



## **Application by EPL 001 Ltd for Stonestreet Green Solar**

### **The Examining Authority's Second written questions and requests for information (ExQ2)**

**Issued on Tuesday 25 March 2025**

The following table sets out the Examining Authority's (ExA's) further written questions and requests for information – ExQ2.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex B to the Rule 6 letter of 22 October 2024. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which interested parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 2 (indicating that it is from ExQ2) and then has an issue number and a question number. For example, the first question on air quality and emissions issues is identified as Q2.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact [stonestreetgreensolar@planninginspectorate.gov.uk](mailto:stonestreetgreensolar@planninginspectorate.gov.uk) and include 'Stonestreet Green Solar' in the subject line of your email.

**Responses are due by Deadline 5: Tuesday 15 April 2025**



## Abbreviations used:

|                 |   |                 |   |
|-----------------|---|-----------------|---|
| <b>PA2008</b>   | The Planning Act 2008                   | <b>KCC</b>      | Kent County Council                                       |
| <b>ABC</b>      | Ashford Borough Council                 | <b>LIR</b>      | Local Impact Report                                       |
| <b>ABPC</b>     | Aldington and Bonnington Parish Council | <b>LPA</b>      | Local planning authority                                  |
| <b>AMSG</b>     | ALdington and Mersham Support Article   |                 |   |
| <b>Art</b>      |   |                 |   |
| <b>ALA 1981</b> | Acquisition of Land Act 1981            | <b>MP</b>       | Model Provision (in the MP Order)                         |
| <b>BoR</b>      | Book of Reference                       | <b>MP Order</b> | The Infrastructure Planning (Model Provisions) Order 2009 |
| <b>CA</b>       | Compulsory Acquisition                  | <b>NPS</b>      | National Policy Statement                                 |
| <b>CPO</b>      | Compulsory purchase order               | <b>NSIP</b>     | Nationally Significant Infrastructure Project             |
| <b>DDCO</b>     | Draft DCO                               | <b>R</b>        | Requirement   |
| <b>EA</b>       | Environment Agency                      |                 |   |
| <b>EM</b>       | Explanatory Memorandum                  | <b>SI</b>       | Statutory Instrument                                      |
| <b>ES</b>       | Environmental Statement                 | <b>SoS</b>      | Secretary of State  |
| <b>ExA</b>      | Examining authority                     | <b>TP</b>       | Temporary Possession                                      |

## The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

[EN010135-000556-Stonestreet Green Solar Examination Library.pdf](#)



It will be updated as the examination progresses.

## **Citation of Questions**

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg ExQ1 1.0.1 – refers to question 1 in this table.



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| ExQ2       | Question to:   | Question:  |
|------------|--|--|
| <b>1.</b>  | <b>General and Cross-topic Questions</b>   |  |
| <b>1.0</b> | <b>Policy and Legislative</b>  |  |
| Q1.0.1     | The Applicant  | <p><b>Planning and National Infrastructure Reforms</b></p> <p>Please consider whether there are any updates relevant to the Proposed Development and update the Planning Statement accordingly</p>   |
| <b>1.1</b> | <b>Site selection and alternatives</b>   |  |
| Q1.1.1     | The Applicant  | <p><b>Alternative sites</b></p> <p>AMSG in their deadline 4 submission [REP4-036] state:</p> <p>Areas 1 and 5 on the plan are owned by 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 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.</p> <p>Could the Applicant comment on this?</p> |
| <b>2.</b>  | <b>Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))</b> |  |

