



**Application by EPL 001 Ltd for Stonesreet Green Solar**

**The Examining Authority's written questions and requests for information (ExQ1)**

**Issued on 10 January 2025**

The following table sets out the Examining Authority's (ExA's) written questions and requests for information - ExQ1. If necessary, the examination timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annexe B to the Rule 6 letter of 22 October 2024. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 1 (indicating that it is from ExQ1) and then has an issue number and a question number. For example, the first question on air quality and emissions issues is identified as Q1.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact [stonestreetgreensolar@planninginspectorate.gov.uk](mailto:stonestreetgreensolar@planninginspectorate.gov.uk) and include 'Stone Street Green Solar' in the subject line of your email.

**Responses are due by Deadline 3: Friday 31 January 2025**



**Abbreviations used:**

<b>PA2008</b>	The Planning Act 2008	<b>LIR</b>	Local Impact Report
<b>Art</b>	Article	<b>LPA</b>	Local planning authority
<b>ALA 1981</b>	Acquisition of Land Act 1981	<b>MP</b>	Model Provision (in the MP Order)
<b>BoR</b>	Book of Reference	<b>MP Order</b>	The Infrastructure Planning (Model Provisions) Order 2009
<b>CA</b>	Compulsory Acquisition	<b>NPS</b>	National Policy Statement
<b>CPO</b>	Compulsory purchase order	<b>NSIP</b>	Nationally Significant Infrastructure Project
<b>dDCO</b>	Draft DCO	<b>R</b>	Requirement
<b>EM</b>	Explanatory Memorandum	<b>SI</b>	Statutory Instrument
<b>ES</b>	Environmental Statement	<b>SoS</b>	Secretary of State
<b>ExA</b>	Examining authority	<b>TP</b>	Temporary Possession

**The Examination Library**

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

[EN010135-000556-Stonestreet Green Solar Examination Library.pdf](#)

It will be updated as the examination progresses.

**Citation of Questions**

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg ExQ1 1.0.1 – refers to question 1 in this table.



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ExQ2	Question to:	Question:
<b>1. General and Cross-topic Questions</b>		
<b>1.0 Policy and Legislative</b>		
Q1.0.1	The Applicant	<p><b>Planning Reforms</b></p> <p>Consultation on “Proposed reforms to the NPPF and other changes to the planning system and the “National Planning Policy Framework: draft text for consultation” was published on 30 July 2024. The government then published the revised NPPF on 12 December 2024. The framework sets out the government’s planning policies for England and how these are expected to be applied. Please consider whether the above have any relevance to the Proposed Development.</p>
Q1.0.2	The Applicant	<p><b>Protected Landscapes</b></p> <p><a href="#">Section 245 (Protected Landscapes)</a> of the Levelling-up and Regeneration Act 2023 (LURA) amends the duty on relevant authorities in respect of their functions which affect land in National Parks, National Landscapes, and the Norfolk and Suffolk Broads (collectively referred to as Protected Landscapes) in England.</p> <p>Relevant authorities must now ‘seek to further’ the statutory purposes of Protected Landscapes. This replaces the previous duty on relevant authorities to ‘have regard to’ their statutory purposes. Can the Applicant explain how the Proposed Development has regard to this duty?</p>
Q1.0.3	ABC	<p><b>Statement of Common Ground</b></p> <p>Page 7 of the update on the Statement of Common Ground submitted by the Applicant at D1 [REP1-062] states that on the 20 November the Applicant sent an email in response to ISH1 comments and sought a meeting to discuss. Can the Council advise if this has been scheduled or taken place and update on their response if the meeting has taken place? In addition, can you also advise if any of the matters not agreed and under discussion have been resolved?</p>

ExQ2	Question to:	Question:
Q1.04	The Applicant and Environment Agency	<p><b>Contribution to the Waterlife Recovery South East (WRSE) Project</b></p> <p>The Statement of Common Ground provided at D1 [REP1-063] with the EA sets out on page 24 in relation to Mink that a payment has been requested by the EA to the WRSE. Could the Parties explain how a contribution to this project will meet the statutory tests for Planning Obligations namely how the funding contribution:</p> <p>(a) is necessary to make the development specified in the order acceptable in planning terms,                      (b) is directly related to the development,                      (c) is fairly and reasonably related in scale and kind to the development, and                      (d) satisfies such other requirements as may be specified in regulations made by the Secretary of State</p>
<p><b>1.1 Need</b></p>		
Q1.1.1	The Applicant	<p><b>Scale of Battery Storage</b></p> <p>A number of RRs from Ips such as Phillipe Foster Back [RR-235] , Bernadette Gregory [RR-023] ,Peter Carney [RR-230], Marc Anger [RR-176] , Elaine Rose [RR-199], Claire Gibbs [RR-051], Matthew Hunt [RR-182], Ian Rose [RR-102], Councillor Simon Betty, [RR-054] , Charles Aldington [RR-036] , Edward Elcock [RR-078], Juliet Fotheringham [RR-138], Phillip Hannabus, [RR-233] , Zoe Williamson [RR-306] , Hollie Williamson [RR-100], Karen Williamson [RR-145], Mitchell Williamson [RR-193], and Sandra Ward [RR-255] cite the potential impact of the array of battery storage facilities across the site and its detrimental impact on the landscape.</p> <p>I) Could the batteries be clustered together to minimise the landscape impact?                      II) What other forms of mitigation have been considered to minimise the visual impact of the Battery Storage structures?                      III) What is the reason for the number of batteries?</p>
<p><b>1.2 Site selection and alternatives</b></p>		

