Stonestreet Green Solar

Responses to Examining Authority's Second Written Questions

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1 Introduction

1.1 Purpose of the Report

1.1.1 This report provides the Applicant's responses to the **Examining Authority's Second written questions and requests for information (ExQ2)** [PD-008] issued on 25 March 2025 in respect of the proposed Stonestreet Green Solar project (the Project).

1.2 Structure

1.2.1 Section 1 of this report sets out the purpose and structure of this report and explains the approach taken by the Applicant in preparing responses. Section 2 of this report provides the Applicant's responses to the questions raised of the Applicant by the Examining Authority (ExA), including signposting to other responses and documents where appropriate. Where questions have been raised of other parties, the Applicant has not provided a response to those questions except where it considers that it would be helpful for the ExA for it to do so.

1.3 Approach

1.3.1 To minimise duplication, the Applicant has sought to cross-refer back where appropriate to responses provided at Deadlines 1, 2, 3 and 4 [REP1-061] [REP2-034] [REP3-046] [REP4-029], or **Responses to First Written Questions (Doc Ref. 8.11)** [REP3-047], or other relevant submissions that have been entered into the Examination.

1.3.2 The Applicant has also sought to cross-refer back to responses provided in the **Responses to Deadline 4 Submissions (Doc Ref. 8.15)**, is also being submitted at Deadline 5.

2 Response to the Examining Authority's Second Written Questions

2.1 Overview

2.1.1 The following topics were raised by the ExA in the **ExQ2** [PD-008]:

- General and Cross-topic Questions;
- Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA));
- Best and Most Versatile Land;
- Draft Development Consent Order (DCO);
- Water Environment;
- Landscape and Visual;
- Socio-economic Effects;
- Transportation and Traffic; and
- Battery Energy Systems.

2.1.2 The tables below provide the Applicant's response to these topics arranged under the headings listed above, supported by identification of sub-themes for clarity and ease of reference.

2.2 Responses to Second Written Questions (ExQ2)

Table 2-1: General and Cross-topic Questions

ExQ2 Ref	Question	Applicant's Response
1.0 Policy and Legislative		
Q1.0.1	**The Applicant: Planning and National Infrastructure Reforms** Please consider whether there are any updates relevant to the Proposed Development and update the Planning Statement accordingly	The Applicant is aware that a draft of the Infrastructure Planning (Onshore Wind and Solar Generation) Order 2025 has been laid before Parliament for approval. The Order is not due to come into force until 31 December 2025, by which date the DCO Application for the Project should have been determined based on the current anticipated programme. In any event, however, Articles 5 to 7 of the Order provide transitional and saving provisions for solar projects with a capacity between 50 and 100 MW that have had their application accepted for examination (such as for the Project) or had their application approved or refused under the 2008 Act regime, to allow them to remain under the 2008 Act regime. The amendments that will be made by the Order once it comes into force therefore do not apply to the DCO Application for the Project and the Applicant considers no update is required to the Planning Statement.
1.1 Site selection and alternatives		
Q1.0.2	**The Applicant: Alternative sites** AMSG in their deadline 4 submission [REP4-036] state: 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	Please refer to row 4.2.1 under the heading 'Alternative Land' in Table 2-2 in Section 2.3 of the **Responses to Deadline 4 Submissions (Doc Ref. 8.15)**.

ExQ2 Ref	Question	Applicant's Response
	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. Could the Applicant comment on this?	

Table 2-2 Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))

ExQ2 Ref	Question	Applicant's Response
2.0 Biodiversity		
Q2.0.1	**The Applicant: Barn Owl Surveys** In Kent Wildlife Trust response to FWQs [REP3-053] they state: 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 Applicant responded to Kent Wildlife Trust on this matter at Q2.0.10 in Table 2-4 of the **Responses to Deadline 3 Submissions (Doc Ref. 8.13)** [REP4-029] and has not received any submissions or response from Kent Wildlife Trust on barn owl surveys since then. The Applicant notes that AMSG raised the same concern at Deadline 4, which has been addressed in Table 2-2 of the **Responses to Deadline 4 Submissions (Doc Ref. 8.15)** at row 3. Barn owl was assessed as part of a site-specific survey. **ES Volume 4, Appendix 9.5n: Schedule 1 Bird Species Report (Doc Ref. 5.4)** [APP-

ExQ2 Ref	Question	Applicant's Response
	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. Can the Applicant clarify the position in regard to the surveys and can the barn owl survey be shared with the Kent Wildlife Trust?	090] provides the ExA with details of the methods and findings of a Schedule 1 Breeding Bird Survey, which included barn owl. The Applicant clarified in Table 2-4 in the **Responses to Deadline 3 Submissions (Doc Ref. 8.13)** [REP4-029] at row Q2.0.10 that the statement made in paragraph 9.5.94 of **ES Volume 2, Chapter 9: Biodiversity (Doc Ref. 5.2)** [APP-033] is to indicate that the barn owls were not seen during the bat surveys, which were undertaken at the same time as the optimal barn owl foraging periods (i.e. at dusk). The sentence was not intended to imply that barn owls were assessed only during bat surveys, rather to provide extra context that they were also not seen during the bat surveys, which were undertaken at the same time as the optimal barn owl foraging periods (i.e. at dusk). It is not true that only nightingale was assessed in the bird survey. The results of the Schedule 1 Breeding Bird Survey were provided to KCC and the ExA. The Applicant is not able to share these survey results publicly due the restrictions as a protected status of species under Schedule 1 of the Wildlife and Countryside Act 1981.
Q2.0.2	**The Applicant: Aquatic Invertebrates** 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?	The requirement to undertake pre-commencement surveys is secured by the **Outline LEMP (Doc Ref. 7.10(B))** [REP3-020] and will be prepared as part of the detailed LEMPs submitted to discharge Requirement 8 (Landscape and biodiversity) of Schedule 2 to the **Draft DCO (Doc Ref. 3.1(F))**. Given the nature of the Project and impacts, the poor existing baseline of the East Stour River and the distance of the PV arrays from the main areas of aquatic habitat enhancement in Field 27, it is not considered that bespoke monitoring is required for aquatic invertebrates. The Applicant notes that the **Statement of Common Ground with Kent County Council (Doc Ref. 8.3.4(C))** [REP4-019] was agreed in this context and the Applicant understands that KCC have no objections to the approach set out in the **Outline LEMP (Doc Ref. 7.10(B))** [REP3-020].