| ExQ2   | Question to:           | Question:  |
|--------|------------------------|--|
| Q2.0.1 | The Applicant          | <p><b>Barn Owl Surveys</b></p> <p>In Kent Wildlife Trust response to FWQs [REP3-053] they state:</p> <p>The reference to barn owl specific survey efforts seems to contradict other statements made in the submission. For example, under paragraph 9.5.94 of the above document it is stated that no barn owls were recorded during the bat surveys implying that standalone surveys were not carried out. Elsewhere the submission states that the only nocturnal bird survey conducted was for nightingale and makes clear that the presence of barn owls was not assessed during this survey.</p> <p>Can the Applicant clarify the position in regard to the surveys and can the barn owl survey be shared with the Kent Wildlife Trust?</p> |
| Q2.0.2 | The Applicant          | <p><b>Aquatic Invertebrates</b></p> <p>In KCC's response to first written questions [REP3-052] on this matter they recommend further monitoring on site to further support understanding of the issue. The Outline LEMP [REP3-020] does refer to monitoring in a generic manner. Is there bespoke monitoring needed for aquatic invertebrates?</p>   |
| Q2.0.3 | East Kent Badger Group | <p><b>Badger Group Consultation</b></p> <p>In response to the ExA's FWQs, the Applicant stated that the East Kent Badger Group had not contacted the Applicant to request and discuss the badger survey results. This was following on from your representation [RR-075] where it was</p>  |

| ExQ2                                   | Question to:  | Question:   |
|--|---------------|---|
|  |               | claimed it was impossible for you to obtain information on the Badger survey. PINS are unable to publish the Badger results due to their sensitivity, but you may wish to contact the Applicant to enquire whether they would share the results to further inform your representations in this Examination.   |
| Q2.0.4                                 | The Applicant | <p><b>Ecological Mitigation and Enhancement Strategy {EMES}</b></p> <p>Table 9.4: 2023 Statutory Consultation Response Summary in ES Chapter 9: Biodiversity [APP-033] references the preparation of an EMES. There is no reference to such a document within the Examination Library. Is this a standalone document and if so where can it be found?</p>   |
| <b>3. Best and Most Versatile Land</b> |               |   |
| Q3.0.1                                 | The Applicant | <p><b>Best and Most Versatile Land</b></p> <p>In response to a comment made by the ExA at CAH1 in its Written Summary of Oral Submissions at Compulsory Acquisition Hearing 1 and Responses to Action Points [REP1-074] states that “The Applicant has reviewed the Application documents that made reference to the assessment of agricultural land classification within the Site and the search area around the point of connection at Sellindge substation, and can confirm that no statements in the Application state that there is no BMV land within the Order Limits. If there are particular statements within the Application that the ExA or IPs wish to bring to the Applicant's attention in this regard, the Applicant confirms that it will review any such statements upon receipt of such notification”</p> |

| ExQ2  | Question to:         | Question:   |
|-------|----------------------|---|
|       |                      | The ExA wishes to draw the Applicants attention to the reference made in Appendix 16.1 of Chapter 16 [app-122] of the ES at Paragraph 5.61 where it states 'The majority of land within the Order limits is ALC Subgrade 3b and therefore does not fall within the definition of BMV agricultural land.' Could the Applicant revise the statement as there is clearly BMVL proposed to be used to deliver the project.  |
| Q3.02 | The Applicant<br>ABC | <b>Statement of Common Ground – Use of BMV</b><br><br>ABC in their LIR [REP1- 078] stated that they believed that the development would have a negative impact on the availability of BMV land contrary to Policy AB10 of the A&BNP, albeit this could be reduced to neutral if it can be demonstrated that the built infrastructure has been located so as to avoid high quality agricultural land. [REP1A-004]. Can either party confirm if this has been agreed as a neutral impact and include within the SoCG. |
| Q3.03 | The Applicant        | <b>Use of BMV land</b><br><br>Are there proposed to be any structures located on any BMV land within the application site or whether stockpiling of soils would take place on BMV?  |
| Q3.04 | The Applicant        | <b>Restoration of Agricultural Use</b><br><br>I note the principle contained within the Outline Decommissioning Environmental Manage Plan [APP-157] in relation to the protection and mitigation of soil quality. However, following the completion of Decommissioning, what will be the process of recommencing agricultural use on the Application Site?  |



