

Application by EPL 001 Limited for an Order Granting Development Consent for Stonestreet Green Solar
Written representation
Cllr, Linda Harman, Ward Member for Saxon Shore.

Summary:

- Wrong location due to topography
- Insufficient investigation of alternative land parcels within range of Sellindge Converter Station
- Design engineered to justify and maximise use of land on offer rather than reduce community impact.
- South Eastern Area, Fields 20,21,22 are an auxiliary to main land block, closest and most damaging to the community, have unacceptable impact on PRow 474 and should be removed.
- Central Area, Fields 10 to 19 and 23 to 25 are visible to whole community on main village approach from A20. 'Receptors' should include whole Aldington population in impact assessments. Many other people from adjacent villages also use this route but, as this cannot be accurately assessed, the whole village population provides a current base figure available from 2021 Census.
- Cable route corridor along Goldwell Lane could be considerably reduced by use of Compulsory Acquisition or Temporary Use of Land outlined in the DCO articles 22 – 33. This has not been explored.
- The applicant should be required to prove that localised flooding will not be increased by this scale of flat hard surfaces on sloping land.
- If the 'urgent and critical' national need justifies the decimation of our landscapes then the term for which permission is granted should be the minimum rather than the maximum, whilst technology and legislation catches up. The 40 year lifespan of this project should be reduced to 20 years.

In compiling this Written Representation I have endeavoured to study National Policy with regard to Renewable Energy as documented in NPS EN-1 and, specifically for solar energy in NPS EN-3. I speak as Ward Member for Saxon Shore, which includes the village of Aldington where I am also a resident.

Whilst appreciating the government priority to decarbonise the grid by 2030 and increase renewable energy production fourfold in that timeframe, it is important to ensure that the long term health of people and places are given due consideration during this Examination process.

I strongly disagree that the land proposed in the Order limits of this application is the right place for major solar generation infrastructure and outline my reasons below.

Site and Context:

Due to its proximity to the Sellindge Converter Station, Aldington has multiple applications and development proposals pertaining to the "urgent and critical need" to transition to renewable energy. This increases the importance of each application sympathetically

designed to minimise impact upon neighbouring communities, despite the sweeping powers denoted by National Policy and government targets. Cumulatively, the East Stour Solar application from EDF (currently at Appeal), the Welsh Power Grid Stability Plant, the Pivot Power Battery Storage and this application have the potential to dominate the northern, east and west sides of the village and bring disruption and increased, noise, traffic and air pollution that will last many years as well as increased crime and risks of fire. Cumulatively they are impossible to avoid as they affect both entrance/exit routes to and from the village from the A20 which should be considered alongside **NPS EN-1 – Para 4.4.5** *“The impacts of more than one development may affect people simultaneously so the applicant should consider the cumulative impact on health in the ES where appropriate”* and **Para 4.4.2** *“The direct impacts on health may include; increased traffic, air or water pollution, dust, odour, hazardous waste and substances, noise, exposure to radiation and increases in pests”*

During the lengthy pre-submission period, I took part in every meeting opportunity with EPL01, the applicant for Stonestreet Green Solar. At no time was the discussion ever weighted in favour of listening to the impacted community. Many of the points raised in this Written Representation have been previously raised in public meetings though some have come from study of the draft DCO. The shockingly vague terminology of the DCO is clearly couched to ensure that, if consent is given, whoever builds this solar generation site out, will have plenty of scope to design their preferred option within the sweeping powers conveyed. *Article 7 of the draft DCO Consent to transfer benefit of the Order* ensures the applicant can do this. Whoever that business is, they will not have engaged with the community. As residents must live with the inconvenience, reduced amenity and multiple impacts on their quality of life that will come from the industrialisation of this highly visible rural site, it is vital that the DCO terminology is tightened and that within the document it is conditioned the developer is required to engage with the community should the benefits of this DCO be transferred. **NPS EN-1 para 4.1.16** says; *“The SOS should only impose requirements in relation to development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, **precise, and reasonable** in all other aspects.”* It is reasonable and enforceable that our community should expect this DCO to cover this aspect.

