

Stonestreet Green Solar

Statement of Commonality (Tracked)

PINS Ref: EN010135

Doc Ref. 8.4(B)

Version 3

Deadline 3

January 2025

EP Rule 8(1)(b)

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010



Revision History

| Revision | Revision Date | Authorised By | Position | Comment |
|-----------|-----------------|---------------|------------------------|---------------------------|
| V1 | 10/12/24 | MS | Senior Director | Deadline 1 Version |
| V2 | 7/01/25 | MS | Senior Director | Deadline 2 Version |
| <u>V3</u> | <u>30/01/25</u> | <u>MS</u> | <u>Senior Director</u> | <u>Deadline 3 Version</u> |
| | | | | |
| | | | | |

Table of Contents

| | | |
|-----|---|----|
| 1 | Introduction | 3 |
| 1.1 | Purpose of this Statement of Commonality | 3 |
| 1.2 | Structure of this Statement | 3 |
| 2 | Status of the SoCGs | 4 |
| 2.1 | Overview at Deadline 1 | 4 |
| 3 | Commonality | 5 |
| 3.1 | Summary | 5 |
| | Key | 5 |
| 4 | Summary of Ongoing Positions | 9 |
| 4.1 | Overview | 9 |
| 4.2 | Ashford Borough Council (Doc Ref. 8.3.1) | 9 |
| 4.3 | Environment Agency (Doc Ref. 8.3.2) | 9 |
| 4.4 | Historic England (Doc Ref. 8.3.3) | 10 |
| 4.5 | Kent County Council (Doc Ref. 8.3.4) | 10 |
| 4.6 | National Grid Electricity Transmission plc (Doc Ref. 8.3.5) | 11 |
| 4.7 | National Highways (Doc Ref. 8.3.6) | 11 |
| 4.8 | Natural England (Doc Ref. 8.3.7) | 11 |
| 4.9 | Network Rail Infrastructure Limited (Doc Ref. 8.3.8) | 11 |
| 1 | Introduction | 4 |
| 1.1 | Purpose of this Statement of Commonality | 4 |
| 1.2 | Structure of this Statement | 4 |
| 2 | Status of the SoCGs | 5 |
| 2.1 | Overview at Deadline 1 | 5 |
| 3 | Commonality | 6 |
| 3.1 | Summary | 6 |
| 4 | Summary of Ongoing Positions | 10 |
| 4.1 | Overview | 10 |
| 4.2 | Ashford Borough Council (Doc Ref. 8.3.1) | 10 |
| 4.3 | Environment Agency (Doc Ref. 8.3.2) | 11 |
| 4.4 | Historic England (Doc Ref. 8.3.3) | 12 |
| 4.5 | Kent County Council (Doc Ref. 8.3.4) | 12 |
| 4.6 | National Grid Electricity Transmission plc (Doc Ref. 8.3.5) | 12 |
| 4.7 | National Highways (Doc Ref. 8.3.6) | 13 |
| 4.8 | Natural England (Doc Ref. 8.3.7) | 13 |
| 4.9 | Network Rail Infrastructure Limited (Doc Ref. 8.3.8) | 13 |

List of Tables

| | |
|--|--------------|
| Table 2-1: Status of SoCGs at Deadline 1 | 4 |
| Table 3-1: Topics Raised by National Grid and Network Rail | 6 |
| Table 3-2: Topics Raised by the Environment Agency, National Highways, Historic England and Natural England | 6 |
| Table 3-3: Topics Raised by Local Authorities | 7 |
| Table 2-1: Status of SoCGs at Deadline 1 | 5 |
| Table 3-1: Topics Raised by National Grid and Network Rail | 7 |
| Table 3-2: Topics Raised by the Environment Agency, National Highways, Historic England and Natural England | 7 |
| Table 3-3: Topics Raised by Local Authorities | 8 |