ExQ2 Ref	Question	Applicant's Response
Q2.0.3	**East Kent Badger Group: Badger Group Consultation** 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 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.	The Applicant notes that results of the Badger Survey were provided to KCC and the ExA. The Applicant is not able to share these survey results with the East Kent Badger Group due to restrictions as a protected status species under the Protection of Badgers Act 1992.
Q2.0.4	**The Applicant: Ecological Mitigation and Enhancement Strategy (EMES)** 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?	Table 9.4 in in **ES Volume 2, Chapter 9: Biodiversity (Doc Ref. 5.2)** [APP-033] provides a summary of the responses to the Preliminary Environmental Information Report (PEIR) Addendum (published to support the pre-application statutory consultation), which include a consultee comment from KCC Biodiversity in relation to an Ecological Mitigation and Enhancement Strategy (EMES). The key ecological mitigations and enhancement strategies that were included in the EMES document at that time (i.e. pre-application) are now included in the **Outline CEMP (Doc Ref. 7.8(A))** [REP1-044] and the **Outline LEMP (Doc Ref. 7.10(B))** [REP3-020]. As a result no EMES document was submitted, and no EMES document is required, as part of the Application.

Table 2-3 Best and Most Versatile Land

ExQ2 Ref	Question	Applicant's Response
3. Best and Most Versatile Land		
Q3.0.1	**The Applicant: Best and Most Versatile Land** 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" 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.	Paragraph 5.5.1 of **ES Volume 4, Appendix 16.1: Soils and Agricultural Land Report (Doc Ref. 5.4)** [APP-122] states that "*The predominant ALC grading within the Site is Subgrade 3b (143.47 ha), with the remaining agricultural land comprising Subgrade 3a land (36.69 ha) and Grade 2 land (1.95 ha). The total area of BMV land within Site is 38.64 ha.*" For clarity, the Applicant has updated paragraph 5.6.1 of **ES Volume 4, Appendix 16.1: Soils and Agricultural Land Report (Doc Ref. 5.4)** [APP-122] to include the following words shown here in bold: "The majority of land **(approximately 143 ha of the total Site area of 192ha)** within the Order limits is ALC Subgrade 3b and therefore does not fall within the definition of BMV agricultural land. […]" The Applicant is not aware of any statement within the Application where it is stated that there is no BMV agricultural land within the Order Limits. For the avoidance of doubt **ES Volume 4, Appendix 16.1: Soils and Agricultural Land Report (Doc Ref 5.4)** confirms that approximately 20% of the land within the Order Limits is BMV agricultural land, with the remaining 80% being non-BMV agricultural land.

ExQ2 Ref	Question	Applicant's Response
Q3.0.2	**The Applicant and ABC: Statement of Common Ground – Use of BMV** 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.	The use of BMV land and the degree of impact on the BMV land are matters of agreement with Natural England as stated in rows NE6 and 2.6.1 in Section 2.6 of the **Signed Statement of Common Ground with Natural England (Doc Ref. 8.3.7(C))** [REP4-021]. Natural England confirm, noting that less than 1% of infrastructure works are expected to be sited on BMV land, that the overall impact from the Project to BMV agricultural land is limited. In relation to the position with Ashford Borough Council (ABC) the Applicant notes that ABC's Local Impact Report [REP1-078] at paragraph 12.8 confirms that ABC considers the Project would have a neutral local impact. The Applicant will request that this is included in the Statement of Common Ground between the Applicant and ABC.
Q3.0.3	**The Applicant: Use of BMV land** 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?	As noted in the previous response less than 1% of BMV is anticipated to be required for structures. In relation to stockpiling of soils the Applicant notes Natural England's position stated in row NE6 in Section 2.6 of the **Signed Statement of Common Ground with Natural England (Doc Ref. 8.3.7(C))** [REP4-021] that confirms Natural England welcomes the management measures set out in the **Outline CEMP (Doc Ref. 7.8(A))** [REP1-044] stating: *"The report identifies in section 5.6.5 (p29) [of the Soils and Agricultural Land Report], 'The only potential requirement for the stripping, temporary stockpiling or storage of topsoil would be associated with the construction of any required cable trenches, access tracks, Inverter Stations, Project Substation and Intermediate Substations associated with Work No.s 2, 3, 4 and 5 (referred to here as 'built infrastructure'), this is estimated to be approx. 10 ha (5%) of the Site total area.'*

ExQ2 Ref	Question	Applicant's Response
		"Natural England welcomes the site will apply good practice soil management measures in line with, Defra's Code of Practice for the Sustainable Use of Soils on Construction Sites, and the commitment to deliver this approach through the Outline Construction Environmental Management Plan (CEMP). *Natural England welcomes the CEMP (APP-153 7.8 Outline Construction Environmental Management Plan) will include (p37) s6.1.1 an Outline Soil Management Plan (SMP) prepared in line with: Construction Code of Practice for the Sustainable Use of Soils on Construction Sites28 (Defra, 2009); British Standard: Specification for Topsoil (BS 3882:2015); British Standard: Specification for subsoil and requirements for use (BS 8601:2013) and Good Practice Guide for Handling Soils (MAFF, 2000)."*
Q3.0.4	**The Applicant: Restoration of Agricultural Use** 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?	Following decommissioning of the Project as detailed in the **Outline DEMP (Doc Ref. 7.12)** [APP-157], the land parcels will be returned to the landowners. Paragraph 3.16.4 and paragraph 3.16.5 in Section 3.16 of **ES Volume 2, Chapter 3: Project Description (Doc Ref. 5.2(A))** [REP1-018] summarise the assumptions for the purposes of the EIA: *'3.16.4: Post-decommissioning the Site will be returned to the control of the landowners. For the purposes of the EIA, it has been assumed that the landowners will return those areas of the Site that are currently in arable use back to arable use, except for limited areas of established habitats.* *3.16.5: Following the removal of infrastructure, soil will be tilled to mitigate for any compaction. Areas where grass does not exist*

ExQ2 Ref	Question	Applicant's Response
		because of the footprint of Project infrastructure (e.g. the Project Substation) shall be reseeded.' Specific detail on the decommissioning programme will be provided within the detailed DEMP(s), with phasing information secured by Requirement in the **Draft DCO (Doc Ref. 3.1(F)).**

Table 2-4 Draft Development Consent Order (DCO)