ExQ2	Question to:	Question:
Q1.2.1	The Applicant	<p><b>Plan of Alternative Sites</b></p> <p>Paragraph 5.5.2 Chapter 5 ' Alternatives and Design' within the Environmental Statement (ES) [AS-010] states 'It is also reasonable to assume that organic/natural nutrients (nitrates and phosphates) and agri-chemicals (e.g. biocides and synthetic fertilisers) would continue to be applied to the land <i>Water quality in the Stodmarsh Designated Site is currently in an 'unfavourable condition' due to this Issue.'</i> Please clarify what evidence was used to support this assessment of condition as it doesn't appear to be covered in ES Chapter 10 Water Environment [AS-007]. Further on in this document, paragraph 5.6.5 provides a summary of why the site is the most suitable within 5 kilometres (km) of the point of connection (POC) and Table 5.1 identifies alternative sites raised during the statutory consultation. Figure 5.1 'Alternative Sites raised during the Statutory Consultation' provides potential Developable Land Locations and Cumulative Schemes. Table 5.2 'Alternative Project Site Extent and Order Limits' makes reference to Figure 2.1 'Field Boundaries and Site Area Plan' [APP-040]. Please can clarification be provided on the suitability of alternative sites closer to the POC alongside a plan to show the individual fields considered that would then aid the description in Table 5.2.</p>
Q1.2.2	The Applicant	<p><b>Alternative Sites</b></p> <p>Why has the land between the rear of Evergate Park and the Converter Station not been considered as part of the alternative site assessment? And also the land between the A20 and the motorway?</p>
<p><b>2. Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))</b></p>		
Q2.0.1	The Applicant	<p><b>Mink</b></p> <p>Table 0.1: Illustrative Maintenance and Management Schedule Years 1-5 of the Outline Landscape and Ecological Management Plan (OLEMP) [APP-155] refers to management of invasive non-native species. Will this include Mink?</p>

ExQ1: 10 January 2024

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ExQ2	Question to:	Question:
Q2.02	The Applicant	<p><b>Outline Landscape and Ecological Management Plan (LEMP) [APP-155]</b></p> <p>Could clarity be provided on any advanced planting needed, and cross referenced to phasing and the development Gantt chart requested at ISH1[EV5-001] and noted at paragraph 1.5.12 of the Written summary of Oral Submissions at Issue Specific Hearing 1 and Responses to Action Points [REP1-073].</p>
Q2.03	The Applicant	<p><b>ES Chapter 9 Biodiversity Appendix 9.5h [APP-090]</b></p> <p>Paragraph 3.79 states that if more than 18 months elapse between the completion of surveys (October 2022) and the commencement of works, a suitably experienced ecologist will need to undertake a site visit and review the validity of this report. Additional bat survey work may be required within the period May to October - to ensure the status of the on-Site habitat has not changed and to provide up-to date survey data. In this instance, a suitably experienced ecologist should be consulted for advice. Can the Applicant confirm how the pre-commencement surveys will be secured and through which mechanism?</p>
Q2.04	The Applicant	<p><b>ES Chapter 9 Biodiversity Appendix 9.5i [APP-090]</b></p> <p>Paragraph 3.39 states that if commencement of site works is delayed beyond 18 months of November 2022 (the date of completion of the latest hazel dormouse survey of the Survey Area), a suitably experienced ecologist will need to undertake a site visit and review the validity of this report. Can the Applicant confirm how the pre-commencement surveys will be secured and through which mechanism?</p>
Q2.05	ABC	<p><b>Local Nature Recovery Strategy</b></p> <p>EN-1 Para. 4.6.12 refers to a Local Nature Recovery Strategy (LNRS), if published. ES Chapter 9 Biodiversity [APP-033] doesn't specifically reference a LNRS, can ABC state if a</p>