1 Introduction

1.1 Purpose of this Statement of Commonality

- 1.1.1 This Statement of Commonality (the Statement) has been prepared to provide the Examining Authority (ExA) with a summary of the latest position regarding the negotiation of Statements of Common Ground (SoCGs) between the Applicant, relevant statutory consultees and other parties in relation to Stonestreet Green Solar (the Project).
- 1.1.2 The Rule 6 Letter [\[PD-004\]](#) dated 22 October 2024 requires the submission of SoCGs to inform the ExA and all other parties on matters where there is agreement and where differences lie at an early stage in the Examination process. The Rule 6 Letter requests that these are accompanied by an Issues Tracker (this Statement) detailing the progression of discussions.
- 1.1.3 Annex D of the Rule 6 Letter identifies the following parties with which the Applicant has sought to develop SoCGs:
- Ashford Borough Council (ABC) [\[RR-018\]](#);
 - Environment Agency (EA) [\[RR-086\]](#);
 - Historic England (HE) [\[RR-099\]](#);
 - Kent County Council (KCC) [\[RR-156\]](#);
 - National Grid Electricity Transmission PLC (NGET) [\[RR-203\]](#).
 - National Highways (NH) [\[RR-205\]](#);
 - Natural England (NE) [\[RR-206\]](#);
 - Network Rail Infrastructure Limited (NR) [\[RR-207\]](#);
- 1.1.4 This Statement is to be treated as an iterative document throughout the Examination and will be updated and submitted at subsequent deadlines to provide an up to date overview of the latest position on the SoCGs.

1.2 Structure of this Statement

- 1.2.1 This Statement is structured as follows:
- Section 2 sets out the status of each SoCG;
 - Section 3 provides a summary of where agreement has been reached with each party;
 - Section 4 provides details of any steps to be taken to progress outstanding matters towards resolution.

2 Status of the SoCGs

2.1 Overview at Deadline 1

2.1.1 This section provides an overview of the progression of each SoCG at Deadline ~~23~~ and will be updated to reflect their current status at each Examination deadline.

2.1.2 Table 2-1 identifies the status of each SoCG, categorised as follows:

- **SoCG in draft** – where a SoCG has been drafted (with matters recorded as agreed, ongoing and not agreed) and is subject to further discussions to resolve any outstanding matters;
- **Final signed SoCG** – where a final position has been reached on all matters, as either agreed or not agreed positions.

Table 2-1: Status of SoCGs at Deadline 1

| Party | Status of SoCG at Deadline 1 |
|-------------------------|--|
| Ashford Borough Council | SoCG in draft |
| Kent County Council | SoCG in draft |
| National Grid | SoCG in draft |
| Network Rail | SoCG in draft |
| Environment Agency | SoCG in draft, all matters agreed subject to Environment Agency review of submitted updates |
| Historic England | SoCG finalised, all matters agreed |
| Natural England | SoCG finalised, all matters agreed |
| National Highways | <u>Final Signed</u> SoCG finalised, all matters agreed |

3 Commonality

3.1 Summary

- 3.1.1 This section of this Statement provides a summary of the topics covered in the SoCGs submitted at Deadline 1. It shows where there is commonality in the matters discussed between the Applicant and the various parties, and shows where matters have reached a final agreed position.
- 3.1.2 Table 3-1 lists out the topics covered in each of the SoCGs and the status for each stakeholder, where applicable. Where a topic is not relevant to a particular party the cell has been greyed out.
- 3.1.3 The Rule 6 Letter requests that for areas under discussion, each party flags their estimation as to the likelihood that disagreement will remain by the closure of Examination, as set out below and in each individual SoCG.