ExQ2 Ref	Question	Applicant's Response
4. Articles		
Q4.0.1	**The Applicant: Requirement 14 Decommissioning Completion** Please consider adding a timeline for completion, for instance, completed within 12 months of decommissioning operations commencing	Requirement 14(1) in Schedule 2 of the **Draft DCO (Doc Ref. 3.1(F))** provides that decommissioning works must commence no later than the 40th anniversary of the first export date. Taking this into account, the Environmental Statement has assessed the likely significant effects of the Project including at the decommissioning stage. The Applicant considers that the controls in Requirement 14 are proportionate and appropriate to mitigate the effects of the Project. The Applicant is not aware of any solar DCO (including those granted very recently) in which the Secretary of State considered that it was necessary to impose a requirement on the undertaker in the DCO to complete the decommissioning of the solar farm within a fixed time period such as 12 months. Additionally, there is nothing within NPS EN-1 or NPS EN-3 that suggests that such a control would be necessary or reasonable, with paragraph 4.1.16 of NPS EN-1 confirming that "*The Secretary of State should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.*"

ExQ2 Ref	Question	Applicant's Response
Q4.0.2	**The Applicant: Decommissioning Fund** 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?	Although this question has been raised in the context of decommissioning, the identity and status of the undertaker is relevant to all stages of the Project. The "undertaker" is defined in Article 2(1) of the **Draft DCO (Doc Ref. 3.1(F))** to mean "*EPL 001 Limited or any person who for the time being has the benefit of this Order in accordance with articles 6 (benefit of the Order) and 7 (consent to transfer benefit of the Order)*". Under Article 6, EPL 001 Limited, National Grid (Work No. 4) and UK Power Networks (Work Nos. 3 and 4) have the benefit of the DCO so are treated as being the undertaker for this purpose. Under Article 7, the undertaker may transfer the benefit of the Order to a transferee or lessee who will be treated as being the undertaker for this purpose and will be subject to the same restrictions, liabilities and obligations as the undertaker. This is a common approach included in numerous made DCOs, as explained in sections 3.4 and 3.5 of the **Explanatory Memorandum (Doc Ref. 3.3(F))**. Save in respect of the payment of compensation, the Draft DCO does not include any provisions requiring financial security to be put in place by the undertaker to cover the costs of carrying out the construction, operation or decommissioning of the Project. Again, this is common practice across numerous made DCOs. There is no requirement in legislation or national policy for a DCO to include security of this nature. Had the Government considered that solar DCOs should require security to be in place to cover the costs of carrying out the decommissioning works, it would have been open to the Government when updating the Energy NPSs last year or when drafting the Planning and Infrastructure Bill this year to have included this. However, the Government did not. Equally, the Government could have imposed this requirement in any of the made solar DCOs but as far as the Applicant is aware it has not, including in the DCOs for the West Burton Solar Farm, Sunnica Energy Farm, Mallard Pass Solar Farm, Longfield Solar Farm, Little Crow Solar Park, Heckington Fen Solar Park, Gate Burton Energy Park, Cottam Solar

ExQ2 Ref	Question	Applicant's Response
		Project, and Cleve Hill Solar Park. The Government has also not required financial security to secure decommissioning obligations for other recently made energy DCOs, including offshore wind and energy from waste technology. This is not an inadvertent omission. As explained at Action Point 5 in the **Written Summary of the Applicant's oral submissions at Issue Specific Hearing 3 and responses to Action Points (Doc Ref. 8.14.1)** [REP4-030], this point was expressly considered in the Mallard Pass Examination and the ExA and Secretary of State concluded that security for decommissioning costs was not required. For the Cleve Hill Solar Park, the ExA explained in its report (paragraph 12.3.50): *"…it was not necessary to provide a financial bond as guarantee as the enforcement mechanisms in the PA2008 were rigorous, criminal liability would be a possible consequence of a breach of the Requirement, and The Proceeds of Crime Act 2002 added further deterrent to a breach. Moreover, it was not routine practice for DCOs to incorporate decommissioning bonds.* ***Without clear precedent or Government guidance, we see no basis to justify a financial bond secured by requirement in the DCO. Moreover, we do not believe that such a requirement would meet the relevant law and policy on the drafting of requirements"*** (our emphasis). A similar conclusion was reached following consideration of this issue during other examinations, including for the Gate Burton Energy Park DCO (see paragraph 7.3.10 of the ExAR) and Longfield Solar Farm (see Section 4.5 of the applicant's Written Summary of Oral Submissions – Development Consent Order Issue Specific Hearing). The idea of decommissioning security is therefore not a novel concept but one that has been considered and dismissed repeatedly for DCOs. Given that the Secretary of State did not consider that it was required for the other solar DCO projects, in respect of which the Applicant's believes the

ExQ2 Ref	Question	Applicant's Response
		decommissioning costs will significantly exceed that of Stonestreet Green Solar, it cannot possibly be the case that it is required for the Project. To impose a requirement of this nature on the Project would be disproportionate, inappropriate and unnecessary. It would create a damaging precedent with wide-reaching implications for renewable energy in the UK. It would place an additional financial burden on developers of urgently needed low carbon infrastructure, which NPS EN-1 describes as being of critical national priority, and would jeopardise the UK's commitment to net zero.

Table 2-5 Water Environment

ExQ2 Ref	Question	Applicant's Response
5. Water Environment		
Q5.0.1	**The Applicant: New Data for Flood and Erosion Risk** 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?	The Environment Agency Flood Map for Planning (FMP) was recently updated on 25 March 2025 to reflect the updated National Flood Risk Assessment data (NaFRA2) and introduces: ▪ New and updated Flood Zones; ▪ Datasets indicating the possible effects of climate change on future flood risk extents; ▪ A new dataset showing 1 in 30 (3.3%) annual chance of flooding from rivers and sea extents, with any existing defences operating effectively; and ▪ Present day 'Risk of flooding from surface water' extents. As noted in the Cover Letter [REP4-001] submitted at Deadline 4, the Applicant's flood risk consultant (SLR Consulting) has considered whether the updated Flood Map for Planning has any implications for the Project or

