

Andrew Swarbrick, Aldington Resident for over 40 years. IP 20050084

Points made at, and arising from, the Issue Specific Hearing on 25th February 2025 regarding the Stonestreet Green Solar Application and its impact on Public Rights of Way and following other Hearings on 25th and 26th February.

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The dense network of Public Rights of Way in the Project area currently allows users to enjoy access to the countryside along and across the East Stour River Valley between Aldington and Mersham for recreation and travel across the area. Most of the Public Footpaths have existed since before the first Ordnance Survey in the 19th Century and continue beyond the boundaries of the current Project. Irrespective of the surveys apparently carried out by EP, my own observation is that many of the paths are regularly used – I often see other people - including - but not exclusively - dog walkers - while walking the paths and, when the ground is soft or there is snow on the ground, foot and paw prints are always visible.

Evolution Power propose to extinguish or divert ALL the Public Footpaths – some very substantially – to the detriment of direct routes across and beyond the area. Altogether, 16 PRoWs will be affected. My video (submitted separately) shows some particular examples. These diversions and closures will seriously inconvenience users and so detract from their enjoyment. I do not agree that lengthy diverted paths around the outside of the enclosures, however, cosmetically they are treated with hedge planting or occasional benches etc is in any way adequate mitigation for the inconvenience and loss of amenity the proposals will create.

The paths it is proposed to extinguish completely, AE447 (only a small part of which is currently a dead end – contrary to EP's assertion) and AE455, will be a permanent loss to the network as a whole which will continue in perpetuity even after the life of the Project.

I have followed all of EP's proposals very closely over the last three years and have attended all the Consultation opportunities and most of the Community Liaison panel meetings as well as the Hearings in November. I have not found in any documentation or heard any explanation* as to why it has not been possible to create corridors across the area in the way that has been done or is proposed by several other developers in the East Kent Area – notable examples of this include the solar installations at Littlebourne, Cleve Hill near Graveney and, closer to the current project – the proposed East Stour solar project where through PRoW routes have been retained.

(*Eventually, at this Hearing the Applicant's representatives did state that ProWs are to be diverted to maximise the efficiency of the installations. Most of these ProWs currently cross farmland and are mostly well-kept and regularly kept clear of crops across arable land – any claim by a farmer that they should be eliminated to maximise the efficiency of the agriculture would be unlikely to be acceptable)

I suggest that much of the claimed mitigation and changes from the 2022 original proposals – including several of the additional "New paths" are less generous than they have been made to sound: the apparent reduction in number of paths it is proposed to extinguish is illusory – it is still intended to stop up and divert ALL the paths for the lifetime of the Project – the concession made by EP after consultation with KCC in 2022 resulted in the proposed closures to be for the 40 year duration of the project with the possibility of

reinstating them after decommissioning rather than make them permanent as was originally stated. Many of the new paths promised are necessitated by the proposed diversions rather than as a genuinely new amenity.

The suggestion of a new cycle route across the valley – dependent as it is on the agreement of other landowners and unspecified funding arrangements is of very dubious value – and would be likely to be of limited attractiveness, necessitating the negotiation by potential users of an awkward and narrow section of Bank Road to access it. EP suggest in their offer of New Path 6 that it will be safer than the adjacent ProW because that is shared with the drive to two houses: sharing a part of Bank Road is apparently regarded as safe!

I believe that other claims made by EP at the time of the Public Consultations and in the Current Application are also misleading and overstated. The wording of some of the claims made in 2022 and 2023 have subsequently been changed – though very little of the actual proposals were in fact changed. I concur with the point made at another Issue Specific Hearing by Lord Aldington that none of the Consultation exercises with local residents was meaningful and genuinely two-way, owing to the lack of detailed information, unclear mapping and misleading statements in the Public Consultation booklets. The claim made at this Hearing on behalf of the Applicant that the Liaison Panel meetings were additional examples of consultation is incorrect: As I recall, the agenda for these meetings was set by the Applicant and largely consisted of briefing attendees on the Applicant's policies and timescales.

