

For all the reasons that we have set out in this submission and are summarised below, we ask the Examiner to agree with us that this application, on account of its failings in terms of design (and above all the unacceptable risk it will pose to public safety) is quite simply unacceptable and as such that he will make a recommendation to the Secretary of State for refusal.

#### **Battery Energy Storage System (BESS)**

- Lithium-Ion batteries are inherently dangerous with a significant risk of both fire and explosion.
- The distributed location of 26 BESS installations across undulating countryside is totally inappropriate.
- There are more than 25 houses within 300m of a BESS installation which are therefore at serious health risk from toxic fumes in the event of fire.
- The quantities of water proposed to be stored at Stonestreet Green are totally insufficient for one BESS fire let alone multiple fires occurring simultaneously.
- Contaminated water used to treat fires poses a serious environmental threat to fragile ecosystems along the East Stour River if adequate facilities for containment are not put in place.

## **Alternative Land**

- The Applicant from an early stage made the conscious decision that it would rely on the land that it had been offered and failed to properly investigate other land that might have been reasonably available.
- The Sequential and Exemption tests do not provide evidence of any serious investigation with a view to seeking possible options that would allow the removal of land from areas of high flood risk – specifically fields 19, 23 and 24.
- Whilst there is a Human Rights aspect to consider as part of any proposed CA, this factor should not have inhibited serious investigation by the Applicant of the alternative possibilities there may have been available to the Applicant.
- Such opportunities may well have provided a better scheme, of good design while still allowing the Applicant to meet its stated “project requirements”.
- The Applicant failed to properly assess this issue at the earliest stage in the life cycle of this project (as the guidelines indicate it should do). Instead, it chose to use the “reasonably available” caveat and as a direct result, has located parts of its scheme in areas which are incapable of adequate mitigation.

## **Visual Impact**

- The visual impact of the elevated parts of the scheme on the Aldington Ridge is very significant and unacceptable.
- The parts of the scheme on the Aldington Ridge cannot be adequately screened, even after 15 years of growth.
- The Applicant has failed to adequately represent the visual impact of the scheme to consultees, because of the poor landscape visualisations produced.
- The visual impact of the scheme could be significantly reduced by excluding those areas higher than 58m, with the additional benefits of preserving the majority of BMV land, the rich archaeological heritage along Bank Road and important habitats for red listed Skylark.
- The 99.9MW output can still be achieved with this reduced area.
- The cumulative visual impact of the Stonestreet Green and East Stour schemes will be very significant and overwhelm the area.

## **Water Environment**

- Existing surface water flooding at the junction of Laws Lane and Bank Road affects both Bow and Spring Cottages, which flood regularly.
- This area has been identified by the Environment Agency as having a high risk of surface water flooding, although the actual frequency of flooding is greater than predicted.
- The PEIR produced by the Applicant identifies a number of factors associated with the construction and operation of the scheme, that could impact the frequency and magnitude of surface water flooding.

- The Applicant has not modelled the effects of the construction and operation of the scheme on the magnitude and frequency of surface water flooding.
- The Applicant has not taken into account the key site specific factors of catchment area, topography and soil type.
- A case study from Ontario Canada has highlighted the impacts that these site specific factors can have on surface water flooding, that if not properly managed can result in negative impacts on neighbouring and downstream properties.

### **Construction Traffic**

- Notwithstanding the responses provided by KCC to the Applicant's proposed arrangements for safe provision of construction access to this huge scheme we believe that the arrangements are completely inadequate.
- The Construction Route between the Smeeth Crossroads and the Primary Access and beyond is, in its unaltered state, not suitable for the huge amount of additional traffic it will have to accommodate nor, in terms of its width in certain areas, capable of enabling HGVs (scheme based and otherwise) to pass safely.
- The *need* to use of Goldwell Lane as both a construction access and route for cable laying has not been proven. There is no evidence that the Applicant has ever made any serious attempt to look at an alternative route to service this block of land.
- The disruption that this proposal will cause to local people and those living in the lane is unacceptable and disproportionate to the net additional output that the small area will deliver.
- The Primary Access is not the easy and safe access claimed by the Applicant. The configuration of the access itself means that those using Station Road will not only suffer severe disruption throughout the construction period, but the swept path arrangement is quite simply not safe without modification to the highway.
- Further, as we raised at the ISH2, it is as yet unclear whether fields 25 and 26 are capable of accommodating everything they need to provide for alongside the construction of the huge substation and a battery compound.
- The Applicant has yet to provide detailed plans showing the detailed layout of this compound area and through that demonstrate its ability to remove the inherent risk of vehicles waiting and/or parking in and on the verges of Station Road.
- The Applicant has failed to properly assess the cumulative impact the scheme will have on the local highway network and how, because of existing, ongoing and proposed infrastructure projects which are all accessed off the only other access route the village has to the A 20 (Church Lane) the problems in Station Road will be much worse than forecast.
- The scale of the issues relating to construction traffic is sufficient to require, in this instance, not a simple draft CTMP to be agreed before any Grant but instead

consideration as to whether the proposal as a whole is fit for purpose (and safe for the travelling public) without properly planned prior Highway modifications.

### **The South Eastern Area – The Outlier**

- We maintain that this remote remnant of the main farm holding was only ever included because of its awkward and small area.
- The Applicant estimates the scheme's maximum output at between 140 MW - 165 MW. It also says that multiplying the connection capacity by a factor of 1.4 is "normal". That being so, and knowing that this small area will only yield 7.9% of the overall scheme output why is its inclusion considered a necessity rather than a nice to have?
- If the overall scheme can still produce as much as 140 MW *without* the Outlier how can the case be made for its inclusion knowing the significant impacts it will cause?
- The way the Applicant has treated public rights-of-way on the scheme, involving the many and major diversions (and closures) is exemplified by what is proposed on the Outlier.
- The proposed changes to the footpath here may be indicative of the way in which the viability of this small area is very finely balanced and therefore requiring of every square metre of panel footprint to the detriment of footpath enjoyment.
- The proximity of this block to the North Downs AONB is something which the Applicant cannot change – nor adequately mitigate for the change of use it proposes.
- In a similar way only more so, this element of the scheme will jar with those using the most used footpath in the parish – footpath AE 474 - that leads from the village towards the original pre-plague village and the Grade 1 listed St Martin's Church.
- The Applicant has failed to properly investigate the way in which it could have negotiated (or indeed sought CA powers as it has done elsewhere) terms for a temporary access and cable laying route.
- At least 50% of this small block of land is BMV. All relevant policy guidance, states that this should be avoided *where possible*. This quite simply is one such case - it is possible to avoid it by excluding it from the scheme.
- We cannot know the extent to which the Applicant has provided for the badger population which we know from our own research is well established within this block of land. It however seems clear that the proposals will interfere with foraging areas and where excavation in open fields takes place.
- In short, there is insufficient justification for the Outlier being included within this proposal at all. The harms that it will cause during construction and throughout its operational life far outweigh the benefit that stands to be generated.