ExQ2 Ref	Question	Applicant's Response
		whether updated assessments are required. A **Flood Risk Technical Note (Doc Ref. 8.18)** has been prepared by SLR Consulting which accompanies the Deadline 5 submission and confirms that: ▪ The assessment of all sources of flood risk provided as part of the submitted **ES Volume 4, Appendix 10.2: Flood Risk Assessment (Doc Ref. 5.4(A))** [REP1-036] [REP1-037] and [REP1-038] does not change as a consequence of the updated FMP; ▪ The assessment of effects reported in **ES Volume 2, Chapter 10: Water Environment (Doc Ref. 5.2(B))** [REP1-022] remains valid; ▪ The **Outline Surface Water Drainage Strategy (Doc Ref. 7.14(C))** [REP4-013] remains valid; ▪ No additional assessments are required; and ▪ No changes to construction, operation or decommissioning of the Project are considered necessary in light of updated FMP. The mapping is more detailed than the previous FMP. However, the site-specific hydraulic modelling study undertaken for the Project remains the best available. The parameters of this modelling study were agreed with the Environment Agency and all of the scheme has been developed and assessed against that data. The Applicant now also has a signed SoCG with the Environment Agency. Figure 10.2.8: Flood Map for Planning; Figure 10.2.9: Long Term Flood Risk Rivers and Sea; and Figure 10.2.10: Long Term Flood Risk Surface Water of **ES Volume 4, Appendix 10.2: Flood Risk Assessment (Doc Ref. 5.4(B))** have been updated. Figure 10.4: Flood Map for Planning of **ES Volume 3, Chapter 10: Water Environment Figures 10.1-10.8 (Doc Ref. 5.3(A))** has been updated to reflect the updates to the new data for flood and erosion risk.

Table 2-6 Landscape and Visual

ExQ2 Ref	Question	Applicant's Response
Landscape and Visual		
Q5.0.2	**ABC and KCC: Surveys - Written Submission from Applicant following ISH3 [REP4-030]** 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 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*." Can the local authorities confirm that they agree with this assertion?	The survey results are factual evidence of the level of usage of PRoW at survey locations that were agreed in advance with KCC over a 7.5-day period in August 2022 (23-30th inclusive of the Bank Holiday weekend). Fewer than 10 one-way trips per day were observed at six of the eight survey locations across the 7.5-day survey period with a number of locations not recording any usage during the survey period (including the AE454 going north from the AE474 which is proposed to be diverted and has been raised as a concern in representations). Survey location 3, east-west is the AE474 travelling from Goldwell Lane to Church Lane (towards Aldington Church) and is the closest PRoW in the study area to Aldington and has by far the highest usage with an average of 26 one-way trips (13 two-way trips) per day over the study period. The Applicant considers the usage evidence confirms the conclusion that the "PRoW network is relatively lightly used". Please refer to the **Written Summary of Oral Submissions from Issue Specific Hearing 3 and Responses to Action Points (Doc Ref. 8.14.1)** [REP4-030] at Action Point 2 for further details.
Q5.0.3	**The Applicant: Alternative Scheme - Written Submission from Applicant following ISH3 [REP4-030]** The ExA acknowledge the comment made in Action Point 3 on page 42 ....*The re-introduction of wide pathways through areas identified for solar*	Please refer to the **Written Summary of Oral Submissions from Issue Specific Hearing 3 and Responses to Action Points (Doc Ref. 8.14.1)** [REP4-030] at Action Point 3 for the Applicant's detailed response on this matter. In summary the Applicant has sought to maximise the generating capacity of the Project and the use of the available grid capacity at Sellindge to

ExQ2 Ref	Question	Applicant's Response
	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?	maximise the benefits that can be delivered, whilst at the same time as avoiding unacceptable harm to the environment. NPS EN-3 paragraphs 2.10.40-2.10.45 identify and acknowledge that solar NSIPs may affect the provision of PRoW and detail how applicants should have regard to this in terms of approach to project design. The Applicant has sought to minimise impacts on PRoW recreational use where possible and has included a number of new PRoWs which will improve the connectivity of the network, including in areas identified by KCC and ABC. The proposed diversions do not lead to any additional visual impacts compared to retaining the current PRoW network and therefore designing the Project around the existing PRoW would result in the same reported landscape and visual effects. In relation to amenity, **ES Volume 2, Chapter 12: Socio Economics (Doc Ref. 5.2(B))** [REP1-024] identifies adverse effects, but these are assessed as negligible to minor adverse (not significant). Overall, the effects on PRoWs are considered to be limited, especially relative to the scale of the Project and the significant benefits to which the Project gives rise. The re-introduction of wide pathways through areas identified for solar generation (as opposed to the proposed diversion 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. The Applicant does not consider it appropriate to estimate a reduction without undertaking a full redesign of the Project, and further notes that it is not considered necessary, proportionate or in accordance with policy to undertake such a design process given that the evidence and assessments, which are not disagreed with by either local authority, show the scheme for which development consent is sought to be acceptable in

ExQ2 Ref	Question	Applicant's Response
		planning terms on its merits. The Applicant's position in relation to this is supported by NPS EN-1: Paragraph 4.3.22 states that "*consideration of alternatives should be carried out in a proportionate manner" and that "only alternatives that can meet the objectives of the proposed development need to be considered*". Paragraph 4.3.23 states that "*the Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development.*"

Table 2-7 Socio-economic Effects

ExQ2 Ref	Question	Applicant's Response
6. Socio-economic Effects		
Q6.0.1	**The Applicant: Vulnerable Populations** 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 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	The Applicant has directly considered the baseline/context and potential effects on human health within **ES Volume 2, Chapter 12: Socio-Economics (Doc Ref. 5.2(B))** [REP1-024] at the following paragraphs: - Summary of population characteristics and self-reported general health - Table 12.16 - Description of methodology relating to the assessment of health and wellbeing effects – Paragraphs 12.4.40 to 12.4.52 - Construction phase health and wellbeing effects – Paragraphs 12.7.58 to 12.7.71 - Operational phase health and wellbeing effects – Paragraphs 12.7.105 to 12.7.120

ExQ2 Ref	Question	Applicant's Response
	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.	- Decommissioning phase health and wellbeing effects – Paragraphs 12.7.131 to 12.7.142 That assessment sets out how the design of the Project, and any mitigation measures required, will address any potential negative effects on population health arising from the construction, operation, maintenance and decommissioning phases of the Project, but also promote and sustain healthy lifestyles. The receptor for human health effects is the local community, with the scale determined by the scale of assessments within the **ES Volume 2, Chapter 12: Socio-Economics (Doc Ref. 5.2(B))** [REP1-024] but most relevant to the Local Study Area. Health and wellbeing effects during construction, operation and decommissioning phases have been considered – as set out at **ES Volume 2, Chapter 12: Socio-Economics (Doc Ref. 5.2(B))** [REP1-024] paragraph 12.2.5 – in line with general industry-standard guidance such as the Healthy Urban Development Unit (HUDU) Guidance[1] and Institute of Environmental Management and Assessment (IEMA) Guidance[2], which set out the context of how projects of this nature can impact on health, identifying relevant pathways towards health outcomes. Both the IEMA and HUDU guidance make specific reference to good practice in considering mental health and wellbeing in developing EIA, noting specifically that significance conclusions should give parity to physical health and mental health across the analysis of bio-physical, social, behavioural, economic and institutional influences on population health outcomes. In-line with the above guidance, the Applicant has considered both mental and physical health and wellbeing together, recognising their intrinsic link and shared pathways from source to effect.