| ExQ2                        | Question to:                                 | Question:  |
|-----------------------------|--|--|
| <b>4.</b>                   | <b>Draft Development Consent Order (DCO)</b> |  |
| <b>4.0</b>                  | <b>Articles</b>                              |  |
| Q4.0.1                      | The Applicant                                | <b>Requirement 14 Decommissioning Completion</b><br><br>Please consider adding a timeline for completion, for instance, completed within 12 months of decommissioning operations commencing.   |
| Q4.0.2                      | The Applicant                                | <b>Decommissioning Fund</b><br><br>The ExA notes the response to Action Point 5 in REP4-030 for ISH 3. Can the Applicant indicate how this would be enforceable on an entity that had to cease to trade and operate?   |
| <b>5.</b>                   | <b>Water Environment</b>                     |  |
| Q5.0.1                      | The Applicant                                | <b>New Data for Flood and Erosion Risk</b><br><br>In a letter dated 28 February 2025 [AS-027], the EA indicated their intention to publish new data in relation to flood and erosion risk on the 25 March 2025. Can the Applicant assess how the new data impacts on the Proposed Development? |
| <b>Landscape and Visual</b> |  |  |
| Q5.0.2                      | ABC<br>KCC                                   | <b>Surveys - Written Submission from Applicant following ISH3 [REP4-030]</b><br><br>Action Point 2 in relation to survey results, the Applicant makes the following statement- "The results show that observations made during the Site visits that  |

| ExQ2                             | Question to:  | Question:   |
|----------------------------------|---------------|---|
|                                  |               | <p>the local PRoW network is relatively lightly used are confirmed by the survey data. This is not unexpected given that the PRoW network currently offers limited connectivity between settlements.”.</p> <p>Can the local authorities confirm that they agree with this assertion?</p>  |
| Q5.0.3                           | The Applicant | <p><b>Alternative Scheme - Written Submission from Applicant following ISH3 [REP4-030]</b></p> <p>The ExA acknowledge the comment made in Action Point 3 on page 42 ....The re-introduction of wide pathways through areas identified for solar generation (as opposed to the paths following existing field boundaries) would materially reduce the generating capacity of the Project and therefore reduce the Project benefits and its contribution to achieving Government targets, including Clean Power 2030 but without undertaking significant work to design an alternative scheme it is not possible to be precise as to the reduction figure. However, is it not possible to quantify an approximate percentage down turn in energy generation capability?</p> |
| <b>6. Socio-economic Effects</b> |               |   |
| Q6.0.1                           | The Applicant | <p><b>Vulnerable Populations</b></p> <p>The ExA acknowledges that UK Health Security Agency were engaged pre-application and they stated in the response provided within the Scoping Opinion [for the Project that "Should no separate health chapter be produced the socio-economics chapter should include the identification of vulnerable populations. Section 12.7 of ES Chapter 12 Socio-Economics [REP1-024] reports on potential</p>  |

| ExQ2                                 | Question to:  | Question:  |
|--------------------------------------|---------------|--|
|                                      |               | health impacts resulting from the Proposed Development. However, it is noted that the Section does not reference any potential mental health impacts or baseline information. I note that the UKHSA specifically referenced mental health in their scoping opinion response [APP-059]. Could the Applicant provide commentary on mental health considerations within Chapter 12 of the ES. |
| Q6.02                                | The Applicant | <b>RSK Noise Assessment submitted by Dr Trish Bromley [REP4-050]</b><br><br>Could the Applicant comment and review the noise assessment submitted by Dr Bromley.   |
| Q6.03                                | The Applicant | <b>D4 submission Gloria Child on behalf of Mr &amp; Mrs Colby [REP4-051]</b><br><br>Could the Applicant comment and review the submission.   |
| <b>7. Transportation and Traffic</b> |               |  |
| Q7.01                                | The Applicant | <b>Councillor Clair Bell</b><br><br>In my FWQs I asked (Q10.0.07) about further engagement with Councillor Clair Bell. In your response you outlined previous engagement but not any current or proposed engagement as originally asked. Could the Applicant respond to the original question and set out what further engagement has been undertaken or planned with the Councillor?      |
| Q7.02                                | The Applicant | <b>Mr David Swarbrick's video [REP4-043]</b>   |