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ExQ2	Question to:	Question:
		LNRS has been published or if a similar document exists. If not is a LNRS being prepared and if so when is this likely to be published?
Q2.06	The Applicant	<b>Ecological Enabling Works</b>  ES Chapter 9 Biodiversity [APP-033] paragraph 9.4.18 references ecological enabling works. Please clarify whether this includes other 'enabling works' and whether this would have any impacts on interest of biodiversity and if so what mitigation is proposed?
Q2.07	The Applicant	<b>Badger Group</b>  Please provide an update on communication and liaison with the Badger Group who have requested access to confidential documentation.
Q2.08	The Applicant	<b>Beavers</b>  The EA have requested that beavers are added to the pre-commencement surveys listed in paragraph 5.3.3 of the OLEMP [APP-155] for which surveys will be completed. Can the applicant confirm that beaver will be included in that list?
Q2.09	The Applicant	<b>Backhouse Local Wildlife Site (LWS)</b>  Please explain why the minimum buffer of 15m from the ancient woodland at Backhouse LWS has not been provided given the potential impacts from the proposal on this irreplaceable habitat. Guidance published by Natural England and the Forestry Commission makes clear that a buffer of 15 metres is a minimum requirement in order to avoid root damage and that where other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone.
Q2.010	Kent Wildlife Trust	<b>Barn Owl Surveys</b>



ExQ2	Question to:	Question:
		<p>The Kent Wildlife Trust [RR-159] outline that there are two existing pole mounted barn owl boxes present within the order limits which should have been inspected by a suitably licenced ecologist during the barn owl breeding season. Table 9.5 of <a href="#">EN010135-000523-SSG 5.2 ES Vol 2 Chapter 9 Biodiversity.pdf</a> [APP-033] states that barn owl surveys were undertaken. Could the Kent Wildlife Trust reassess the evidence and confirm whether they have any further query?</p>
Q2.0.11	The Applicant	<p><b>Aquatic/Marginal planting provenance</b></p> <p>The EA in their RR-086 refer to Section 6.17 'Proposed Aquatic/Marginal Planting' of the OLEMP [(APP-155)] in that it does not refer to provenance of the species that are being planted. The EA suggest that specimens that are of local provenance should be procured. All specimens must also be carefully checked for the presence of aquatic non-natives. Could the Applicant comment on the EA's suggestions?</p>
Q2.0.12	The Applicant	<p><b>Invasive species (giant rhubarb Gunnera)</b></p> <p>The EA in their RR-086 refer to that while giant rhubarb Gunnera spp. was not reported as per Table 9.9: Summary of Recent Invasive Species Records in the ES Biodiversity Chapter 9 [AS-017], it is known to be in the catchment upstream of the development site. The cultivation of Gunnera is now banned. Can the Applicant confirm that Gunnera will be surveyed and a mitigation plan proposed.</p>
Q2.0.13	Natural England KCC	<p><b>Aquatic Invertebrates</b></p> <p>In Buglife - The Invertebrate Conservation Trust [RR-028] they suggest inadequate mitigation measures are proposed to be implemented to safeguard populations of aquatic invertebrates. Could NE and KCC comment on this issue?</p>

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ExQ2	Question to:	Question:
<b>3. Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations</b>		
Q3.01	The Applicant	<b>CA/ TP Update</b>  Can the Applicant update on all negotiations and agreements in relation to CA and TP?
<b>4. Draft Development Consent Order (DCO)</b>		
<b>4.0 Articles</b>		
Q4.01	The Applicant	<b>Article 16(5)(a) - Amendments to Approved Details</b>  Clarification is requested on correspondence with the Chief of Police and Highway Authority that four weeks is a reasonable time period for a decision to be reached.
Q4.02	The Applicant	<b>Article 31 - Apparatus in Stopped up Rights of Way</b>  Clarification is requested on the process that would be taken to alert all relevant landowners, occupiers, etc. to the possibility of a temporary use of land including the consideration given to their rights and also how the resulting impacts have been assessed.
Q4.03	The Applicant	<b>Article 35</b>  The Applicant is encouraged to set out the reference numbers of all documents. [Advice Note 15 – paragraph 11.2] to ensure that every individual document is identified either within the DCO itself or within a separate certified document. Ensure that each document listed is the latest version submitted to the Examination and that the version number is identified accordingly.
Q4.04	The Applicant The LPA	<b>Part 2 Article 45 - Felling or lopping of trees or removal of hedgerows</b>

ExQ2	Question to:	Question:
		Consider whether this should be done with prior consent or notification of LPA.
Q4.05	The Applicant	<p><b>Schedule 1</b></p> <p>The SoS decision letter for Little Crow Solar dated 15 June 2023 (<b>EN010101</b>) included an amendment to include the capacity of the battery storage system in Schedule 1. It is noted that dDCO (<b>AS-004</b>) for this proposal does not include this provision. Given this and the discussion during ISH1 regarding generating capacity I would advise the Applicant considers adding such wording to future dDCO revisions.</p>
<b>4.1 Schedule 2 - Requirements</b>		
Q4.1.1	The Applicant	<p><b>Requirement 11 Operational Surface Water Drainage Strategy</b></p> <p>Consider amending wording from  <i>“submitted to and approved by the local planning authority, such approval to be in consultation with Kent County Council”</i>  To  <i>“submitted to and approved by the relevant planning authority in consultation with Kent County Council as lead local flood authority and the [whichever is relevant] Internal Drainage Board”</i></p> <p>Also it is considered that the wording should be amended so that it is submitted prior to the operational phase being implemented. At the moment, the Requirement is worded for it to come in <u>before operation</u> of the development, but I consider that thus should be approved before the construction of the swales/ drainage/ wetland area to ensure that the drainage and flood mitigation is in place and ready to be up and running for the operational phase.</p>
Q4.1.2	KCC -Lead Local Flood Authority	<p><b>Requirement 11 Operational Surface Water Drainage Strategy</b></p> <p>In relation to the previous question, is the wording acceptable and is there any other additional detail that you would suggest?</p>