[1] London Healthy Urban Development Unit (HUDU), (2019). Rapid Health Impact Assessment Tool, 4th Edition – October 2019.
[2] Institute of Environmental Management & Assessment, (2022). Determining Significance For Human Health In Environmental Impact Assessment – November 2023

ExQ2 Ref	Question	Applicant's Response
		The Applicant also notes that the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) require the consideration of the potential effects on human health where significant effects are likely to occur, and that any assessment should be proportionate to the project being considered. Technical assessments within the EIA, where relevant under IEMA guidelines and the EIA Regulations, consider health effects proportionately including through presentation of baseline positions, policy context, and consideration of health pathways for people relevant to each technical assessment. As such, measures are identified as part of the relevant technical assessments within the EIA to reduce and/or minimise adverse environmental effects resulting from the proposed development which could impact on human health. <u>Environmental Effects</u> Air quality, noise and other environmental changes reported throughout the Environmental Statement (such as landscape and visual, contamination, water environment, biodiversity and traffic and transport) are influences on both physical and mental health and wellbeing. Within each relevant technical assessment in the EIA listed above, the impact on the local community (at different scales, as relevant) is considered in line with the national standards and guidance. In-line with paragraph 4.4.7 of NPS EN-1, these already include maximum permitted thresholds for impact on human health in order to ensure that negative impact is identified and minimised – thresholds are informed by what is and is not acceptable in terms of human health. These thresholds are detailed in each relevant technical chapter of ES Volume 2 Main Text. It is noted that, as set out in **ES Volume 4, Appendix 1.1: Scoping Report (Doc Ref. 5.4)** [APP-059], effects related to air quality have been scoped out of the assessment because no significant effects are

ExQ2 Ref	Question	Applicant's Response
		anticipated. It is considered that the implementation of effective mitigation measures during the construction phase, as outlined in **Outline CEMP (Doc Ref. 7.8(A))** [REP1-044], will substantially reduce the potential for nuisance dust and fine particulate matter to be generated and therefore the effects on air quality are likely to be not significant. The assessment in **ES Volume 2, Chapter 12: Socio-Economics (Doc Ref. 5.2(B))** [REP1-024] draws together the conclusions of various other topic chapters, specifically those with human receptors where thresholds and assessments of significance are informed by the health and wellbeing implications of change, to understand the instances where effect could impact human health. The assessment concludes that (in some cases) as a result of mitigation embedded within Control Documents each individual assessment is unlikely to result in changes of significance. Some assessments do not consider thresholds to be breached and therefore do not require mitigation. In some cases single environmental effects on single receptors are considered significant (landscape and views) – though in isolation this is not considered to translate into a significant effect on amenity and health at a population scale. As a result, given the range of factors that are not considered significant, and the Applicant's approach to proactive management strategies, monitoring and engagement secured by the Control Documents, the effect on amenity and health is considered to be Negligible to Minor Adverse (not significant). In some cases, the ES reports opportunities for improvements and enhancements to accessibility and active travel that may cause localised and individual benefits to amenity and health. <u>Changes in Access / Recreational Activity</u> Guidance notes that there is a strong evidence base in the scientific literature for a causal relationship between physical activity and good

ExQ2 Ref	Question	Applicant's Response
		physical and mental health, and that supporting or providing opportunities for walking and cycling can increase physical activity and help prevent chronic diseases, reduce risk of premature death and improve mental health. As such, the assessment in **ES Volume 2, Chapter 12: Socio-Economics (Doc Ref. 5.2(B))** [REP1-024] also considers the impacts of traffic and transport changes for example quantifying effects which may result in changes to actual or perceived amenity or safety (for example related to fear and intimidation on and by road users), or on health and wellbeing where community links and access to facilities and employment may be materially changed (i.e. via severance of communities, driver and passenger delay), and the impact of changes to PRoW and access in relation to active lifestyles of individuals – concluding that: - Project design (for example the internal haulage road bypassing several highway width constraints would remove the need for construction traffic to pass through the centre of Aldington) and embedded mitigation via the **Outline CTMP (Doc Ref. 7.9(C))** [REP3-018] helps to minimise the impact of construction traffic generated by the Project by employing best-practice. - It is secured that any PRoW would not be closed during the construction phase without a suitable temporary or permanent alternative in-place, which in most cases would be the proposed alternative for the operational phase. - A number of engagement, monitoring and management measures to ensure safe and convenient access to and use of the PRoW network during the construction phase are secured by the **Outline CTMP (Doc Ref. 7.9(C))** [REP3-018] and **Outline CEMP (Doc Ref. 7.8(A))** [REP1-044] and the **Outline RoWAS (Doc Ref. 7.15(A))** [REP1-056]. Measures for the operational and decommissioning phase traffic are also secured by **Outline Operational Management Plan**

ExQ2 Ref	Question	Applicant's Response
		(Doc Ref. 7.11(A)) [REP1-050] and **Outline Decommissioning Traffic Management Plan (Doc Ref. 7.13(C))** [REP3-022]. - During the operational phase, the **Outline RoWAS (Doc Ref. 7.15(A))** [REP1-056] sets out the framework of the proposed approach to design, engagement, governance, implementation, maintenance and management of the proposed routes which would ensure no disadvantage to active travel and accessibility to community facilities and commercial and residential locations currently accessible by the network in this area. - The distance of each individual link, and therefore wider local travel patterns across the network of PRoW that interact with the Site are likely to occur during the construction phase but will be kept to a minimal level and would be subject to the commitments of the **Outline RoWAS (Doc Ref. 7.15(A))** [REP1-056]. As set out in other submissions, and summarised within Section 3 of the **Outline RoWAS (Doc Ref. 7.15(A))** [REP1-056], the Applicant considers that the Project would contribute substantial enhancements to the PRoW and access network in the local area including new recreational routes and design improvements where routes are diverted. <u>Socio-economic Benefits & Climate Change</u> Guidance also promotes the wider public mental health and wellbeing benefits (at a population scale) of socio-economic (employment, skills and supply chain) effects and effects relating to addressing climate change. **ES Volume 2, Chapter 12: Socio-Economics (Doc Ref. 5.2(B))** [REP1-024] summarises that the Project would lead to neutral or positive effects in both cases. <u>Vulnerable Groups and Differential / Disproportionate Effects</u> Within a defined population, individuals will range in their levels of sensitivity to health outcomes due to factors such as age, socio-economic

