

# Aldington & Mersham Support Group

## Supplemental Questions and areas of further clarification

## Additional Hearing Requests

## Unaccompanied Site Inspection Requests

### Introduction

We understand from contacting your Case Management team that whilst the Exa directed no questions specifically to our Group, we can submit comments on his questions and make observations that relate to these and what we see as remaining unanswered questions that would benefit from being raised in the Hearings.

Having now had sight of the agenda for the week commencing 24<sup>th</sup> February (published yesterday 30.01.25) we note the proposed subject matter of the Hearings.

Whilst unfamiliar with the NSIP process, these Hearings are surely a critically important opportunity for all those concerned about the scheme to not only hear the Applicant's response to the Exa's questions but to also feel that aspects not yet properly answered (or not yet answered at all) by the Applicant should be catered for in this inquisitorial process.

We fully appreciate that it is not possible to provide a Hearing for every conceivable aspect of the scheme and recognise that the intention of the process so far has been to distil out the most important areas. However, we remain concerned that there are important subject areas where there are still unanswered questions and where the Exa appears not to be proposing an ISH. Such aspects are we believe not just "unfinished business" as far as our group is concerned but often matters where many others that have made representations (including Statutory Consultees) do not appear to have yet received a satisfactory response.

Further, as the Exa will have noted from the presentations we made at the Preliminary Meeting, we believe that there are Statutory Consultees (like KCC as Highways Authority) that have approved outline designs in instances where we feel they should be available to explain their rationale and the level of analysis they have carried out in coming to their conclusions.

In the case of KCC, their highways representative was notable by his absence at the Preliminary Meeting, and we are still not clear whether the specific issues we raised then (and subsequently) regarding what appear to be an acceptance of sometimes factually incorrect measurements are things on which they have yet responded. The KCC (Highways) letter on outstanding issues dated 07.01.25 runs to barely two short paragraphs and those appear once again to just defer decisions - *"Provision of the minibus service for workers and confirming that full details would be presented and agreed through the detailed CTMP should consent be granted (paragraph 4.3.5)"*. Agreed.

The Environment Agency appears to be giving the green light to all the proposals. Whether it be the macro picture regarding aspects such as surface water run-off (the AFSA is a regionally

important facility) or the micro (for example in relation to Mrs Payne's property where we cannot see that there has been sufficient scrutiny of the design).

In summary we set out below firstly what we believe are relevant "supplemental questions" on which we hope the Exa might consider seeking clarification and answers from the Applicant and relevant Statutory Consultees. Secondly, as indicated we think there are other specific subject areas which require further clarification.

Finally, we have previously made a request for ASI/USIs and we again within this submission make a further request for the Exa to make Site Inspections.

## BESS (Q1.0)

### **Supplemental Questions and areas of further clarification.**

- The Exa should be aware that a house (Handen Farm) which abuts the red line boundary in Field 13 was destroyed by fire on 17/18 January. This allows the Exa to consider this comparable case in relation to a BESS fire. Evidently there was insufficient mains water in the area to combat the blaze and tankers had to be brought in. Much of the village was out of water on account of the demand put on the mains by the fire service. What volume of water did this fire use and what conclusions can be drawn about the ability to control a BESS fire in the vicinity based on the Applicant's design and specification?
- We support the Exa's question about the number of batteries but hope that the response will also provide detail on their expected overall capacity.
- The Applicant repeatedly relies on the fact that the batteries "*could also provide grid balancing services*". We suspect that this is not, as this phrase infers, a useful additional functionality of the batteries, but is instead the primary driver for installing so many (116) batteries in the countryside. We hope that the questioning will press for the proportion of the capacity expected to be devoted to the surplus energy from the panels and that expected to relate to grid balancing services.