There are many adverse impacts from this proposal that I hope the Secretary of State will consider as per **Energy EN-1 para 4.1.5** *In considering any proposed development...the Secretary of State should take into account: Its potential benefits...its potential adverse impacts, including on the environment, and including any long term-and cumulative adverse impacts...”* As this is not the only application to build a solar generation plant in the parish, the scale, cumulatively with other applications, is unacceptable in the proposed location. Most of the site is in close proximity to residential areas that include a primary school and an assisted living facility for older people, both of which are sensitive receptor sites. **NPS EN-1 5.2.7** says *“Projects near a sensitive receptor site for air quality should only be proposed in exceptional circumstances if no viable alternative site is available.”*

Within documentation supporting the draft DCO the applicant takes and frequently repeats the phrases used in **NPS EN-1 3.3.62** *there is a critical national priority....3.3.65 There is an urgent need for new electricity network ...”* however **NPS EN-1 2.6.5** also states *“Whatever incentives, rules or other signals developers are responding to, the government believes that*

the NPSs set out planning policies which both respect the principles of sustainable development and can facilitate, for the foreseeable future, the consenting of energy infrastructure on the scale and of the kinds necessary...." There are currently many applications pending in our area for solar generation. The principle of sustainable development here is the context of a site that has come forward due to landowner interest and proximity to the Sellindge Converter Station but is not the most suitable location for solar generation for many reasons explained to the applicant during consultation and outlined in this Written Representation.

Alternatives and Design Evolution:

In the **APP-023 Environmental Statement Doc 5.1** the applicant sets out The Alternatives and Design Evolution in Chapter 5. It includes in para 5.3 the implications of a 'Do nothing' alternative but omits to show or explore any alternative land parcels that could achieve the same energy generation and benefit from the same network connectivity.

NPS EN-1,para 4.7.2 ...should produce sustainable infrastructure sensitive to place...

This scheme has been designed to fit the footprint created by willing land ownership and proximity to potential grid connection. Though important factors from a developer point of view, alongside the 'urgent and critical need' to increase renewable energy generation as specified by government policy, at no point does National Policy say that this is at any price; NPS EN-1,para 4.7.2 *...should produce sustainable infrastructure sensitive to place*". This application is not designed to be sensitive to place, it is designed to fit available land. This is evidenced in the recent Initial Hearings:

- a) Evidence APP-022 4.4 Schedule of Negotiations majority land owners/ tenants are within or related to one family, or have recently bought land from them on the understanding of being supportive of this application.
- b) Evidence, statement by the applicant in Compulsory Acquisition Hearing 1 that "no objecting land owners are present". Almost certainly this is because no objecting landowners have been approached.

Given that the applicant will be granted Powers of Land Acquisition, a better design option for this application would have included land to the north of the M20 or between the M20 and the railway, thus being accessible directly from the A20 or at least reducing use of Station Road, impacting Aldington, Mersham and Smeeth residents less, remove the need to take cable connections under the High Speed rail link, Aldington Reservoir or the East Stour River and create significantly less visual harm. The Church Lane junction with the A20 is much wider than the Station Road junction. It is already utilised by National Grid, UKPN and Welsh Power HGV traffic and in the future will also include Pivot Power traffic. Church Lane residents have previously requested that Church Lane be made a no thru' road from the small Victorian railway bridge, thus separating the rural community from the more industrial end of the road created since the construction of the Sellindge Converter Station. This should be considered by the Highways Authority.

Evidence provided in **APP-029 Doc 5.2 Environmental Statement Volume 2** Main Text Chapter 5 Alternatives and Design Evolution suggests a desk research approach to back-engineer reasons to make available land the most suitable.

NPS EN-1 para 4.7.5. "Design principles should be established from the outset...and para 4.7.6...sensitive use of materials...will assist..." The application approach is one of Rochdale Envelope, thus the detail of what is proposed, what it looks like, what it is made of, the spacing of the solar panels, the nature of the fencing, the type of lighting proposed and its control mechanisms are all outlined but not detailed (for example in *Doc 7.5 Design Principles Work No1 Solar PV Generating Station* it says "the distance between each row of PV panels will be between 2 and 5m. That's a significant difference). If the draft DCO is allowed as proposed, the community and even the LPA will have little scope for requesting good design retrospectively.**para 4.7.5**....*Design principles should be established from the outset.*" The only 'design principal on display in this application appears to be to maximise the number of solar arrays and follow a 'dispersed model' for placement of the BESS infrastructure that is necessary to maximise the export capacity. The latter adds to many of the negative impacts of the proposal. Parameters need to be put in place to support good design going forward. For example, statements are made about biodiversity net gain being in excess of 100% - when BNG is dependent on the gaps between rows of panels that are not yet decided. Areas for biodiversity enrichment are placed only in where, for technical reasons, solar arrays cannot go.