ExQ2	Question to:	Question:
<b>4.2 Schedule 15 –Hedgerows</b>		
Q4.2.1	The Applicant	<p><b>Part 1 Removal of Important Hedgerows</b></p> <p>Part 1 uses the term ‘approximately’ for the extent of removal within areas identified in the <b>Vegetation Removal Plan (VRP) [APP-014]</b>. While the VRP provides location numbers and a scale, the extent and exact positioning of the affected areas is not clear. Article 45 does not provide details of how these areas would be identified and approved in advance of removal. <b>The Outline Landscape and Ecological Management Plan (LEMP) [APP-155]</b> which is to be approved under Requirement 8 also refers to the <b>VRP [APP-014]</b> but does not appear to provide any additional information on the extent. The VRP does not appear to provide any details on the species to aid identification. Please provide clarification on this matter.</p>
Q4.2.2	The Applicant	<p><b>Tree Preservation Orders</b></p> <p>Article 45 includes additional clauses 6, 8 and 9 in relation to trees subject to Tree Preservation Orders (TPOs) with the Explanatory Memorandum ([AS-005] citing Cleve Hill Solar Park Order 2020 (EN010085) and Longfield Solar Farm Order 2023 (EN010118). However, these clauses in relation to TPOs were not included in the Little Crow Solar Farm Order 2022 (EN010101). No TPOs are referred to in ES Chapter 9. Biodiversity [AS-017] Please provide clarification on why these clauses for TPOs are required.</p>
<b>5. Historic Environment</b>		
Q5.0.1	Ashford Borough Council	<p><b>Conservation Area Character Appraisals</b></p> <p>ES Chapter 7 Cultural Heritage [AS-011] Paragraph 7.5.25 refers to the absence of Conservation Area Character Appraisals. Do the Council have any plans to produce Character Appraisals or empower the community to undertake the appraisal for their community?</p>

ExQ2	Question to:	Question:
Q5.02	Local Authorities and Historic England	<p><b>Heritage Assets – construction phase</b></p> <p>ES 12 – Socio-Economics [AS-008] Paragraph 12.7.51 identifies that there will be no significant direct effects on cultural heritage assets within 5km of the order limits, or indirect effects to the historic landscape character during the construction phase. Do the local authorities and HE agree?</p>
Q5.03	The Applicant	<p><b>Restoration following Decommissioning</b></p> <p>ES Chapter 7 Cultural Heritage [AS-011] paragraph 7.6.22 states that <i>“For the purposes of the EIA, it has been assumed that the landowners will return those areas of the Site that are currently in arable use under the baseline condition (i.e., assessment year 2023) to arable use”</i>. This assumption of arable use returning to arable use does not appear in the outline Decommissioning Environmental Management Plan (DEMP). Could the Applicant confirm what the intention is and if necessary, amend all relevant documents appropriately.</p>
Q5.04	The Applicant	<p><b>Designated Heritage Assets</b></p> <p>In the response to Relevant Representations [REP1-061], on page 59 The Applicants states: “The conclusions of ES Volume 4, Appendix 7.2: Heritage Statement [APP-072] of less than substantial harm to designated heritage assets have been confirmed in the SoCGs with both Kent County Council (Doc Ref. 8.2.4) and Historic England (Doc Ref. 8.2.3).” However it is noted from the SOCG submitted at D1 [REP1-065] with KCC, that the Council still have a number of outstanding issues in the assessment of impacts on Heritage Assets. Can the Applicant reconcile this apparent inconsistency between the 2 documents?</p>
<p><b>6. Land Use and Soils</b></p>		
Q6.01	The Applicant	<p><b>Best and Most Versatile Land: Ministerial Written Statement</b></p>