## Landscape and Visual (Q 7.0)

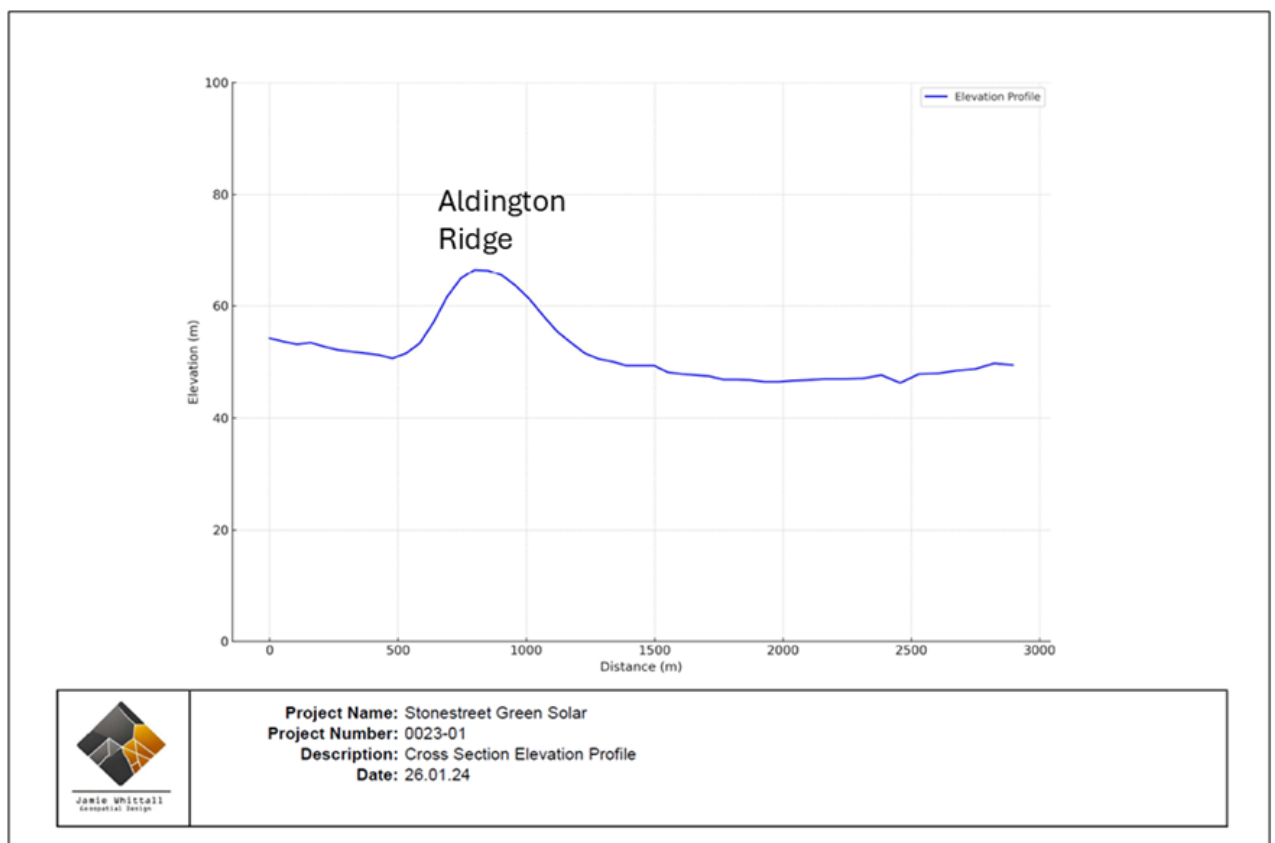
**We do not believe that the Applicant has addressed this critical issue and request an additional Issue Specific Hearing**