ExQ2 Ref	Question	Applicant's Response
		deprivation and pre-existing health conditions. It is clear that some groups may be particularly vulnerable to changes whereby they could experience differential or disproportionate effects when compared to the general population. It is noted that health effects may be experienced differentially or disproportionately by different groups. A review of the likely environmental changes experienced by different groups, and a review of the prevalence of these groups based on data on Protected Characteristics, is provided within the **Equalities Statement (Doc Ref. 7.18)** [APP-163] which notes that: *"With the implementation of mitigation measures identified within the ES chapters and supplementary documentation, this EqS concludes that the Project would not have a differential or disproportionate impact on people with protected characteristics, compared to the general population; and* *At a wider scale, the Project has the potential to have a positive impact on people with protected characteristics as it will contribute to the reduction in need for energy generation from combustion methods that theoretically will have a positive effect on air quality. In addition, at the wider scale the Project will contribute towards provision of more affordable energy supply, which is particularly important for those within protected characteristic groups as they are more likely to attain lower incomes and be at a socio-economic disadvantage"* In many cases mitigation for effects with potential equality implications is the same as required for those effects irrespective of the equality implications. For example, noise will be mitigated where possible, even when there are not additional effects on equality, and the mitigation measures put in place will benefit those groups most affected.

ExQ2 Ref	Question	Applicant's Response
		Engagement, Consultation and Community Involvement Guidance notes the importance of community involvement and transparency in influencing mental health and wellbeing. Engagement can help to improve community understanding of the project and practitioner understanding of the community. Engagement can also actively alleviate particular impacts upon mental health, by providing a sense of control, inclusion and participation. The IEMA guidance suggests that such engagement activities could be considered primary mitigation. As summarised in Section 4 of the **Equalities Statement (Doc Ref. 7.18)** [APP-163], and the **Planning Statement (Doc Ref. 7.6)** [APP-151], the Applicant has undertaken best practice with regard to consultation and engagement, and has also considered people with protected characteristics in undertaking consultation, which has had a subsequent influence on the Site selection process and best practice management of the Project. The Applicant has undertaken an iterative design and site selection process and used several methods of engagement and consultation to allow all, including those who have protected characteristics that may otherwise affect their ability to interact with the development of the Project, to have an input on the scheme in order to seek to reduce concerns that may otherwise raise anxiety and contribute to stress and effects on mental health and wellbeing. Imperative to this is the establishment of Community Liaison Groups. Section 7 of the **Consultation Report (Doc Ref. 7.6)** [APP-126] outlines the ongoing non-statutory engagement undertaken by the Applicant outside of the consultation stages. This includes an overview of the Community Liaison Panel established by the Applicant and a summary of the meetings/briefings with stakeholders. As explained in the Terms of Reference for the Community Liaison Panel (see Appendix I-4 to the

ExQ2 Ref	Question	Applicant's Response
		Consultation Report (Doc Ref. 7.6) [APP-126]), the purpose of the Community Liaison Panel is to facilitate communication, share information and engage in balanced discussions about the Application and subsequent examination of the Application and keep the local community informed about all pertinent aspects of the Project. The Applicant has committed to on-going monitoring, information provision, management and engagement with the community through various Management Plans including the **Outline RoWAS (Doc Ref. 7.15(A))** [REP1-056], **Outline OMP(Doc Ref. 7.11(A))** [REP1-050], **Outline CTMP (Doc Ref. 7.9(C))** [REP3-018], **Outline CEMP (Doc Ref. 7.8(A))** [REP1-044], **Outline DEMP (Doc Ref. 7.12)** [APP-157] and **Outline DTMP (Doc Ref. 7.13(C))** [REP3-022]. The Applicant notes that a number of consented energy DCOs have undertaken an assessment of effects on human health using a similar methodology to that adopted by the Applicant based on the HUDU approach, which IEMA guidance has been developed from. Some examples of this include the **Longfield Solar Farm [EN010118]**, **East Anglia ONE North Offshore Wind Farm [EN010077]** and **Gate Burton Energy Park [EN010131]**. In respect of endorsement of this approach, the Applicant notes that the ExA in the Recommendation Report for the **Gate Burton Energy Park [EN010131]** confirmed at paragraph 3.7.49 that: "I am [therefore] satisfied that the assessment undertaken does address the likely significant effects that would arise in relation to human health and wellbeing". Summary The Applicant's position based on the above is that: a) **Volume 2, Chapter 12: Socio-Economics (Doc Ref. 5.2(B))** [REP1-024] has adequately assessed the potential for effects on both physical and mental health and wellbeing, in accordance with NPS EN-1, the EIA Regulations and industry standard guidance.

ExQ2 Ref	Question	Applicant's Response
		b) Key environmental assessments relating to the potential for effects on mental health have been undertaken (for example relating to noise and air quality), and effects mitigated to their fullest extent such that residual effects are not significant where practically possible. c) Consultation and engagement have been undertaken via the pre-application statutory consultation, non-statutory consultation and bilateral and community engagement processes that have provided adequate provision of information and consideration of community and stakeholder feedback in the approach to design and assessment development - a key aspect relating to mental health and wellbeing set out in guidance. The Applicant has committed to on-going and future engagement. d) Enhancements have been provided within the Project to the long-term accessibility of the area in order to promote and enhance physical and mental wellbeing. e) The Applicant's approach is consistent with other consented DCO energy schemes where no significant effects on human health were identified.
Q6.0.2	**The Applicant: RSK Noise Assessment submitted by Dr Trish Bromley [REP4-050]** Could the Applicant comment and review the noise assessment submitted by Dr Bromley.	Please refer to Tabe 2-6 in the **Responses to Deadline 4 Submissions (Doc Ref. 8.15)** for the Applicant's responses.
Q6.0.3	**The Applicant: D4 submission Gloria Child on behalf of Mr & Mrs Colby [REP4-051]** Could the Applicant comment and review the submission	Please refer to Table 3-1 in Section 3.1 of the **Responses to Deadline 4 Submissions (Doc Ref. 8.15)** for the Applicant's responses at row 'REP4-051' .