Key

| | |
|--|--|
| | All matters agreed |
| | Low likelihood that matter will not be resolved |
| | Medium likelihood that matter will not be resolved |
| | High likelihood that matter will not be resolved |
| | Matter not discussed with that party |

Table 3-1: Topics Raised by National Grid and Network Rail

| Topics | SoCG Party | |
|---|---------------|--------------|
| | National Grid | Network Rail |
| Grid connection | | |
| dDCO | | |
| Protective Provisions of assets | | |
| Compulsory acquisition and temporary possession of land | | |

Table 3-2: Topics Raised by the Environment Agency, National Highways, Historic England and Natural England

| Topics | | SoCG Party | | | |
|---------|--|--------------------|-------------------|------------------|-----------------|
| | | Environment Agency | National Highways | Historic England | Natural England |
| General | Policy compliance | | | | |
| | Access to Aldington Flood Storage Area (AFSA) | | | | |
| | Effects on international and national designated sites | | | | |
| Water | FRA assessment | | | | |
| | Outline OSWDS | | | | |
| | AFSA Risk Assessment | | | | |
| | Drainage Strategy | | | | |
| | WFD Assessment | | | | |

| | | | | | |
|--------------------------|--------------------------------------|--|--|--|--|
| Biodiversity & Landscape | Environmental permit | | | | |
| | Outline LEMP and design principles | | | | |
| | Outline CEMP | | | | |
| | Impacts on species and woodland | | | | |
| Air quality | Air Quality Assessment | | | | |
| Transport | Traffic Assessment | | | | |
| | Outline CTMP, DTMP, dDCO | | | | |
| Heritage | Historic Environment Assessment | | | | |
| | Impact on Designated Heritage Assets | | | | |

Table 3-3: Topics Raised by Local Authorities

| Topics | | SoCG Party | |
|----------------------------|--|-------------------------|---------------------|
| | | Ashford Borough Council | Kent County Council |
| General | Principle of Development | | |
| | Scale of development | | |
| | Compliance with NPS Policy | | |
| | Consideration of Alternatives | | |
| | Good Design | | |
| | Economic and Social Effects | | |
| | DCO, including Schedule 2 Requirements | | |
| Highway and transportation | Traffic and Assessment | | |

| Topics | | SoCG Party | |
|-----------------------|---|-------------------------|---------------------|
| | | Ashford Borough Council | Kent County Council |
| PRoW | Outline RoWAS | | |
| Landscape | Scope and assessment | | |
| | Landscape Strategy | | |
| | Outline LEMP | | |
| | Outline CEMP, DEMP | | |
| | Cumulative landscape effects | | |
| Water | SuDs | | |
| Cultural Heritage | Built Heritage | | |
| | Archaeology | | |
| Cumulative Assessment | Scope of the assessment, and long list of schemes | | |

4 Summary of Ongoing Positions

4.1 Overview

4.1.1 This section provides an overview of the matters identified in Table 3-1 that remain unresolved at Deadline 1 with each of the parties and sets out how the Applicant is intending to progress matters with those parties with the intention of reaching a final agreed position before the close of the Examination.

4.2 Ashford Borough Council (Doc Ref. 8.3.1)(A))

4.2.1 The Applicant has had a Planning Performance Agreement with ABC since May 2023, which has allowed for extensive engagement during the pre-application stage, and continued engagement in the Examination stage.

4.2.2 The Applicant has been in active discussions with ABC and the SoCG has been updated a number of times during the post submission stage ~~(see Appendix 1 for further details).~~ Agreement has been reached on a number of matters, with outstanding matters relating to the following topics:

- Need and principle of development (Table 2.1): ABC question the scale and size of the development. The Applicant has responded to these matters and ~~awaits ABC's response.~~ ABC and the Applicant discussed these matters further on the 28 January 2025. It was agreed that ABC would consider the Applicant's response in due course.
- Planning Policy (Table 2.2): ABC considers the Project does not comply with the relevant National Policy Statements (EN-1 and EN-3). The Applicant has responded to these matters and awaits ABC's response.
- Landscape Character and Visual Amenity (Table 2.3): ABC considers that the Project does not minimise impacts on the landscape ~~by providing reasonable mitigation where possible and as the Project is larger than it considers~~ appropriate. The Applicant has responded to these matters and awaits ABC's response.
- Cumulative Landscape Effects (Table 2-3) : ABC contend that different effects should have been identified as compared to those which have been identified in **ES Volume 2, Chapter 8: Landscape and Views (Doc Ref. 5.2(A)) [AS-012]** and **ES Volume 2, Chapter 17: Cumulative Assessment (Doc Ref. 5.2) [APP-041]**. The Applicant has requested further clarification on this point and await ABC's response.
- Schedule 2: Requirements: the Applicant has responded to the feedback provided by ABC, and all but one matters are now agreed. ABC are considering the updates to 19.(2)(d) (timescales) provided by the Applicant at Deadline 1.

4.2.3 The Applicant has sought and continues to seek an opportunity to discuss the outstanding matters with ABC, ~~however, a response from ABC has not yet been~~

~~provided.~~ The Applicant looks forward to ~~receiving this and will be in a position to update the SoCG once further discussions have been held with ABC regarding~~discussing the outstanding matters with ABC further.

4.3 Environment Agency (Doc Ref. 8.3.2)(B))

4.3.1 The Applicant has been in active discussions with the EA and the SoCG has been updated a number of times during the post submission stage. Agreement has been reached on a number of matters, with outstanding matters relating to the following topics:

- ~~Updates to the Outline LEMP (Doc Ref. 7.10(A)) and Design Principles (Doc Ref. 7.5(A)):~~ The EA has requested further details, which the Applicant has provided at Deadline 1. Agreement is anticipated in advance of Deadline 3.
- ~~Aldington Flood Storage Area:~~ The EA has requested further details regarding the proposed cable route and access to its assets, which the Applicant has provided at Deadline 1. Agreement is anticipated in advance of Deadline 3.
- ~~Outline OSWDS:~~ The EA has requested further details, which the Applicant has provided at Deadline 1. Agreement is anticipated in advance of Deadline 3.
- ~~Flood Storage Calculations:~~ The EA has requested further details, which the Applicant has provided at Deadline 1. Agreement is anticipated in advance of Deadline 3.
- Requirement to secure mitigation set out in the FRA and AFSA Risk Assessment: the EA have asked for an additional requirement to secure the measures in the FRA. The Applicant does not consider this necessary, as all mitigation relied on by the ES Appendix 10.2: Flood Risk Assessment (Doc Ref 5.4(A)) [REP1-036] [REP1-037] and [REP1-038] are secured by either the Design Principles, or the Outline OSWDS (Doc Ref: 7.14(B)). This secures all mitigation relied on by the FRA and AFSA. Requirement 11 (Operational surface water drainage) in the Draft DCO (Doc Ref. 3.1(D)) then secures the commitments made by the Outline OSWDS (Doc Ref: 7.14(B)) and the detailed design approval of drainage details by ABC, following consultation with the EA. These controls are considered to provide appropriate securing mechanisms for these matters.
- Requirement to secure measures set out in Outline CEMP, Outline BSMP and Outline DEMP: the EA have asked for an additional requirement to secure the measures in these documents. The Applicant has confirmed to the EA that these matters are already controls by Requirement 5) Battery Safety Management Plan), 6 (Construction Environmental Management Plan), 11 (Operational surface water drainage) and 14 (Decommissioning Environmental Management Plan) in the Draft DCO (Doc Ref. 3.1(D)). These existing requirements then secures the commitments referred to the EA. The Applicant awaits a response from the EA on these matters.

4.3.2 The Applicant will continue to discuss these matters with EA and progress will be reported at Deadline 34. A signed version of the SoCG is anticipated to be submitted into the Examination at Deadline 34.

4.4 Historic England (Doc Ref. 8.3.3)(B))

4.4.1 The Applicant has been in active discussions with Historic England and the SoCG now reflects that the Parties have reached an agreed position on all matters. Agreement was reached on 6 January 2025. A signed version of the SoCG is anticipated to be submitted into the Examination at Deadline 34.