### **Supplemental Questions and areas of further clarification.**

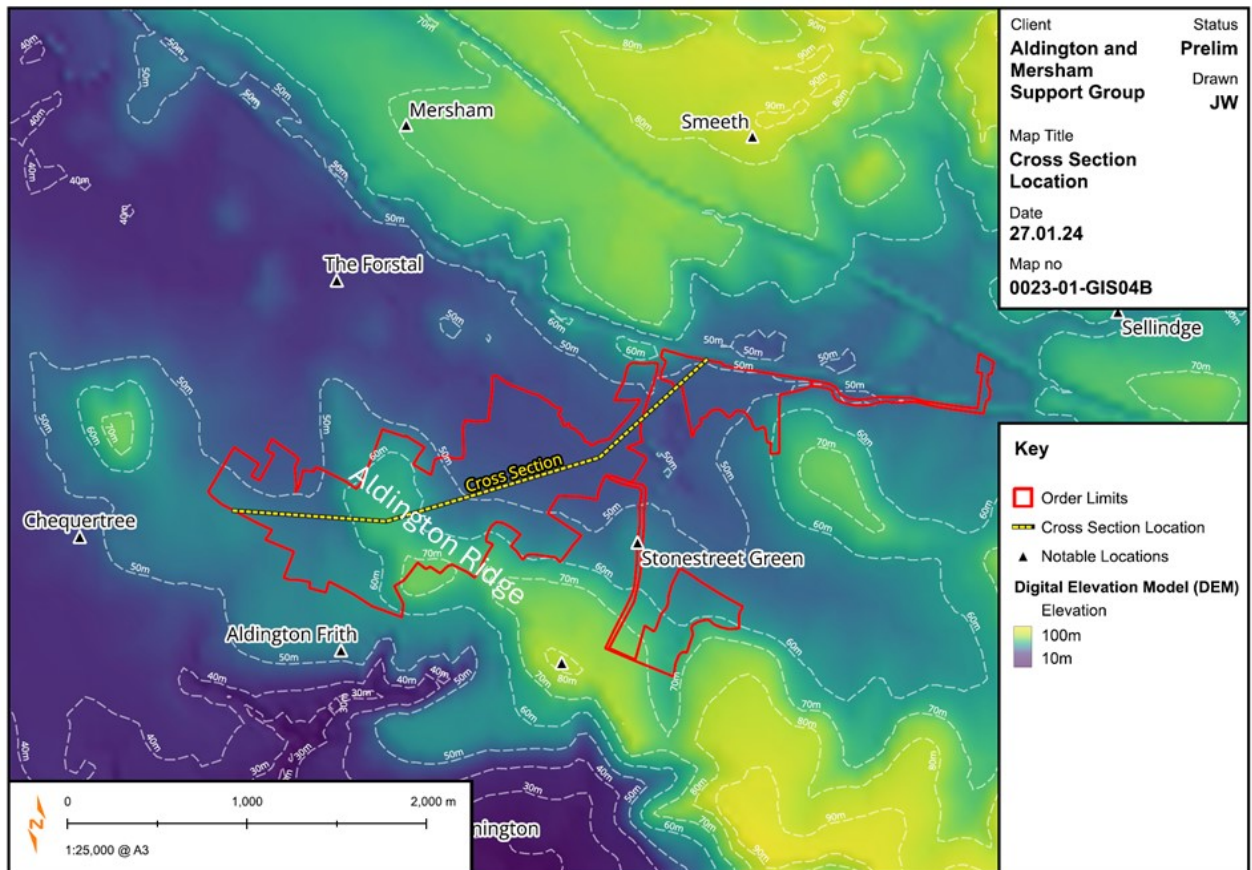
- As identified by the Exa, throughout the consultation process and in the Environmental Statement the Applicant referred to the proposed site as a "bowl", the implication being that a bowl improves the screening of the solar and BESS infrastructure. The below topography map and cross-section show the reality, with the dominant topographic feature within the order limits being the SE-NE trending Aldington Ridge and no evidence of the claimed bowl feature.
- "*Visual amenity and site topography*" are two of the criteria used for selecting the Stonestreet Green site (**Ref APP-067 Appendix 5.2 (1.1.1)**). With this

statement in mind how can the Applicant justify locating solar and BESS infrastructure on the high ground of Aldington Ridge?

- We maintain that the Applicant's repeated failure to provide representative photomontages of the completed development from various viewpoints is no accident. Can it explain why it failed to do this?
- Further, even at this late stage in the process the photomontages produced are of an inadequate resolution.
- We ask that the Exa questions the Applicant on this issue and asks it to identify on the photographs presented, the BESS and inverter enclosures and the water tanks. We cannot see them and do not believe they have been included in the dataset.
- We are pleased that the Exa has enquired about the possibility of planting standards (semi-mature standards) because we have seen no mention of this. We presume it can only be a cost issue since there are locations (e.g. along the northern boundary of Field 25) where the planting of such trees would serve to immediately ameliorate the horrendous visual impact of the scheme when viewed on approach along Station Road with views towards Bank Road/Aldington Ridge. We hope the Applicant will be pressed as to what opportunities it has considered for such strategic planting here and elsewhere.



### ***Cross-section across the DCO order limits***



**Topographic Map showing Location of the Cross-section**

## Water Environment (Q11.0)

**We do not believe that the Applicant has addressed this critical issue and request an additional Issue Specific Hearing.**

### **Supplemental Questions and areas of further clarification.**

- We are very pleased to see that the Exa has identified the representation submitted by Ally Payne and hope that the Applicant can be asked to explain in detail the way in which it believes run-off within this catchment has been accurately modelled. We maintain that far from the proposed use of this land reducing the speed of run-off, it will, on account of the large surface area of impermeable panels and the inevitable compaction of soils caused through construction, result in exacerbating flooding issues at Mrs Payne's property. Since it appears that Mrs Payne will be unable to make any "eligible claim" (as we established in questions raised at the Preliminary Meeting) the scheme should include a design which adequately safeguards her property.
- We hope the Environment Agency will be asked to explain why they believe that the Applicant's scheme design (its drainage design, compaction caused in construction, etc) will not create downstream flooding problems.

- It remains of grave concern to note the Environment Agency’s caveat in its written statement where it says that “*The Examining authority must decide whether or not the proposal provides wider sustainability benefits to the community that outweigh flood risk*” (**Ref Rep 1-083 Flood Risk 2.1**). We only hope the Exa shares our concern about this statement and will wish to ask this Statutory Consultee to explain whether it is concerned or not about increased risk of flooding arising from these proposals.