ExQ2	Question to:	Question:
		<p>ES Chapter 5 Alternatives and Design Evolution [AS-010] fails to mention the recent Written Ministerial Statement {WMS} dated 15 May 2024 titled ‘Solar and Protecting our Food Security and Best and Most Versatile Land’ on the use of the Best and Most Versatile Agricultural land (BMV). Could the Applicant provide an explanation as to how the WMS has been used to guide and minimise the use of BMV in line with National Policy.</p>
Q6.02	The Applicant	<p><b>Best and Most Versatile Land: Justification</b></p> <p>Following on from the last question, Page 106 of Appendix 16.1 ‘Soils and Agricultural Land Report’ [APP-122] is a plan that shows the Agricultural Land Classification (ALC) for the Proposed Development. The report conclusion in Section 6 states “<i>The detailed ALC survey confirmed the actual grading of the agricultural land within the Site to be predominantly non-BMV quality land (143.47 ha, 74.90%) comprising ALC Subgrade 3b; with smaller areas of BMV quality land (38.64 ha or 20.18 %) comprising ALC Grade 2 and Subgrade 3a. The remaining land within the Site boundary is non-agricultural land (9.43 ha, 4.92 %)</i>”. Following the recent WMS, we would advise the Applicant review this matter and provide clarification to support your findings that ‘<i>There are no other alternative sites within the search area (5km from the POC) that that are reasonably available which could fulfil the Project requirements and which could have a lesser effect on agricultural land</i>’ ( <b>ES, Volume 4, Appendix 5.2: Site Selection Influencing Factors, Paragraph 1.1.24 [APP-067]</b>).</p> <p>I would also ask that in connection with the above and Chapter 6 ‘EIA Methodology’ [APP-030], paragraph 6.9 ‘Cumulative Effects’ that consideration be given to the assessment of the cumulative impacts of the loss of BMV.</p>
Q6.03	The Applicant	<p><b>Grazing</b></p> <p>Es Appendices Chapter 16: Other Topics Appendix 16.1: Soils and Agricultural Land Report [APP-122] comments throughout that “<i>the nature of the project (a solar farm) is such that it provides potential for the land beneath and around the PV panels to continue in, albeit altered, agricultural use during the Project’s operational lifetime, with potential for agricultural grazing. The Project is not relying on grazing for mitigation.</i> The appendix then implies the agricultural</p>

ExQ2	Question to:	Question:
		<p>use would only be a temporary loss during the construction phase and then reinstated during the operational phase thereby resulting in a minimal loss to the agricultural use.</p> <p>Can the Applicant outline what potential agricultural grazing would be intended and how likely this is to come forward and when and how it would be managed given there is no Requirement or details of what this would look like within the dDCO or any of the submitted documentation.</p>
Q6.04	The applicant	<p><b>Soil Stripping</b></p> <p>Some soil stripping will need to take place for areas where associated development is proposed such as for the BESS and substation. No details are provided within the Outline CEMP [APP-153] Chapter 6 Soil Management Plan of where soil stripping would take place across the site, whether there would need to be a different methodology for soils stripped for the cabling route; and where soils are to be stripped and stored for the life time of the project, where those soils would be stored within the Order limit for the life time of the project and how those stored soils would be managed and treated for the life time of the project.</p> <ul style="list-style-type: none"> <li>i) Could the Applicant elaborate on this issue</li> <li>ii) How would the pre-determined stockpile areas align with the construction compounds and the phasing of works?</li> <li>iii) How would the applicant ensure that the stockpiling areas would not have an adverse impact on ecology, water drainage or landscape visual impact especially if the pre-determined levels require clearing of vegetation.</li> </ul>
Q6.05	The applicant	<p><b>Topsoil Spreading</b></p> <p>The Outline CEMP [APP-153] Chapter 6 Soil Management Plan paragraph 6.3.12 states that topsoil would be spread into the landscape areas when they become available.</p> <ul style="list-style-type: none"> <li>I) how much soil is expected to be spread in this area and how would this be managed so not to exacerbate flooding within the landscaping area which is in a flood zone?</li> <li>II) Does the FRA model allow for an allowance of additional soils for this?</li> </ul>

ExQ2	Question to:	Question:
Q6.06	The applicant	<p><b>Soil Survey Points</b></p> <p>Paragraph 3.2.5 of Appendix 16.1 Soils and Agricultural Land Report' [APP-122] states that 185 soil survey points were undertaken across 178.43 hectares alongside 10 survey points across the cable route area. The paragraph goes on to say this is an approximately survey density of one point per hectare as per standard methodology and guidance. Footnote 24 to that paragraph states that the ALC survey covered 1923.54ha in size and that the discrepancy with reported areas is due to changes in the project boundary.</p> <p>What areas of the Order limit were not covered by the 185 survey points within the 178.43ha? Of the 195 survey points for the agricultural land and cable route, how many of these were conducted in 2021 and how many subsequent ones conducted in 2023? Where the survey points in 2023 in the same location(s) as those in 2021?</p>
Q6.07	Applicant	<p><b>Agricultural Land Classification grades</b></p> <p>Table 5.2 of Appendix 16.1 Soils and Agricultural Land Report' [APP-122] provides a summary of the Agricultural Land Classification grades within the site boundary in hectares and percentages.</p> <p>Please provide further detail (in hectares) or signpost to where this is in the submitted documents on what activities would take place within each Agricultural Land Classification and justification for this [example is taken from Mallard Pass] for example the ALC results for the area of biodiversity, area for Solar PV as well as the area affected by the substation and fixed equipment.</p>
<p><b>6.1 Minerals</b></p>		
Q6.1.1	The Applicant	<p><b>Mineral Operators</b></p> <p>Paragraph 1.11 of Appendix 16.3 Mineral Safeguarding Assessment (<b>Doc 5.4</b>) says that feedback was gained from mineral operators supplying building stone and engagement with the Stone Federation Great Britain. Clarification is sought as to whether feedback was sought</p>



