

Application by EPL 001 Ltd for Stonestreet Green Solar

The Examining Authority's written questions and requests for information (ExQ1) Issued on 10 January 2025

Written Representation prepared by Aldington & Bonnington Parish Council, 31 January 2025

Summary

This is the Aldington & Bonnington Parish Council (ABPC) response to the Examining Authority's written questions and requests for information (ExQ1) Issued on 10 January 2025. We have made comments on ten of the questions.

Response

Aldington & Bonnington Parish Council (ABPC) would like to make the following comments on the Examining Authority's written questions. Though not directed at the Parish Council, we welcome the opportunity to input into the discussion.

1. Q1.2.2 Alternative Sites

We welcome this question. We strongly believe that alternative sites in the vicinity have not been adequately demonstrated to be unsuitable or reasonable alternatives. As previously stated by ABPC, the identification of alternative sites – notably as alternatives to Fields 20, 21 and 22, which are considered to have significant community, landscape and heritage impacts – would be supported by APBC.

Incidentally, in their response to ABPC's Deadline 1 submission on this matter and the related matter of the size of the site, the Applicant states that removal of the Fields 20, 21 and 22 (or reducing the size at all) is not an option "because a smaller Project would not be capable of delivering the same generation capacity as the current proposals and would therefore not meet the Project requirements" (Application Document Ref: 8.8, p. 151). This remains incorrect as output of energy is relative to impact, as endorsed by national policy:

National Policy Statement EN-1 positively endorses the need to ensure that schemes must be suited to their proposed locations and requires applicants to avoid, reduce, mitigate or compensate any adverse impacts of their projects (for example, on the environment) "so far as possible", stating that:

"Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function" (NPS EN-1, para 5.10.26).

There is a precedent in schemes such as this being required to reduce their scale, for instance the (Planning Act 2008) Application for Development Consent for The West Burton Solar Project, decided 24 January 2025.

2. Q2.0.9 Backhouse Local Wildlife Site

- 2.1. We welcome this question relating to the lack of a 15m buffer. In the Applicant's response to ABPC on concerns about this site (Application Document Ref: 8.8, p. 144), the Applicant suggests that "native woodland and scrub planting around Backhouse Wood [is proposed] which would help to improve it", but not mention of the buffer zone, or indeed connectivity with the wider biodiversity network.

3. Q4.0.4 Part 2 Article 45 - Felling or lopping of trees or removal of hedgerows

We strongly believe that this prior consent by the local planning authority should be required for the removal of trees and/or hedgerows. The Aldington and Bonnington Neighbourhood Plan (ABNP) is a legally binding document that forms part of the Local Development Plan, sitting alongside Ashford Borough Council's Local Plan. It represents the views of the community and should inform planning matters. Policy AB1 maps the green and blue infrastructure across the parish, with specific features identified as being important within this network. Some of these features fall within the proposed site footprint. As per Policy AB1, important species should be protected. We would request that any trees or hedgerows removed are replaced. We consider this appropriate and achievable. This would also align to ABNP Policy AB12 (C), which supports the retention of roadside and pathside hedges, trees and verges.

ABNP Policy AB2 is also relevant here. Clause C (i) and (ii) related to trees and hedgerows:

Table 1: Extract from ABNP Policy AB2

C. As appropriate to their scale, nature and location, development proposals should demonstrate that they have addressed the following matters:

Trees and woodland:

- i. There is no unacceptable loss of, or damage to, existing trees or woodlands during or as a result of development. Ancient or veteran trees must not be removed except in exceptional circumstances and, in that case, they should be replaced with trees of a similar potential size and native species elsewhere on the site, unless this is clearly not possible.
- ii. For new trees and/or shrubs, or where trees and/or shrubs are replaced with new plantings, native or locally appropriate varieties attractive to insects, birds and other wildlife must be used.

Hedgerows:

- iii. There should be no net loss of hedgerow. Development that would result in the loss or deterioration in quality of hedgerows will not be supported, with the exception of removal for vehicular access. When loss of hedgerow cannot be avoided, mitigation should consist of either an onsite replacement of similar size and species, or a tree, or other means of appropriate landscaping.
- iv. Where access is created through hedgerow, trees should be planted at either end of the retained hedgerow to aid wildlife to cross overhead from crown to crown.