## Traffic and Transportation (Q 10.0)

### Supplemental Questions and areas of further clarification.

- As explained in our introduction, we are surprised that there is no provision for a Hearing on this critically important aspect of this scheme, involving as it does, public safety.
- We are at least pleased to see the Exa’s request for more information about the proposed use of minibuses. However, we anticipate that KCC will again seek to defer this issue rather than addressing it head on in the Examination. They could have looked at this a long time ago by reference to comparable schemes as well as being more curious (as the Exa has been) about the Applicant’s proposals on minibuses and car sharing. We believe that if the terms of the final version of the CTMP are left to be agreed between KCC and the Applicant post Grant, the tough provisions required to ensure public safety are unlikely to be secured.
- Please can the Exa consider these and the numerous other concerns we and others have raised on this issue with a view to finding space for a further Hearing, attended this time by KCC Highways representatives?

## PROW

### Supplemental Questions and areas of further clarification.

- The Applicant offered to establish a Working Group in relation to rights of way – an offer made at the Community Liaison Panel meetings. It then withdrew the offer. We hope the Exa will ask why the Applicant changed its position and instead now makes much of the proposed working group which will look solely at the implementation phase.
- Why has the Applicant steadfastly refused to engage with the idea of planting hedges adjacent to the security fencing which would, over time, ameliorate their impact and provide valuable habitat replacement?
- Why does the Applicant maintain that the Site “*was selected, based on a series of influencing factors*” including PROW (**App-029 Environmental Statement, Volume 2, Chapter 5: 5.6.2 Alternatives and Design Evolution**) when at least 12 PROW stand to be so seriously affected? On what basis does this pronouncement make any sense at all?

## Biodiversity (Q2.0)

### Supplemental Questions and areas of further clarification.

- We hope the Applicant will be asked to provide evidence from other similar solar schemes of where 16 m<sup>2</sup> Skylark nesting plots have been shown to provide meaningful mitigation. On what basis does the Applicant maintain that because these plots have been successful in wheat fields this approach will work equally well if surrounded by panels and other infrastructure?
- We have identified in our Deadline 2 submission what we believe to be a badger set which the Applicant and its ecologists have either failed to identify (the panel footprint is within 30 m of the set) or is it not considered to be a set? How can we possibly get an answer on this if all survey work on badgers is confidential?

## Historic Environment (including Archaeology) (Q5.0)

### Supplemental Questions and areas of further clarification.

- Based on the representations we have made alongside experts in this field of work we support the contention that the amount of “truthing” work involving trial trenching, based on the huge area of the scheme, is woefully inadequate. A full explanation as to this approach taken of intending to deal with things “on the hoof” during construction needs to be provided.
- We note that there is currently (w/c 20.01.25) further trial trenching works being carried out within the fields 1 and 2 in appalling weather conditions (see photo below).
- The Applicant maintains in its Works Plans that it has included “*flexibility to respond to archaeological features which may be identified during further archaeological investigation and to respond to features identified during construction works*”. Why then is the Applicant, at this late stage, (mid Examination) setting about further trial trenching, particularly when ground conditions are so unsuitable and certain to result in serious soil damage and compaction?
- Does the Applicant not recognise the risk of soil compaction, and if it does is it considering avoiding “winter working” and if so, by how much might it expect such a policy to extend the projected construction phase?





*Trial trenching in Fields 1 & 2 w/c 20/01/25*

## Alternative Sites

### **Supplemental Questions and areas of further clarification.**

- We maintain that consideration of these should be at the heart of the scheme's evolution and as the Exa appears to highlight, information is very thin in relation to other areas of land which the Applicant has fully investigated. We have made detailed submissions on this aspect already.

# Unaccompanied/Accompanied Site Inspection Requests

**We request the following ASI/USI**

**1. Laws Lane for the following reasons**

- To inspect Fields 1 and 2 where archaeological trial pit work is ongoing.
- To walk along Laws Lane from its junction with Bank Road, with emphasis on views south eastward towards Bank Farm illustrating the very limited effectiveness of hedges for screening during the winter months.
- Walk along Laws Lane approaching Stonelees (Grade 2\* Listed Property) to appreciate the affect the industrialised landscape created by solar panels, water towers, battery enclosures, permanent site entrances, security fencing and cctv cameras will have on the setting of this historically important property.

**2. Walk along the Byway from Frith Road to the edge of the DCO order limits**

- To appreciate the visual impact of the prosed industrialisation of the Aldington Ridge when viewed from the south.