ExQ2	Question to:	Question:
		from any mineral operators or associations from those supplying sand and gravel was obtained.
Q6.12	The Applicant Brett Aggregates Limited	<p><b>Mineral Reserves</b></p> <p>ES Volume 4, Appendix 16.3 Mineral Safeguarding Assessment [APP-124], Paragraph 2.7 states that as a result of restrictions such as residential properties, water bodies, roads, rail lines and PRoW; that the potential mineral extraction is fundamentally impractical and economically unviable irrespective of whether the Project is constructed. Can either the Applicant or Brett Aggregates provide confirmation that this is the case for land parcels 3/36, 3/39, 3/40, 3/41 and 3/48?</p>
<p><b>7. Landscape and Visual</b></p>		
Q7.01	The Applicant	<p><b>Topography of site</b></p> <p>Planning statement para 6.3.20 – suggests site is within a bowl – Could the Applicant provide a cross section to demonstrate this point.</p>
Q7.02	The Applicant	<p><b>Viewpoints</b></p> <p>Appendix 8.12 ‘Cumulative Effects table’ within the ES Chapter 8 Landscape and Views [AS-012] the Applicant is asked to consider whether there is a possibility to link the viewpoint (VP) locations that are shown in appendices 8.10 and 8.11 [AS-014 and AS-015] to this table to provide clarity to the locations given and therefore the scale of impact given in the text. For example, the view from Landscape Character Area (LCA) Aldington Ridge in the Table in Appendix 8.12 [APPS-064] – is this the equivalent of viewpoints 27 and 28 in Appendix 8.11 [AS-015]? Upper Stour Valley LCA, do these link with viewpoints 20, 22 and 25?</p>
Q7.03	The Applicant	<p><b>Colour of the PV Panels</b></p>

ExQ2	Question to:	Question:
		<p>ES Chapter 8 Landscape and Views Appendix 8.10 LVIA visualisations [AS-014]. Page 3 of the Design Principles (Document Reference 7.5) refers to the colour of the PV panels as dark blue, black, grey or similar neutral colour.</p> <p>What is the assumed colour of the panels in the LVIA Visualisations? What is the most effective colour for mitigation of the visual effects?</p>
Q7.04	The Applicant	<p><b>Heights of Structures</b></p> <p>ES Chapter 8 Landscape and Views [AS-012] Paragraph 8.6.2, 1<sup>st</sup> sentence states: <i>'The Project has been designed, as far as possible, to avoid adverse effects on the landscape and views through option identification, appraisal, selection and refinement, as described in ES Volume 2, Chapter 5: Alternatives and Design Evolution [AS-010]</i></p> <p>Can more detail be provided on how the maximum heights above ground level (Listed in document reference 7.5 Design Principles, Table 1) have been determined for: the PV panels, the Inverter stations, the BESS Units, the DC-DC converters, the intermediate substations and the Project Substation?</p>
Q7.05	The Applicant	<p><b>Sensitivity Analysis</b></p> <p>Has a sensitivity analysis been undertaken to understand what design changes or further mitigation would be needed to further reduce the level of significance of effects for the cases of the project on its own and for cumulative effects from other schemes?</p>
Q7.06	ABC	<p><b>Agricultura Permitted Development Rights</b></p> <p>If the Proposed Development did not proceed, what form of development could be built on each field utilising permitted Development rights provided by the Town and Country Planning (General Permitted Development ) Order 2015.</p>

ExQ2	Question to:	Question:
Q7.0.7	The Applicant	<p><b>LVIA Convention</b></p> <p>Chapter 8 Landscape and Views [AS-014] – page 29 in response to KCC’s comments on the 15 year maturity of landscaping, you state “The 15 year timescale for the assessment is an LVIA convention, rather than being related to the maturation of planting. “Please reference where the ‘convention’ originates from and consider outlining why earlier planting or use of mature standards should not be used in this instance to improve mitigatory measures.</p>
Q7.0.8	The Applicant	<p><b>Landscape Planting</b></p> <p>Table 8.4: 2023 Statutory Consultation Response Summary of the ES Chapter 8 Landscape and Views [AS-014] states: ‘Where possible, advanced landscape planting will be carried out in advance of the construction phase to maximise the screening potential of proposed planting in the early phases of the Project. The proposed planting has also been amended to include a greater proportion of larger stock, which would also help address this point’. However, the Outline LEMP [APP-155] states in Paragraph 4.3.3 ‘Advanced planting is likely to commence in the first available planting season (November to March inclusive) following the granting of development consent. The remainder of proposed planting would be undertaken in the first available planting season following the construction of the Project’. Clarification is sought as to the extent of advance planting and how it has been prioritised and for the Applicant to review this matter and the amount of detail shown on the illustrative landscape drawings (<b>Doc 2.7</b>). What is the operational year represented by the size of the trees and shrubs shown in Section 1 (Doc 2.7 Drawing No. 011998.00001.716) to Section 6 (Doc 2.7, Drawing No. 011998.00001.721)?</p>
Q7.0.9	The Applicant	<p><b>Fencing</b></p>

