

Submission ID: 34868

I attach a copy of my presentation on behalf of the AMSG at the ISH 3. I have added some additional points below the text that I hope the Exa will consider alongside my concerns about the way in which PROW have been treated by the Applicant.

Jonathan Tennant on behalf of the Aldington and Mersham Support Group

ISH 3 on 25th February 2025 - PROW

Sir, I'm grateful for the opportunity to speak this morning. My name is Jonathan Tennant, and I represent the Aldington and Mersham Support Group.

As a group we've made numerous representations in objection to the scheme and those have included criticism of the way in which the applicant has treated the public rights of way network enjoyed for so long by communities in both villages.

It's worth remembering that apparently the applicant selected this development site (according to what it says in its Environmental Statement Volume 2 Chapter 5 paragraph 5.6.2) on account of influencing factors one of which bizarrely they say was the public rights of way network.

The claim that there is no alternative site is misleading. The applicant has failed to demonstrate that other areas of less sensitive land were properly and robustly investigated – including land between Mersham and Evegate that contains very few rights of way. Incorporating even part of this land would have offered a materially improved design.

I would like to focus on just one aspect today. I have studied the illustrative plans submitted by the applicant reference **APP 013** and like others reviewed the numerous proposed diversions. Many of these changes are significant, circuitous and, in all cases will diminish enjoyment. Put bluntly, the new setting of nearly all of the paths within the red line boundary will be so bad that it is doubtful people will wish to walk any of them in the future.

What is so striking when looking at the illustrative plans is not only the angular and laborious diversion of many footpaths but the fact that the logical mitigation of planting hedges adjacent to the security fencing is almost non-existent. Across nearly 500 acres of development, I can only find evidence of this happening for short distances notably in fields 2, 18 and 21. Field 18 is adjacent to Calleywell Lane where there will be some native tree planting beside new footpath FNR 5 for about 150 metres heading out on what will be a new, longer and very circuitous route towards Mersham.

I can only imagine that the applicant has balked at the cost of so much planting, but the need for it should come as no surprise. It is a direct consequence of selecting a site with so many footpaths. How can it be reasonable for the applicant to shrug its shoulders when faced with a scheme cost that is a direct consequence of its own decision?

Earlier this month I attended the Planning Inquiry into EDF's adjacent East Stour Solar Farm the application for which was refused by Ashford Borough Council last spring.

A quick review of the mitigation proposals for that scheme will show that public rights-of-way were treated in a completely different manner. For a start, where footpaths cross the site these have been accommodated on their original alignment and not only

accommodated but often a much wider area provided than is strictly necessary and more often than not hedge planting included to screen the fencing and panels.

For one footpath which cuts through the panels and where adjacent hedge planting was not proposed, the applicant has provided a new path over a slightly longer distance running around the outside of the panels with a new hedge planted on the inside which will shield views of the scheme.

This arrangement allows a person on the footpath to choose to avoid walking between the panels and instead to follow the shielded slightly longer route if they wish.

These are the sort of solutions that Aldington and Mersham were looking for from EPL. There was a glimmer of hope for this at one stage when the applicant suggested a footpath working group, but they then retracted the offer for reasons still unknown.

Sir, I'm very pleased that you've decided to convene this Issue Specific Hearing so that you can hear the concerns people have about the way in which the established rights of way network has been disregarded in the design of this scheme. Ancient alignments – unlike the EDF scheme – have been treated as unimportant while at the same time clearly the applicant feels under no obligation, moral or otherwise, to carry out further planting in mitigation. Whilst the adjoining solar scheme has listened carefully and reacted positively on the issue, EPL has stuck to its original plans on its carefully selected site, chosen in part because of its public rights-of-way network.

It is not enough to say that the matters I raise will be dealt with under the **LEMP** at a later stage. The applicant or indeed by that stage the new owner will claim that the LEMP must adhere to the **Design Principles and/or Outline Rights of Way and Access Strategy** and I'm quite sure that any additional hedge planting then proposed in mitigation will be strongly resisted.

As a group we consider the proposed treatment of the public rights-of-way in both parishes will cause much harm, harm that was avoidable had the applicant be more open, listened and shown the sort of respect for footpaths EDF have demonstrated on the adjoining scheme, the detail of which we hope you might care to review as a helpful comparison.

Thank you

Additional Points

On behalf of our group would like to refer to the presentation made by Mr Andrew Swarbrick at the ISH 3 on 25th February. He can of course make his own observations about the poor facilities he was provided with on the day, but we feel he suffered a grave injustice:

1. He had taken the trouble to provide the Exa with an invaluable insight into the serious impact on the PROW network by creating, with the help of his son, a video providing examples with his own audio commentary.

2. Having done this and gone through the rigmarole of getting the film to the right size and uploading it the sound could not be adjusted so that all those at the Hearing could hear his voice over.
3. It was the applicant's responsibility to make these facilities available and workable. Whether it was a failing of the laptop or lack of understanding of how to operate it we will never know. Whatever the situation the effectiveness of what he had prepared was unfairly diluted and this cannot now be remedied.
4. I sincerely hope that the version available to the Exa in the Examination Library can be and has been accessed with full audio to get the benefit of the important points he was making.

In summary on PROW

The Applicant's cavalier attitude to the heartfelt representations made by so many about the damage this scheme will cause to the PROW network around Aldington has been breathtaking. To think that EPL have the audacity to say that this site was chosen partly on account of the footpaths (at best because of some misguided thought that they could provide some improvement to these) quite simply beggars belief.