4. Q4.2.1 Part 1 Removal of Important Hedgerows

Our response under Q4.0.4 is relevant here. As part of the work on the ABNP, a hedgerow survey was undertaken and ABPC would be keen to be involved in discussions about important hedgerows. As above, some of these features fall within the proposed site footprint. As per Policy AB1, important species should be protected. We would request that any trees or hedgerows removed are replaced. We consider this appropriate and achievable.

5. Q4.2.2 Tree Preservation Orders

We welcome this question and our response under Q4.0.4 is relevant here. There are a number of Tree Preservation Orders on trees in or adjacent to the site, including along some of the roads identified as main routes into/out of the site (Calleywell Lane and Station Road). In their response to ABPC's Deadline 1 submission, the Applicant states that "any damage resulting solely from construction activities will be rectified at the cost of the Applicant. Additionally, highway verges will be restored to their previous condition should temporary surfacing be laid across them to aid the passage of construction traffic." (Application Document Ref: 8.8, p. 151). No reference is made here to the removal of trees, including those with TPOs, which cannot simply be replaced.

6. Q5.0.1 Conservation Area Character Appraisals

Whilst there is no Conservation Area Character Appraisal, ABPC, in consultation with the community, prepared Design Guidance and Codes for the parishes. This forms an integral part of the ABNP and includes detail on the area within the Conservation Area. It could be used as a starting point for a Conservation Area Appraisal.

7. Q5.0.2 Heritage Assets – construction phase

APBC commissioned a review of the available LiDAR data for the area which was submitted under Relevant Representation REP1-106. This would suggest that further physical research of the land is required prior to construction.

8. Q6.0.5 Topsoil Spreading

The entirety of the proposed site sits within the area that is currently subject to restrictions on building due to Nutrient Neutrality. We would wish to understand whether the movement of topsoil to a different area within the boundary has the potential to affect this as well as potential flooding issues due to changing levels.

9. Q10.0.6 PROWS

We consider the Applicant has not adequately considered the community impact of the proposed development on AE 474. This is a critical path linking pedestrians from Aldington village to the Church. It has social and historic significance. Development in this area will be detrimental to that. In response to ABPC's question about why access into the site here does not use the footpath further north (AE 475), the Applicant states "The Goldwell Lane access relates to an existing field access point on land which the Applicant has privately contracted and limits the need for further vegetation clearance. The use of Goldwell Lane for temporary construction access and the works to lay the cable in Goldwell Lane reduces the amount of additional land that would otherwise be required and is not expected to give rise to significant environmental effects and the Applicant therefore does not consider that the consideration of alternative options is necessary to make the scheme acceptable in planning terms" (Application Document Ref: 8.8, p. 154). This response does not address the social

and community impacts of this, and we would respectively ask the Inspector to press this matter further.

On the delivery of new public rights of way, we remain disappointed that the Applicant does not intend to deliver any new or improved rights of way as bridleways. There appears to be little consideration of ABNP Policy AB12 (D), which explicitly supports such provision; there are many horse riders locally who have no choice but to ride on the rural lanes. The provision of additional bridleways would offer a demonstrable community benefit.

Finally on this matter, we reiterate that there has been little approach from the Applicant to discuss PROWs with ABPC. Our ABNP includes a number of proposals around potential improvements and better connectivity – that could be delivered as part of this project. This includes, for instance, the introduction of a link between Aldington and Mersham, which would bring significant community benefits.

10. Q10.0.8 Closure of M20

In response to our initial Relevant Representation (REP1-061), which raised a number of issues about the impact on rural lanes within the Parish when there are issues on the M20, the Applicant states that construction traffic will not be redirected through the centre of Aldington Village.

Further clarification was provided in our subsequent written representation (REP1-104) which detailed traffic statistics obtained from the Parish Council's speed indicator device. This device is rotated between four points measuring the traffic in one direction only. These numbers correlate with the statistics provided by the applicant in their submission. However, there are frequent occasions where traffic diverts through the village due to an incident on either the M20 or A20 as suggested by SatNav applications. When this occurs, the traffic flow increases to 13 vehicles per minute, equivalent to one vehicle every 5 seconds. We would wish to understand how the Applicant proposes to mitigate delays when they need to cross Station Road on a regular basis to move materials? Will they be prepared to cease movements? We would also be keen to understand National Highways views on this matter, including the assertion from the Applicant that the M20 is normally closed for only a few hours/ up to half a day.