ExQ2	Question to:	Question:
		<p>With regards to paragraph 8.6.6 of the ES Chapter 8 Landscape and Views [AS-014], clarification is sought on what further details are available for the security fence and the stock fence?</p>
<p><b>8. Noise and Vibration</b></p>		
Q8.01	The Applicant	<p><b>Abnormal Deliveries</b></p> <p>ES Chapter 14 Noise [APP-038] paragraph 14.6.11 and the outline CEMP [APP-153] paragraph 3.3.3, both these documents give hours for the construction works <b>with the exception of</b> abnormal deliveries and night time construction works if required.</p> <p>Could the Applicant update the Outline CEMP containing circumstances or methodology for notifying both the LPA and community of such circumstances because of noise and traffic issues; and for notification of neighbours. Such as giving 24 or 48 hours notice in advance and a plan of action and methods of monitoring etc.</p>
<p><b>9. Socio-economic Effects</b></p>		
Q9.01	The Applicant	<p><b>Employment Generation</b></p> <p>Es Chapter 12 Socio-Economics [AS-008] Paragraph 12.4.56 indicates it is not possible to quantify the employment levels generated by the scheme. Is it not possible to extrapolate based on similar schemes of a similar size? Acknowledging this is not going to be 100% accurate but it would still give a feel for the employment outputs. At the very least an informed range would be helpful.</p>
Q9.02	The Applicant	<p><b>Decommissioning</b></p> <p>ES Chapter 12 Socio- Economics [AS-008] Paragraph 12.7.122 states that decommissioning is subject to uncertainty given potential changes in construction methods. The decommissioning effects should be based on known worst case scenario at the present time, Can the Applicant explain their approach?</p>

ExQ1: 10 January 2024

Responses due by Deadline 3: Friday 31 January 2025

ExQ2	Question to:	Question:
Q9.03	The Applicant	<p><b>Designing Out Crime</b></p> <p>Kent Police in their representation dated 4<sup>th</sup> December 2024 states: “We recommend the applicant follows SBD guidance to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.”</p> <p>Can the Applicant confirm that the guidance has been adhered to in formulating the Proposed Development? If not, then please outline what steps you intend to take to address this and the other recommendations detailed in Kent Police’s letter.</p>
<b>10. Transportation and Traffic</b>		
Q10.01	The Applicant	<p><b>Speed Limits</b></p> <p>Environmental Statement Chapter 12 Socio – Economics [AS-008] Paragraphs 12.7.29 refers to the speed limits for construction vehicles. How will this be monitored and enforced?</p>
Q10.02	The Applicant	<p><b>Traffic and Access</b></p> <p>Chapter 13 Traffic and Access (<b>Doc 5.2</b>) Table 13.1 ‘EIA Scoping Opinion Response Summary’ page 9 has a typo referring to the RoWAS document as 7.16 when I think it is document 7.15. I would advise the Applicant to check all references to the RoWAS are correctly referenced.</p>

**ExQ1: 10 January 2024****Responses due by Deadline 3: Friday 31 January 2025**

<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
Q10.03	The Applicants	<p><b>Construction workers traffic</b></p> <p>Paragraph 13.4.87 of the same document includes assumptions for construction staff using minibus or car sharing for the traffic assessments. The implementation of this assumption is included in the Worker Travel Plan which in turn is included in the Construction Travel Management Plan (CTMP); the approval for which is included in the dDCO Requirement 7. This issue was discussed in part at ISH2 [EV6-001] but clarification is sought as to how this would be monitored and how workers will be incentivised to use this to prevent excess traffic during construction.</p>
Q10.04	The Applicant	<p><b>Public Rights of Way Discussions</b></p> <p>Please update of details of discussions with the Ramblers Association and Kent RoW officer including the proposed Rights of Way and Access Group that was proposed.</p>
Q10.05	Kent Ramblers	<p><b>Kent Ramblers</b></p> <p>You raised concern in your RR [RR-158] over both the arrangements for individual footpaths and the wider network of PRowS in the area should the project proceed. No precise detail is given as to which RoW you are concerned about, what concerns you then have about that particular RoW, and, what suggestions they have for mitigation for the impact.</p> <p>Please could you provide further detail to be able to understand your concerns and your perceived level of impact.</p>
Q10.06	The Applicant	<p><b>PROWS</b></p> <p>What measures have been explored to extend the rights of way network during the construction and operational phases of the development to offset harm to the connectivity and</p>