| ExQ2                              | Question to:                       | Question:   |
|-----------------------------------|------------------------------------|---|
|                                   |                                    | Can the Applicant comment on Mr Swarbrick's references to each footpath referenced within the video and the proposed diversions referenced at approximately 10:00 minutes into the video.                                     |
| Q7.03                             | The Applicant                      | <b>AE 474 footpath</b><br><br>In ABPC's written submission at D4[REP4-034] they claim that the Applicant has failed to explore alternative accesses. Please could you comment?  |
| <b>8. Battery Storage Systems</b> |                                    |   |
| Q8.01                             | The Applicant or Kent Fire Service | <b>Domestic battery storage versus commercial battery storage</b><br><br>Is there a difference between the two storage systems given the risk of fire safety highlighted in Dr Patricia Bromley's rep [AS-023] at Deadline 3? |
| Q8.02                             | Fire Authority or The Applicant    | <b>Water capacity</b><br><br>How would a local or national drought impact on water supply and fire safety?  |
| Q8.03                             | The Applicant                      | <b>Firewater Recovery</b>   |

| ExQ2  | Question to:                 | Question:   |
|-------|------------------------------|---|
|       |                              | <p>Paragraph 4.4.15 of the Outline Battery Safety Management Plan [APP-161] states: “The Battery Energy Storage Systems Unit locations are designed to ensure any firewater required is contained such that there will be no leakage of polluted water into the surrounding area following a fire event”.</p> <p>Furthermore , in 5.2 to 5.3 of the SOCG with the Environment Agency [REP3-028] in relation to the Inverter and Battery unit location, it states “ The location of inverter and battery units will be carefully planned to ensure that any firewater is contained, preventing any polluted water from leaking into the surrounding area following a fire.” And in relation to Firewater management, it states “Collected firewater will be pumped into tankers and removed from the site for treatment and disposal at a licensed facility.</p> <p>Can the Applicant explain the detail of how firewater will be recovered and stored on site and then disposed of? Noting the Applicant’s comments in the SOCG with the Environment Agency [REP3-028] that the Inverter Stations and Project Substations compounds will be constructed with an impermeable lining and with stormwater storage provided above this within a gravel Subbase.</p> <p>Can the Applicant also detail if the design is 100% guaranteed to prevent pollution of the surrounding area, and whether there is any further mitigation necessary to prevent firewater pollution?</p> |
| Q8.04 | Kent Fire and Rescue Service | <b>Water Capacity</b>   |

| ExQ2  | Question to:                 | Question:   |
|-------|------------------------------|---|
|       |                              | Katie Lam MP at OFH2 and in her representation [REP1-129] and Dr Bromley suggests that the water supply in the event of an outbreak of fire may be insufficient based on the recent domestic car battery fire in Aldington. The Applicant reaffirmed that there was a sufficient water supply to deal with any incidents of fire on the Proposed site. Can the Fire Authority confirm that they still maintain that adequate water supplies to the proposed site are available in the event of an outbreak of fire. Please could the Fire Authority comment on this please? |
| Q8.05 | Kent Fire and Rescue Service | <b>Optimal Fire Fighting Layout</b><br><br>Could the design and location of the battery storage systems and for that matter the overall layout of the development be improved to make fire fighting easier in the event of an outbreak of fire?   |
| Q8.06 | Kent Fire and Rescue Service | <b>Liverpool Battery Storage Fire</b><br><br>In terms of the recent battery storage fire incident on Merseyside, are there any revised guidelines or advice emanating from the review of the case?  |
| Q8.07 | The Applicant                | <b>Clean Agent Suppression Systems</b><br><br>In response to Action Point 4 of written responses to ISH4 [REP4-031] The Applicant states "There was a blast event as the Liverpool BESS design did not integrate a gas exhaust system or deflagration panels and integrated a clean   |

**ExQ2: 25 March 2025**

**Responses due by Deadline 5: Tuesday 15 April 2025**

| ExQ2 | Question to: | Question:   |
|------|--------------|---|
|      |              | agent suppression system which significantly increases explosion risks in BESS failure scenarios. The ExA acknowledges that gas venting and deflagration panels are proposed in the Outline BSMP. Can the Applicant confirm that clean agent Suppression systems won't be used as part of the implementation of the BESS? |