Table 2-8 Transportation and Traffic

ExQ2 Ref	Question	Applicant's Response
7.Tranaportation and Traffic		
Q7.0.1	**The Applicant: Councillor Clair Bell** 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?	As detailed in the **Responses to Examining Authority's First Written Questions (Doc Ref. 8.11)** [REP3-047], the Applicant has sought engagement with Cllr Bell on numerous occasions throughout the application process. As far as the Applicant is aware Cllr Bell only attended one Project related pre-application event, being the final non-statutory consultation exhibition event held in Mersham in Spring 2022 where she met with the Applicant and was invited to join the Community Liaison Panel (CLP). Six meetings of the CLP have been held to date; Cllr Bell has been invited to each of these meetings and has received over 20 updates/agendas/minutes but has not attended any meeting. Cllr Bell provided a Written Representation on 10 December 2024 [REP1-118], which expands on the initial bulleted list provided in Cllr Bell's Relevant Representation. The Applicant has provided a full response to Cllr Bell's Written Representation in Section 4.5 of the **Response to Deadline 1 Submissions (Doc Ref. 8.8)** [REP2-034]. The Applicant notes that Cllr Bell has attended a number of the issue specific hearings during the Examination and therefore has had the opportunity to engage directly with the Applicant if this was her intention. The Applicant has continued to engage directly with Cllr Bell, most recently on 3 April 2025, and the Applicant has not yet received a response, either to our responses to the matters raised, or the Applicant's offer to hold a one-to-one meeting. The Applicant can reassure the ExA that it has made reasonable attempts to engage with all interested parties, including Cllr Bell.

ExQ2 Ref	Question	Applicant's Response
Q7.0.2	**The Applicant: Mr David [sic] Swarbrick's video [REP4-043]** 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	At approximately 10:00 minutes into the video, Mr Swarbrick appears to be standing at Handen Farm looking north-west along footpath AE 377. He makes reference to the diversion of AE 377, which the Applicant plans to divert onto a less direct route aligned to historic field boundaries adjacent to new hedgerows. Mr Swarbrick then points to the proposed start of the AE 377 diversion and notes that "*down here, the path will go through a part of their field, and one wonders if provision can be made to go through part of that field, then why provision can't be made to go through other fields where paths are being considerably diverted*". The Applicant notes that in the case of AE 377, the diversion will run adjacent to the edge of restored, historic field boundaries (rather than through a field). Based on previous submissions – primarily Mr Swarbrick's Deadline 1 submission [REP1-112], the Applicant presumes that Mr Swarbrick is referring to one or more of AE 454, AE 370, AE 447, AE 428, AE 378 and AE 448. At Action Point 8 of the **Written Summary of Oral Submission from Issue Specific Hearing 3 and Responses to Action Points (Doc Ref. 8.14.1)** [REP4-030], the ExA requested that the Applicant either: (i) provide a reference to its detailed response to the submissions made by Mr Swarbrick at Deadline 1; or (ii) if no such detailed response has been provided to date then provide a detailed response. The Applicant has provided a response to this Action Point within the **Written Summary of Oral Submissions from Issue Specific Hearing 3 and Responses to Action Points (Doc Ref. 8.14.1)** [REP4-030] both within the summary of oral submissions, and directly in response to Action Point 8.

ExQ2 Ref	Question	Applicant's Response
Q7.0.3	**The Applicant: AE 474 footpath** In ABPC's written submission at D4 [REP4-034] they claim that the Applicant has failed to explore alternative accesses. Please could you comment?	Please refer to the Table 2-1 in the **Responses to Deadline 4 Submissions (Doc Ref. 8.15)** at row '10-13' for the Applicant's responses.

Table 2-9 Battery Energy Storage Systems

ExQ2 Ref	Question	Applicant's Response
8. Battery Storage Systems		
Q8.0.1	**The Applicant or Kent Fire Service: Domestic battery storage versus commercial battery storage** 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?	Dr Bromley's representation referenced a domestic fire incident that occurred at her property (Handen Farm) on 18 January 2025. She notes that the property area included three domestic Tesla batteries that were used as domestic battery storage. The Applicant comments as follows: 1. Grid scale battery storage systems (BESS) are housed in purpose-built non-combustible containers with high levels of thermal insulation, integrating a range of monitoring and control systems to prevent and / or mitigate a thermal runaway incident. The indicative site plan in the **Illustrative Project Drawings – Not for Approval (Doc Ref 2.6(B))** [REP3-004] allows standard minimum spacing of six metres between BESS units to avoid the risk of fire propagation between BESS Units. Domestic battery storage is typically located within or near to domestic property; in some thermal runaway scenarios the battery system could initiate a secondary property fire requiring significant intervention from the Fire & Rescue Services. 2. Grid scale BESS battery systems function within strictly controlled operating conditions to enhance both performance and safety parameters.

ExQ2 Ref	Question	Applicant's Response
		Advanced battery management system monitoring including data analytics, further reduces the risk of a thermal runaway incident. Domestic battery storage generally does not include the same level of risk mitigation controls. 3. To comply with National Fire Chiefs' Council (NFCC) Guidance Grid scale battery storage which requires a dedicated water supply, each BESS area will be supplied with a minimum of two hours water supply (1900 Litres per minute) supplied from static water tanks. Domestic battery storage is not subject to similar requirements and typically relies on the local water mains supply to respond to an incident. 4. Dr Bromley's comments in relation to the "release of fatally toxic smoke for days with no viable way to manage fires" is not supported by any evidence. The Applicant has submitted a Battery Fire Plume Assessments as Appendix 2 of the **Written Summary of Oral Submission from Issue Specific Hearing 4 and Responses to Action Points (Doc Ref. 8.14.2)** [REP4-031] that demonstrates that a single worst case scenario BESS fire could only produce HF levels of 1 ppm or below at a small number of sensitive receptor locations. These are transient health impacts and are reversable upon cessation of exposure, the study evidences no effects on receptors that exceed Public Health England guidance levels. 5. Dr Bromley's comments that assert that "volumes of water are clearly inadequate". The Applicant notes this position contradicts the NFCC Guidance and the Applicant confirms in Section 4.4 of the **Outline BSMP (Doc Ref. 7.16(A))** that the Project will comply with this guidance. Both the BESS system and site design will ensure that KFRS are not required to discharge water directly on the BESS battery system and are unlikely to even deploy water for boundary cooling purposes. 6. Dr Bromley claims that water will "easily overflow the proposed bunds and contaminate the surrounding land and East Stour killing fish and wildlife for miles downstream". The Applicant notes that this contradicts