ExQ2	Question to:	Question:
		amenity of users of the PRoW network; and if any routes have been discounted an explanation as to why.
Q10.0.7	The Applicant	<p><b>Further Engagement with Councillor Clair Bell</b></p> <p>In the response to Relevant Representations made by Councillor Bell [REP1-061], the Applicant states on a number of issues, including traffic and access, that further engagement welcomes further engagement. Cana the Applicant conform if this further engagement has taken place, and if so provide a further update of the progress made in resolving the issues.</p>
Q10.0.8		<p><b>Closure of M20</b></p> <p>On Page 28 of the Applicant’s Responses to Relevant Representations [REP1-061] In response to ABPC Relevant Representation [RR-002], it is stated that should there be a closure of the M20 or A20 that affects the proposed construction route, that construction traffic will not be redirected through the centre of Aldington Village. What is not clear is how this will be controlled. Will this be included within the Outline CTMP or be secured through some other means such as a new requirement?</p>
<p><b>11. Water Environment</b></p>		
Q11.0.1	The Applicant	<p><b>Tree Planting and Flood Storage Capacity</b></p> <p>The Environment Agency in their RR-086 have commented that there may be situations where tree planting could cause obstacles for flood risk management works. The Environment Agency have requested the applicant discuss riverside tree planting to confirm the suitability of the proposed locations and agree them before the planting schedules are published and contractors retained. Could this dialogue also include the LPA landscape architect/ arboriculturist/ ecologist so that any solutions are agreed by all parties who need to approve this via the LEMP?</p>

**ExQ1: 10 January 2024****Responses due by Deadline 3: Friday 31 January 2025**

<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
Q11.02	The Applicant	<b>Flood Risk Assessment</b>  Could an update be provided on the outstanding issues relating to the Flood Risk Assessment identified in the Environment Agency's RR-086
Q11.03	The Applicant	<b>Environment Agency Site Access</b>  The EA in their RR-086 have requested that the applicant should ensure that they have unrestricted access to their site at all times during and after construction. Can the Applicant confirm that this will be the case.
Q11.04	The Applicant	<b>Drainage Plans</b>  The EA in their RR-086 set out that the drainage strategy on the site adjacent to the East Stour downstream of the hydrobrake outlet on the south end of Field 24 may increase water levels in this area. They point out that is a privately owned sluice gate downstream of the outlet that the owner operates to always ensure they have water ponding in their garden. This restricts the maximum flow on this section of river. The implication of this is that the drainage solution may increase the water level as a result of the restriction downstream. The EA suggest that the applicant should ensure that any drainage plans consider restrictions downstream, and that the drainage solution does not increase water levels adversely. The EA have asked that the applicant provide them with calculations and assessments. Could the Applicant confirm that this has been supplied?
Q11.05	The Applicant	<b>Aldington Flood Storage Area (AFSA)</b>  The EA in their RR-086 state that the 8m standoff provided in the AFSARA does not satisfy the standoff document they previously shared. The implications of this is that they may be unable to maintain their owned assets resulting in an increase in flood risk. They suggest that works



ExQ2	Question to:	Question:
		<p>should remain outside of the standoff area previously provided to the applicant. Can the Applicant confirm that this will be the case?</p>
Q11.06	The Applicant KCC	<p><b>Calculating the existing Greenfield Runoff rate</b></p> <p>In the Statement of Common Ground submitted at D1 [REP1-065] with KCC, the Applicant states that the apparent discrepancy in the calculation of the existing greenfield runoff rate highlighted is a result of the conservative assumption the methodology has applied by the Applicant in the assessment process. The outcome of this approach is that the illustrative design allows for a greater allowance for the attenuation volume. To remove confusion and better align with the LLFA expectation this apparent discrepancy will be addressed with revised drainage calculations and submitted to KCC in advance of D1. Was this submitted to KCC? If so, when are KCC likely to respond.</p>
Q11.07	The Applicant KCC	<p><b>Storm Scenarios</b></p> <p>In the Statement of Common Ground submitted at D1 [REP1-065] with KCC, the Applicant refers to further modelling being undertaken in advance of D1 and shared with KCC. Was this submitted to KCC? If so, when are KCC likely to respond.</p>
Q11.08	The Applicant	<p><b>Flooding of Spring Cottage</b></p> <p>An additional submission [AS-021] was received by Ally Payne in relation to previous flooding of Spring Cottage and the concern that the Proposed Development would exacerbate the flood risk to the property. Can the Applicant outline how this has been assessed and any potential mitigation proposed?</p>