In particular, there was never any opportunity at any stage to discuss in any meaningful detail the proposed extinguishments and re-routings of the 16 Public Footpaths affected – despite my own and others' requests.

Highways Act 1980 Chapter 66 Part VIII Section 119 (6) requires the Secretary of State or Highways Authority to have regard to the effect any diversion would have on the public enjoyment of the path or way as a whole and provides that no order should be made unless he/they are satisfied that the path or way will not be substantially less convenient to the public.

Mr Humphrey for the Applicant stated that the *average increase in length of the proposed diversions is 18%*. This statistic is a further example of the Applicant's disingenuous claims. Even an 18% increase in the length of a path would be less convenient, but aggregating all 16 of the Public Footpaths to be diverted and quoting an average is extremely misleading – some of the diversions are quite short – but some – as in the example of the diversions to AE378 and AE428 are much more significant. The distance from the access to AE378 at Calleywell Lane at TR064 376 to the start of AE428 at the footpath junction at TR061 378 and thence to the bridge over the East Stour River at TR061 381 is currently 0.68 kms; the diverted route from Calleywell Lane to the new junction of the diverted AE378 with AE428 at TR0578 380 and thence to the river bridge as measured using the OS mapping tool, would be 1.45km and require a number of changes in direction away from the direct route to continue to follow AE428 to its junction with Bower Road. I strongly suggest that this, and other proposed diversions, would be substantially less convenient to the public and would have a serious consequent impact on the public enjoyment of the paths. Although Mr Humphrey challenged the KCC view of the impact on the PRowS, I concur completely with the KCC representative, Mr Rusland, - a respected PRow professional - that the collective impact would be very significant and detrimental to the enjoyment of the paths as a whole.

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Currently most of the ProWs are unenclosed by fences or hedges, and the views enjoyed by walkers using them – especially those on the southern side of the East Stour Valley and along the Valley bottom are open, extensive and extremely attractive. There is a broad vista from Aldington looking towards Mersham, with the tower of the Church of St John the Baptist prominent at the top of the Valley, but also in many places the distant North Downs can be seen to the North and to the west of Ashford. In the nearer foreground there are scattered trees and the picturesque Evegate Mill. There is a feeling of openness and big skies. It's a very peaceful landscape with little noise or mechanisation apart from occasional farm tractors and the periodic passage of trains on the conventional and HS1 railway lines which can be glimpsed as they pass across a distant embankment but which are otherwise hidden in cuttings. Users of AE474 and AE454 enjoy similarly panoramic views looking NE towards the North Downs.

The contrast if the Project is approved will be stark. The views across the Valley from the North, looking back towards Aldington, will be particularly impacted by the sight of a large expanse of solar panel structures and battery installations. All the paths within the Project boundaries will be diverted to run alongside security fencing and the view will be dominated by field upon field of tall panels and their supporting structures. Current choices of route will be eliminated where paths are to be extinguished. Users will be channelled by the enclosures (even with the proposed width) and the visual impact – as even EP acknowledge - will be adverse, and will substantially detract from the enjoyment of using them.

I believe that Mr Flanagan's assertion that diverting paths around the outside of the Project's security fenced fields somehow mitigates the impact because there would be a fence on only one side of the diverted path was spurious: many of the diverted paths would pass between the Project's Fields (eg between Fields 1 & 2; 9 & 12; 13 & 10; 11 & 13; 11 & 14; 13 & 15; 14 & 15; 14 & 16; 16 & 19; 18 & 9; 20 & 21 and 20 & 22), so would have fences on both sides for much of their lengths.

Mr Flanagan also spoke in his rationale for the Project of the National and Local benefits to be provided – although what the alleged Local benefits are do not appear to have been specified apart from a small contribution to a Community Fund. The disbenefits – especially in the case of the enjoyment of the ProW network as a whole - appear to be significantly greater and long-lasting.

March 2025