

Aldington and Mersham Support Group Submission for Deadline 4 (11th March 2025)

In this submission we have highlighted those issues that we don't believe have been satisfactorily addressed by the Applicant to date.

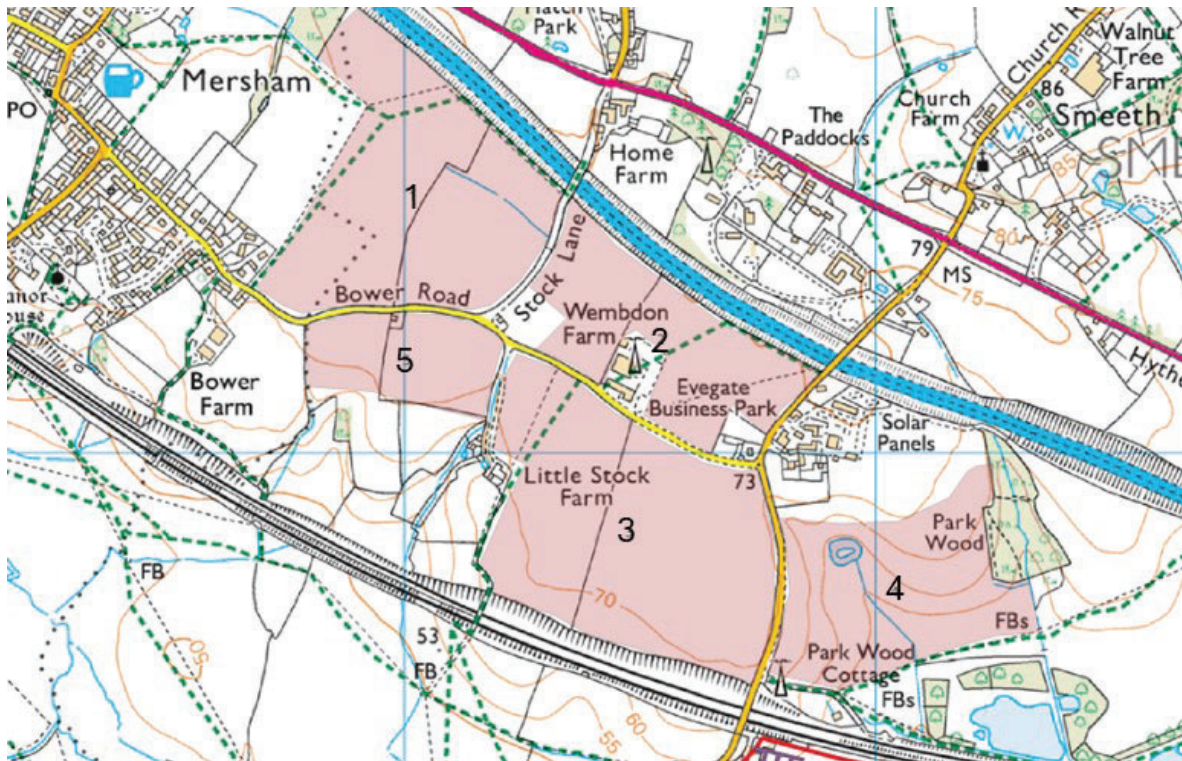
BESS

In addition to the points raised by Professor David Melville in his written submission for Deadline 4, we raise these additional points

- ISH 4 was very one sided in that the Applicant did not have a technical expert and those present were unable to answer the most basic of questions. To overcome this deficit, we request an additional ISH hearing on BESS and that the Applicant respond in detail to all of the issues we have raised in our submissions.
- The environmental threat to the East Stour River ecosystem has not been addressed properly by the Applicant. Whilst the "guidance" given by KFRS is for 228,000 litres of water be available to fight a BESS fire, it is absolutely clear from evidence worldwide that 10 or 20 times more water may actually be required.
- The fire water from BESS fires often contains highly toxic and corrosive hydrofluoric acid and there is no evidence that the proposed BESS enclosures have sufficient containment for anything more than 228,000 litres.
- Uncontained toxic fire water will end up in the East Stour River, with potentially drastic environmental consequences for sensitive downstream ecosystems such as the Stodmarsh National Nature Reserve.
- The Applicant should be acting responsibly and considering all the implications of their proposal.