On the subject of lighting, the applicant states Design Principles (Doc ref 7.5) and in the Environmental Statement that 'no part of the Project will be continuously lit (with the exception of the Sellindge Substation Extension)... lighting only at Inverter Stations, Intermediate Substations and the Project Substation.'" The location is within a designated Dark Skies area, as prescribed by the LPA and the Aldington & Bonnington Neighbourhood Plan. Though limited to 'emergency and overnight maintenance', the structures proposed in this application will incorporate a multitude of lit indicators that cumulatively will impact the currently completely dark landscape. This can be seen already at the UKPN substation situated within Field 25. This once small structure has already extended to twice its original footprint and what was previously an insignificant structure now has significant presence, emits a low humming noise and is clearly visible at night as shown in the photographs above.



Traffic and Access Routes:

NPS EN-3 para 2.10.36 states, "Given that potential solar farm sites are largely in rural areas, access for the delivery of solar arrays and associated infrastructure during construction can be a significant consideration for solar farm siting."

The principal entrance to Aldington is via Station Road from the A20, the main village being closer to Station Road than Church Lane and as the result of ongoing construction works at the A20 end of Church Lane. From working on the Aldington & Bonnington Neighbourhood Plan, we know that most Aldington residents do not work locally and, due to lack of public transport options, travel by car to places of work or education. Should this application be consented residents will thus be forced to manoeuvre past vehicle crossings and the proposed principal site entrance daily, potentially several times a day.

Station Road is a rural lane without kerbs or pavements. At peak times, due to being the primary entrance/ exit route for everyone living in Aldington, a queue forms as vehicles wait to exit on to the A20. Visibility across the junction is impaired if large vehicles are using the junction. There is a coach business based in Bower Road, which is accessed via Station Road. When coaches turn into Station Road from the 'ghost lane' on the A20, cars regularly hold back from the junction in order that coaches have the required turning space. The swept analysis conducted by the applicant certainly depends upon HGV vehicles being in exactly the right position in the road in-order to not affect other traffic. The applicant does not appear to have taken account of farm traffic nor accommodated seasonal peaks such as occur at harvest time in this area. The use of the word 'tractor' as being used for haulage during construction is a cynical twist to convey local relevance, given that the front part of an HGV vehicle is also referred to as a 'tractor.'

The primary site access is a regular crash site. The bend is deceptive and often misjudged, resulting in vehicles leaving the road and ending up in the field (Field 25). In 2021 this even included an ambulance, which hit ice on the road whilst driving from A20 along Station Road towards Aldington. Less than a week after ISH2, during which the applicant's traffic consultant showed the alleged benign nature of the proposed access route along the A20 and Station Road, an accident occurred at the Smeeth crossroads involving two vehicles.



Photo; accident Station Road/ A20 junction 26th November 2024

Should this DCO be approved, the applicant should be required to fund improvements to the road junction to improve user safety.

The draft DCO gives the applicant sweeping powers over the roads that form the primary village access. Article 17 (1) states *“the undertaker may at any time for the purposes of, or in connection with, the construction or decommissioning of the authorised development, temporarily place traffic signs and signals....”*

Despite the requirements for notice periods to statutory undertakers, these sweeping powers will create significant inconvenience on a road that residents must use every day. There is no reference to working with the Parish Council. Other applicants have shown good working relationships with the local community. In the case of this applicant this should be prescribed within the DCO because there is no history of willingness to work collaboratively, and the actual contractor responsibility is unclear.

It is proposed to route cables along Goldwell Lane into Fields 20,21 & 22. This rural lane is crucial to all local vehicles, cyclists and pedestrians in, or passing through, the village. The traffic consultant, speaking on behalf of the applicant, stated in ISH2 that construction and maintenance traffic would utilise ‘a small part’ of Goldwell Lane. In fact, as proposed almost the entire length of Goldwell Lane is within the Order limits. In consultations and in Community Liaison Panel meetings the nature of Goldwell Lane, its importance to the village and the possibility of different access and connections were requested but dismissed by the applicant (CLP Minutes 13.6.23).

