

## **Deadline 5 Response from Aldington and Bonnington Parish Council**

### **Comments on the applicant's draft Development Consent Order (d)DCO at deadline 3**

**15 April 2025**

1. Aldington and Bonnington Parish Council wish to comment on the Draft Development Consent Order (d)DCO Version 6 (PINS Ref: EN010135; Doc Ref. 3.1(E)) published at Deadline 4 in March 2025.
2. We are extremely concerned that the definition of “maintain” (Article 2 of the (d)DCO) continues to be written in such a way as to go well beyond the scope of what is necessary in this scheme and similar schemes.
3. We refer to our Deadline 4 Submission, published on 13 March 2025. This set out that the Applicant’s argument that the definition of ‘maintain’ currently being used has clear precedent in other solar DCOs (e.g. *Cleve Hill Solar Park Order 2020 and the Little Crow Solar Park Order 2022*) is an outdated approach. More recent solar DCOs (e.g. *The Longfield Solar Farm Order 2023 and The Mallard Pass Solar Farm Order 2024*) have debated the scope of the definition of ‘maintain’ and the Inspector has concluded that a more refined definition is required to avoid unintended consequences on how all aspects of the site are maintained in a way that would not cause materially new or materially different environmental effects to those identified in the Environmental Statement.
4. Definition in the Longfield Solar DCO: “maintain” includes inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace and improve any part of, but not remove, reconstruct or replace the whole of, the authorised development and “maintenance” and “maintaining” are to be construed accordingly.”
5. Definition in the Mallard Pass Solar DCO: “maintain” includes inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace and improve any part of the authorised development (but not remove, reconstruct or replace the whole of Work No. 1 at the same time), to the extent that such works do not give rise to any materially new or materially different environmental effects than those identified in the environmental statement for the operation of the authorised development and “maintenance” and “maintaining” are to be construed accordingly.”
6. **We respectfully request the Inspector to require the definition of the word ‘maintain’ in the dDCO to be redrafted in line with the more recent precedents, which would go some way to minimising the negative impacts of the scheme and reassuring the community that there is some control over the powers granted by way of the DCO.**