Alternative Land

- Based on our own investigations we do not believe that the land shown shaded pink on the plan below has been properly investigated as a potential alternative to those parts of the submitted scheme which are incapable of adequate mitigation.
- Areas 1 and 5 on the plan are owned by [REDACTED] and we have asked his agent whether any approach was ever made by the Applicant regarding the possibility of acquiring a long lease for solar panels on this land and the agent confirmed that no such contact was made.
- Areas 2, 3, and 4 are owned by [REDACTED] and we have asked him whether any approach was made to him by the Applicant regarding the possibility of acquiring a long lease for solar panels on his land. He told us that he was approached by the Applicant regarding Area 4 – north of Park Wood Cottage (an approach which he declined) but he has never been approached by the Applicant in respect of areas 2 and 3.



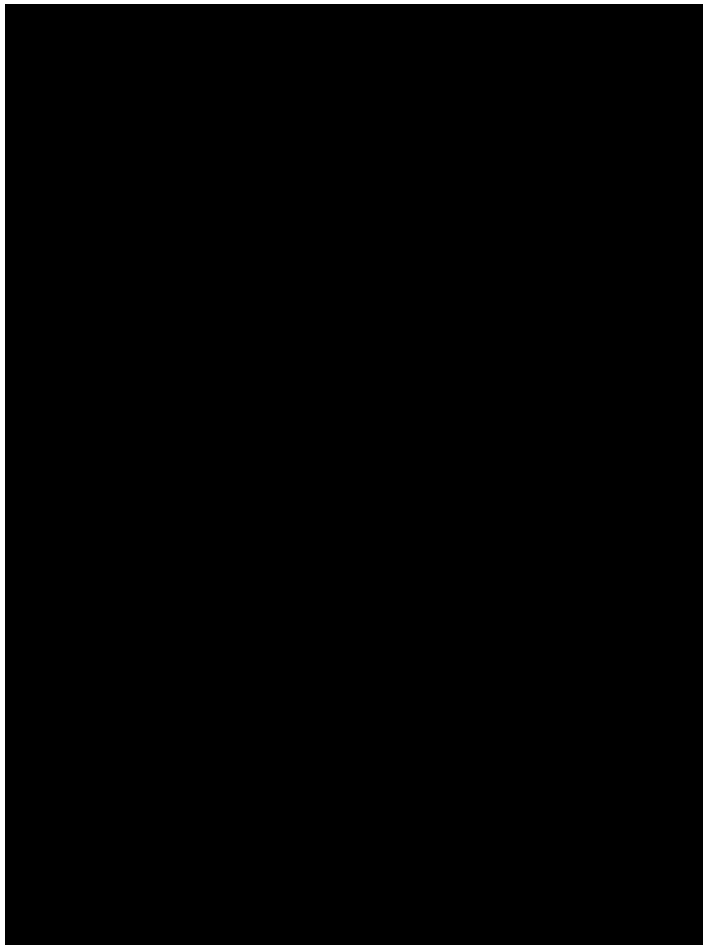
- The Applicant maintains that it has investigated the possibilities of alternative land between the M20 and the A20 as recorded in **Alternatives and Design Evolution Chapter 5 Doc. Ref 5.2**. It has not addressed alternative land in the sense required under the relevant legislation and NPS provisions. Instead, it has only reacted to a consultation submission made about one specific small area.
- This serves to highlight the "lip service" the Applicant has paid to the critically important issue of investigating alternatives during the early stages of land assembly and has instead focused, to the exclusion of everything else, on the land that was made available.
- The pink land on the plan stands out as being worthy of consideration. It has no alternative land-use allocation, better and safer access (particularly for emergency services), it is flat throughout, has fewer residential properties in proximity, soil quality is much like that found on Aldington Ridge and, with moderate targeted planting, this alternative area would create far less adverse visual impact.
- The Applicant constantly refers to land needing to be reasonably available. How can that be regarded as a satisfactory response when, based on our own evidence, the Applicant has made no enquiry, let alone put a proposal to the landowners concerned.
- Nor is it acceptable for the Applicant to claim retrospectively (if it now does) some difficulty in achieving a cable connection to the Substation (just visible on the plan south of the railway bridge) from the pink land. Such issues should have appeared in the alternatives and design evolution section of the application, had it been seriously looked at, which we say, it was not.
- How can the Applicant possibly say, as it does at 5.6.5 in this document, that the site, it has selected *"is the most suitable within 5Km of the POC"*?