4.5 Kent County Council (Doc Ref. 8.3.4)(B))

4.5.1 The Applicant has had a Planning Performance Agreement with KCC since May 2023, which has allowed for extensive engagement during the pre-application stage, and continued engagement in the Examination stage.

4.5.2 The Applicant has been in active discussions with KCC and the SoCG has been updated a number of times during the post submission stage. Agreement has been reached on a number of matters, with outstanding matters relating to the following topics:

- Impacts to Public Rights of Way ('PRoW') (Table 2.3): The Parties are making constructive progress in resolving a number of detailed matters. Agreement is anticipated before the end of Examination.
- ~~Sustainable Drainage System (SuDS) (Table 2.4): KCC have requested further details, which the Applicant has provided at Deadline 1. Agreement is anticipated in advance of Deadline 3.~~
- Heritage (Table 2.6): The Parties are continuing to discuss archaeological matters and progress will be reported at Deadline 34.
- ~~Biodiversity (Table 2.7): KCC have requested further details in relation to the skylark mitigation, which the Applicant has provided at Deadline 1. Agreement is anticipated in advance of Deadline 3.~~

4.5.3 The Applicant will continue to discuss these matters with KCC and progress will be reported at Deadline 34. A signed version of the SoCG is anticipated to be submitted into the Examination at Deadline 34.

4.6 National Grid Electricity Transmission plc (Doc Ref. 8.3.5)(B))

4.6.1 The Applicant has been in active discussions with National Grid Electricity Transmission plc ('NGET') and the SoCG has been reviewed (see Appendix 1 for further details). The outstanding matters are summarised as follows:

- The **Draft DCO (Doc Ref. 3.1(C))**, including protective provisions: Discussions have been ongoing between the Applicant and NGET regarding the protective provisions since early 2023. The version of the draft protective provisions as at the date of submission of the Application is

included in Part 5 of Schedule 13 to the **Draft DCO (Doc Ref. 3.1(~~CD~~))**.

- Acquisition of land and rights: The Applicant and UKPN have been engaging with NGET. Discussions relate to the agreement of the protective provisions noted above.

4.6.2 The Applicant will continue to discuss these matters with NGET and progress will be reported at Deadline 3.

4.7 National Highways (Doc Ref. 8.3.6)~~(B)~~

4.7.1 The Applicant has been in active discussions with National Highways and the SoCG has been updated a number of times during the post submission stage (see Appendix 1 for further details). Agreement has been reached on all matters. A signed version of the SoCG ~~is anticipated to be submitted into~~ has been included in the Examination at Applicant's Deadline 3 submission.

4.8 Natural England (Doc Ref. 8.3.7)~~(B)~~

4.8.1 The Applicant has been in active discussions with Natural England and the SoCG now reflects that the Parties have reached an agreed position on all matters. Agreement was reached on 10 December 2024, however, the parties are yet to formally sign the SoCG. A signed version of the SoCG will be submitted into the Examination at Deadline ~~34~~.

4.9 Network Rail Infrastructure Limited (Doc Ref. 8.3.8)~~(B)~~

4.9.1 The Applicant has been in active discussions with Network Rail ('NR') and the SoCG has been reviewed (see Appendix 1 for further details). The outstanding matters are summarised as follows:

- The **Draft DCO (Doc Ref. 3.1 (~~CD~~))**, including protective provisions: Discussions have been ongoing between the Applicant and NR regarding the protective provisions since early 2023. The version of the draft protective provisions as at the date of submission of the Application is included in Part 7 of Schedule 13 to the **Draft DCO (Doc Ref. 3.1 (~~CD~~))**.
- Acquisition of land and rights: The Applicant and UKPN have been engaging with NR's Asset Protection Team. Discussions relate to the agreement of the protective provisions noted above.

4.9.2 The Applicant will continue to discuss these matters with NR and progress will be reported at Deadline ~~34~~.