The applicant repeatedly stated that ‘local roads are unaffected’ and names Roman Road and Calleywell Lane, omitting the impact on Goldwell Lane or Bank Road. The relationship and use of Goldwell Lane has therefore not given sufficient consideration. The impact of this proposal on local roads, which includes Goldwell Lane and Bank Road, is specifically required for the former through **NPS EN-3 para 2.10.80** *“Applicants should consider earthworks associated with.....cable trenching.”*

Fields 20,21,22 are proposed to be accessed via a field gateway adjacent to Public Right of Way (PRoW) AE474. This PRoW is the single most important footpath in the parish of Aldington as it connects the historic Grade 1 listed church of St. Martins in the Church Lane Conservation Area with the core village and services. It has been used for hundreds of years and continues to be so today by many residents and by the local primary school to attend church services at important times of the year. Fields 20,21 and 22 are disconnected from the main site. The Order limits have been drawn along Goldwell Lane however, at an earlier design stage, access to these could have been designed to be more aligned to the field crossed by PRoW AE475. This could reduce the proximity to the core village, reduce disruption to Goldwell Lane as well as leave PRoW AE474 undisturbed.

The applicant has failed to consider best access to these outlying fields, the proximity to residential and potential residential properties (given that the this section of the site runs behind an allocated residential development site in the Ashford Local Plan 2030). NPS EN-3 para 2.10.80 *“Applicants should consider earthworks associated with.....access roads, cable trenching.”*

Like most villages, Aldington has a parking problem; parents dropping off, picking up or visiting Aldington Primary School use the car park at Aldington Village Hall. This does not

have the capacity to meet the need and so parked cars frequently line both sides of Goldwell Lane (as well as Roman Road) right up to the proposed site access, as shown below.



Image left; HGV traffic parked on Station Road/ Goldwell Lane to service Waste Water Treatment Plant.



Image right; parent parking at pick up time from Aldington Primary, Goldwell Lane/ Roman Road junction extending to Goldwell Close. July 2024

The Outline Construction Management **Plan APP-154 Doc ref 7.9 para 6.2.2** indicates that construction traffic will share a section of PRoW AE474. This will churn the surface and almost certainly make the footpath unusable by pedestrians during wet weather. Mitigation measures such as “schedule of deliveries...to minimise impact on their use of PRoW” will not be effective, as working hours are daytime, which is when the PRoW is most likely to be used. A buffer zone is proposed but no detail supplied. The best mitigation for impact upon this very important PRoW would be to create a different access point. NPS EN-3 para 2.10.42 *“Applicants are encouraged to design the layout and appearance of the site to ensure continued recreational use of PRoW where possible during construction and in particular operation of the site.”* Failure to explore other options and to take regard for the importance of PRoW AE474 in connecting St. Martin’s Church and the Church Lane Conservation Area to the core Aldington village is a reason to refuse this application.

The same document **Para 4.2.1 table 4.2** references a peak 199 workers coming to the site through use of a minibus. There is no detail of how the workers will be picked up to be brought to the site or from where they will travel. The proposal is 88 two way trips per day. This represents a significant uplift in traffic using Station Road and the junction with the A20, which has already been identified as a crash site. There is no evidence provided that ensures that the minibus service proposed will be utilised by workers, nor any description by the applicant regarding how it will be enforced that arrival is by this means. Why would workers wish to park in town, where they will have to pay, to be brought to the site by bus? How does the applicant know that the skill sets required will come from ‘nearby local towns’? This paragraph seeks to minimise portrayal of traffic impact on country lanes without

validating that the proposal is practical or enforceable. Hence the portrayal of construction traffic management is flawed and is a reason for refusal.

Visual Impact

As already stated, the main route into Aldington is from the A20 via Station Road. The approach is an increasing downward gradient, as the road follows the slope into the East Stour Valley, before climbing again on the opposite side, via Calleywell Lane, to reach the main village upon Aldington Ridge. This undulating approach gives sweeping views across the East Stour Valley. The whole of the Central Area (Fields 10-19 and 23-25) will be visible to all residents every time they drive into the village as the topography makes it impossible to hide. This means that the number of potential 'receptors' is everyone in Aldington. The visual harm is increased by the multiple BESS infrastructures that are spread across the whole area. Up to 4m high these structures are bigger than a bungalow. Noise Mitigation (for battery storage, inverters and transformer) round them as specified in NPS EN-1, aims to shield residents from noise generated continuously by these structures, but will add to the visual harm. Similarly, the whole area is proposed to be fenced with industrial metal fencing which will scar the landscape and in this location be highly visible. **NPS EN-3 para 2.10.132** "Applicants should aim to minimise the use and height of security fencing. Where possible...utilise existing features, such as hedges or landscaping..."