Biodiversity

- We have made numerous representations regarding what we consider to be the scant regard given by the applicant to important and endangered species – notably the Skylark and Yellowhammer. We note that the Kent Wildlife Trust has picked up the woeful lack of proper survey work carried out by the applicant in relation to Barn Owl.
- In this section we only wish to reiterate our concerns about Badgers that will be affected by the scheme on the southeastern block and hope that the Exa will make further enquiries based on new information following a site inspection by the East Kent Badger Group (EKBG) on 7th March 2025.
- We believe, as set out in our last submission, that a badger set [REDACTED] [REDACTED] has been missed by the applicant's badger expert.
- This is because the solar panel footprint on the applicant's plans runs well within the 30 m protection zone under the Badger Act 1992.
- Following the inspection by Katy Fuller of EKBG she confirmed *“Having visited the site I can confirm that it is indeed a large very active sett. It has many entrances with newly dug out earth and piles of extracted bedding. There are also well trodden paths to setts which are on two different sides of the field. There are badger latrines [REDACTED] [REDACTED] and freshly turned over turf/soil”*.
- The set's entrance closest to the applicant's red line boundary is at Coordinates [REDACTED] and is shown in the photograph below.



- If we are right then the fact that Natural England has approved the applicant's proposals for badgers contained within a confidential report, is potentially unsound. How can Natural England's approval be sound if the report they have been asked to approve has missed an active set on third party land?
- We also include a photograph below at Coordinates [REDACTED] taken on 7th March 2025 showing just one of about 6 sets clearly visible and very active in the land which the applicants have allocated for a "public orchard".



□

- What provision has been made for their safety under the Act both during construction (including the nearby site compound), the subsequent planting of many fruit trees and ultimately the orchard being visited by walkers and dogs?
- Please can the Exa obtain a copy of the applicant's survey report to cross check the points we have raised. We say that the approval obtained from Natural England may be unsafe on account of inadequate survey work.

Heritage

- We understand that the Applicant has committed to an additional 68 trial trenches. This is still well short of 2% of the DCO area that is considered adequate to evaluate the archaeological potential.
- Much of the trenching has been carried out in extremely wet conditions and the trenches were immediately filled with water, rendering any meaningful archaeological work impossible.
- There is no evidence that this phase of trial trenching includes the cable route adjacent to East Stour, where the lidar data indicated the potential for Nationally Significant Palaeolithic remains.

Construction Traffic

- We are very disappointed by KCC's responses to the challenges and dangers this application presents to the local highway network.
- KCC defer important decision making on the CTMP, wherever possible, to a later stage in the process rather than addressing it now within the OCTMP.
- Dealing with aspects that might have a direct bearing on whether a DCO should be granted at all should be addressed beforehand and be fully aired at the relevant ISH.
- We have made endless representations on this and yet at the ISH on construction traffic, KCC Highways were absent.

KCC submissions in sequence:

- **KCC letter- 12 September 2024** (correspondence received late but accepted at the Exa's discretion) – bold font our emphasis.

*"The County Council notes that a Travel Plan is intended to be prepared, however, the issue of minibus transport **requires further clarification by the applicant ahead of the commencement of the Examination.**"*

- **KCC letter -21st November 2024 – ISH 2 Construction Traffic** Nobody from KCC Highways attended the ISH. Our group raised many issues at the ISH including the minibus issue and car sharing.
- **KCC letter -10th December 2024** KCC are now indicate concern about the minibuses and are no longer stating that car sharing would be more than 3 per 2 cars. This is an extract from the letter (bold font our emphasis):

*"The modal split for worker arrivals states that 75% of workers would arrive/depart site by minibus – **this is ambitious** and would require multiple minibus trips. In terms of workers arriving by car, given the location and public transport access, **a degree of car sharing is highly likely**."*

- **KCC letter - 7th January 2025** KCC state that further discussions have been had with applicant about the OCTMP (bold font our emphasis):

*Updated information has been provided in respect of: - 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).***

- The tracked changed version of the current OCTMP (**REP1-047**), reveals that the so-called “updated information” involves just two new sentences as follows: -

“The majority of staff will be transported to / from the Site by mini-bus”.

“At least two mini-buses will collect workers from designated collection points”.

On this basis nothing has changed. This wording will almost certainly find its way into the CTMP, ignoring the fact that construction traffic has been seriously understated.

Our further final points are these:

- The expert for the applicant stated at the ISH that 4 No. Articulated HGV could wait in the ghost lane. They cannot. Not even three can fit in it.
- Neither the applicant nor KCC have responded on the point about parts of Goldwell Lane being as narrow as 4 m making it impossible for it to remain open.
- Why does the “40% uplift” in the predicated site traffic provide any comfort? When applied to the predicted “75% of the workforce” using one of the *two minibuses* it still means that more than 50% of staff are assumed to be using these two minibuses.
- Meanwhile, the Exa’s request for the applicant to indicate what means it has considered for incentivising workers to use the minibus service rather than their own cars has been met with a deafening silence.