ExQ2 Ref	Question	Applicant's Response
		the view of the Environment Agency and Kent County Council (as Lead Local Flood Authority) stated in the **Signed Statement of Common Ground with the Environment Agency (Doc Ref. 8.3.2(C))** [REP4-015] and **Statement of Common Ground with Kent County Council (Doc Ref. 8.3.4(C))** [REP4-019]. Both of which have confirmed, having reviewed the **Outline OSWDS (Doc Ref. 7.14(C))** [REP4-013], that they are satisfied with the water capture proposals.
Q8.0.2	**The Applicant or Fire Authority: Water capacity** How would a local or national drought impact on water supply and fire safety?	Table 2-1 of the updated **Outline BSMP (Doc Ref. 7.16(A))** states that there will be an on-Site water tank that will be capable of delivery in line with NFCC Guidance. Water tanks are a closed system and would therefore be unaffected by a drought. The **Outline BSMP (Doc Ref. 7.16(A))** at paragraph 4.3.6 includes the addition of a specific clarification as follows: "*If the on-Site firewater is not available for whatever reason BESS operations will be suspended until provision is made*" to make it clear that BESS operations will only occur when water supply is available.
Q8.0.3	**The Applicant: Firewater Recovery** 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".	The management strategies for firewater storage and disposal are provided in the **Outline BSMP (Doc Ref. 7.16(A))** and are also detailed in Section 4.8 of the **Outline OSWDS (Doc Ref. 7.14(C))** [REP4-013]. A summary of the management measures is shown below. The BESS will be located within Inverter Stations which will be constructed with an impermeable lining and sufficient storage capacity. A control point / shut off value will be provided to ensure any polluted flows are retained.

ExQ2 Ref	Question	Applicant's Response
	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. 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. 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?	Any firewater that is collected and stored would be transported to a licensed facility for treatment. The Applicant considers the approach is appropriate and robust. The Applicant notes that the approach has been reviewed by the key stakeholders, being the Environment Agency and Kent County Council (in its role as Lead Local Flood Authority). Agreement on firewater management has been secured with the Environment Agency in the **Signed Statement of Common Ground with the Environment Agency (Doc Ref. 8.3.2(C))** [REP4-015] and with Kent County Council (as Lead Local Flood Authority) in the **Statement of Common Ground with Kent County Council (Doc Ref. 8.3.4(C))** [REP4-019].
Q8.0.4	**Kent Fire and Rescue Service: Water Capacity** 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	The Applicant notes that Table 2-1 of the **Outline BSMP (Doc Ref. 7.16(A))** commits to on-Site water tanks capable of delivery in line with NFCC Guidance.

ExQ2 Ref	Question	Applicant's Response
	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?	
Q8.0.5	**Kent Fire and Rescue Service: Optimal Fire Fighting Layout** 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?	As explained in Table 5.4 of **ES Volume 2, Chapter 5: Alternatives and Design Evolution (Doc Ref. 5.2(A))** [AS-010] a BESS can either be connected to the PV panels after conversion to AC (AC-coupled) by an inverter or can be connected prior to conversion to AC (DC-coupled). If AC-coupled all BESS infrastructure is typically located in a single centralised compound area whereas if DC-coupled the BESS units need to be located near to the inverters such that DC power from the PV panels can be used to charge the BESS prior to conversion to AC at the inverters. The Applicant's design approach for this Project is DC-coupled batteries which require BESS infrastructure to be located near to inverters. Each inverter is required to be located within a subset of Project solar panels, to convert the DC electricity generated by those panels to AC electricity. The Applicant therefore does not consider changes to the design, number or location of a DC-coupled BESS system are possible. The **Outline BSMP (Doc Ref. 7.16(A))** confirms that the BESS will be designed, selected and installed in line with NFCC Guidance. Therefore, the Applicant considers the overall layout of the BESS to be appropriate.
Q8.0.6	**Kent Fire and Rescue Service: Liverpool Battery Storage Fire** 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?	The Liverpool fire (September 2020) and McMicken (Arizona, April 2019) both involved the use of a clean agent suppression system, which cannot stop thermal runaway propagation and can increase explosion risks. These incidents, and the resulting impacts, contributed directly to significant revisions in major international BESS safety standards and certifications (NFPA 855, UL 9450A, UL 9540, UL 1973).

ExQ2 Ref	Question	Applicant's Response
		In the UK, the National Fire Chiefs Council (NFCC) published guidance entitled "Grid Scale Battery Energy System Planning, Guidance for FRS" in April 2023 that largely referenced safety requirements or recommendations contained within NFPA 855, UL 9540A testing and FM Global Datasheet 5-33. The National Planning Practice Guidance was updated shortly following this to encourage applicants to engage with the local fire service at the pre-application stage and Local Planning Authorities to consider the NFCC Guidance when determining applications. In March 2024 the Department for Energy Security & Net Zero issued additional guidance entitled "Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems" that is also relevant. In July 2024 the NFCC published updated draft guidance for consultation. It is anticipated that final updated guidance will be published by the NFCC in 2025. The Applicant has been waiting for this updated guidance before submitting an updated version of the Outline BSMP but given the remaining time for the Examination believes it is appropriate to submit an updated Outline BSMP at Deadline 5. The updated **Outline BSMP (Doc Ref. 7.16(A))** secures additional controls that ensure the document continues to comply with the NFCC 2024 draft guidance (noting this was first published after the Application had been submitted) and international best practice.
Q8.0.7	**The Applicant: Clean Agent Suppression Systems** 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 agent suppression system which significantly increases explosion risks in BESS failure scenarios. The ExA acknowledges	The Applicant confirms that clean agent suppression systems will not be used. As noted above the Liverpool fire in part contributed directly to significant revisions in major international BESS safety standards and certifications (NFPA 855, UL 9450A, UL 9540, UL 1973) and the updated **Outline BSMP (Doc Ref. 7.16(A))** secures compliance with this best practice approach.

ExQ2 Ref	Question	Applicant's Response
	that gas venting and deflagration panels are proposed in the Outline BSMP. Can the Applicant confirm that clean agent Suppression systems wont' [sic] be used as part of the implementation of the BESS?	