To assist with screening, the landowner has for the last few years allowed hedgerows to grow much taller than they previously were, and the applicant makes much of the lack of visibility of the scheme from within the village confines. This fails to acknowledge the landscape character of Aldington Ridge, where the most important views are the long views both outwards from the ridge or up to it from the East Stour valley. It is not possible to mitigate for the visual harm that will occur from the majority of this proposal. Furthermore, the increased height of hedgerows that line the rural lanes creates, in effect, a green tunnel where once neatly trimmed hedges provided field boundaries and views across open fields.

NPS EN-1 para 3.3.6 states "Storage and interconnection can provide flexibility...." and **Para 3.3.26** "Storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand...." **At para 3.3.29** it also states "The Infrastructure Planning (Electricity Storage Facilities) Order 2020 removed all forms of electricity storage, other than pumped hydroelectric storage, from the definition. To support the move to net zero emissions by 2050, these Regulations remove electricity storage facilities*, except for pumped hydroelectric storage facilities, from the requirement to obtain planning consent in accordance with the NSIP regime under the 2008 Act. Instead, planning consent for these types of development is to be obtained from the relevant Local Planning Authority under the [Town and Country Planning Act 1990](#). The applicant places heavy emphasis on the combined energy generation and storage presented in this application. However, the dispersed model adopted creates many issues, including increased visual harm. We hope the Planning Inspector will give some weight to this matter as both the LPA and the local Neighbourhood Planning team place great emphasis on the importance of the long views in this open and undulating landscape that was identified in the [Jacobs report 2009](#) (p.110) as landscape that should be enhanced not destroyed. Landscape management is a long-term project that this project disrespects through its scale and chosen location.

Environmental concerns.

NPS EN-1 5.2.4says that “a particular effect of air emissions from some energy infrastructure can be eutrophication, which is the excessive enrichment of nutrients in the environment. Eutrophication from air pollution results mainly from emissions of Nox and ammonia. The main emissions from energy infrastructure are from generating stations.”

Eutrophication can affect plant growth and functioning... damaging biodiversity. In aquatic ecosystems it can cause changes to algal composition and lead to algal bloom. As the emerging impacts of renewable energy infrastructure become better understood, more weight may be given to effects such as eutrophication. In this case, in addition to the air pollution considerations, the change to rainwater runoff into the East Stour Valley that will be created by covering large areas of land with the ground mounted solar panels should also be considered. The sloping nature of the site, especially the main block of solar arrays in Central Area, Fields 10 to 19 and 23 to 25 will drain into the East Stour River which is a tributary to the Stodmarsh Lakes. Though the development itself will not contribute to the nutrient pollution impacting this National Nature Reserve, the changes in water flows and emissions may well do so. The Environment Agency has raised several concerns. I sincerely hope that Natural England and the Environment Agency will be requiring the applicant to evidence how the introduction of metal and glass in large quantities onto sloping sites will not change the way that rainfall translates into ground water. Station Road and Goldwell Lane are prone to flooding during periods of heavy rain. Field 23 is waterlogged for most of the winter and is unsuitable for solar generation infrastructure. Its value to the ‘urgent and critical’ need prescribed by climate change and the UK’s contribution to it should be to be designated for nature recovery. This field is valued by migratory and ground nesting birds and has huge BNG potential. The introduction of hard, flat surfaces where there was once ploughed land, will change the way water collects and potential increase or speed up localised flooding during our increasingly wet winters. This will require thoughtful mitigation that must be incorporated into the design.



Field 23 Photos taken November 2023

Conclusion:

The site selection assessment submitted by the claimant with the application was not sufficiently robust and the proposal presents many significant adverse harms to the landscape and community that are down played.

Aldington is a community that has taken a pro-active approach to planning and to looking forward to the future. The DCO proposed gives sweeping powers to the applicant that completely undermine many aspects of the recently adopted Aldington & Bonnington Neighbourhood Plan, especially the power to remove hedges and trees and re route Public Rights of Way etc that are in total conflict with the wishes of the community. There is no direct benefit to the community from the proposed scheme. When conversations regarding the community grant were sought in the Community Liaison Panel, it was clear that the applicant did not wish to engage. This should influence the assessment of the DCO. Should this application for a Development Consent Order be permitted, the powers that are contained within it must be revised to respect the ecological and amenity improvements that the community set out to achieve through compiling a Neighbourhood Plan.