

**26 September 2022**

**Application Summary:**

Planning Application Ref: 22/501335/FULL

Proposal: Installation of renewable energy led generating station on land north of Sheephurst Lane

Case Officer: Marion Geary

**Customer Details:**

Mrs Sarah Springhall

Little Cheveney Farmhouse, Sheephurst Lane, TN12 9NX

**Comment Details:**

Commenter Type: Neighbour

Stance: Customer OBJECTS to the Planning Application

THE RESPONSES SUPPLIED BY THE DEVELOPER TO CONCERNS AND OBJECTIONS ARE INADEQUATE. IN ADDITION TO MY PREVIOUS OBJECTIONS, I OBJECT TO THE AMENDED PLANS AND WOULD LIKE TO REITERATE SOME OF MY PREVIOUS OBJECTIONS AND HIGHLIGHT THE FOLLOWING:

Reason	Detail	Relevant Regulation	Conclusion
<b>1. BMV LAND</b>			
Industrialisation of Best and Most Valuable land	9% grade 2 and 38% of land in question is classified as Best and Most Valuable.	Local Plan Review under Regulation 19 Policy LPRSP9 emphasises the importance to facilitate the efficient use of the Borough's significant agricultural land and soil resource.  NPPF para 174b planning policies and decisions should recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;	Development on Grade 2 and Grade 3a land goes against Local Guidance and NPPF regulation because it removes a valuable soil resource from production.

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More than 74.5 hectares removed from agricultural production	There are 2 sizeable fields which are currently farmed by Eckley farms (illustrated on my previous objection) on the Sheephurst Lane site but do not form part of the development plans. One field is on the south west corner of the veteran parkland and the other is west of the ancient woodland. This land would be unviable as farmland and it is not included in any biodiversity or mitigating planting measures. What is going to happen to this land over the next 37 years? Has it been earmarked for other development by the landowner? No answer has been given by the developer or landowner.	<p>Local Plan Review under Regulation 19 Policy LPRSP9 emphasises the importance to facilitate the efficient use of the Borough's significant agricultural land and soil resource.</p> <p>NPPF para 174b planning policies and decisions should recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;</p>	The fate of these 2 plots of land should be considered as part of the land removed from production. It is not efficient use of the Borough's resources if this land is also taken out of production.
Productive land would be lost permanently	The site is promoted as being temporary and reversible. 37 years is more than a generation and should not be viewed as temporary. The millions of pounds required to install the infrastructure for this development would require millions of pounds to reverse it and restore it back to productive agricultural land. There is no incentive for the developer to restore this land, and no legal framework to ensure this happens. But there would be significant financial incentive to continue to use the infrastructure, substation and HV compound for industrial energy production.	<p>NPPF 174a states that protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils be protected.</p> <p>Local Plan Review under Regulation 19 Policy LPRSP9 emphasises the importance to facilitate the efficient use of the Borough's significant agricultural land and soil resource.</p>	This is not a temporary development. BMV land would be removed from agricultural production.

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<b>2. UNACCEPTABLE HARM TO LANDSCAPE OF LOCAL HISTORIC VALUE AND RURAL CHARACTER</b>			
Rural and Historic character would be harmed by the development	Heritage assets, including 9 grade 2 listed buildings, with ancient woodland and rare historic veteran parkland are either within or surround the site. This solar farm installation would cause unacceptable harm to the rural character of this historic farming land. Indeed in the Statkraft proposal, it is acknowledged that Sheepwash will have an adverse effect on the landscape.	Local Plan Review under Regulation 19 Policy LPRSP9 which places great importance on the conservation and enhancement of landscapes of local value and ensuring development will not result in harm to the rural character and appearance on the area	Plans would harm the rural setting of protected heritage assets and therefore goes against local policy  Plans to enclose the veteran would cause harm to the setting of the veteran trees of The Little Cheveney Parkland.
Harm to heritage	<p>The settings and views of 9 heritage assets (Grade 2 listed houses and oasthouses) would be significantly harmed by the solar farm and associated infrastructure as is confirmed by Maidstone Heritage and Design Consultation. Views from public footpaths across to the oasthouses would no longer be across open countryside. Their rural setting would be destroyed.</p> <p>Maps from 1855 show the main house (the Manor which is now known as Little Cheveney Farmhouse) together with what is called Cheveney Wood. The parkland is very important in the historic rural setting of Little Cheveney House. The land has been successfully farmed for some 500 years.</p> <p>The panels would be clearly visible from the northern windows and gardens of grade 2 listed Little Cheveney Farmhouse, especially in winter months. Glint and Glare would without question be a problem.</p>	<p>NPPF Para 189. Heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations</p> <p>. NPPF para 190. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets</p> <p>. Planning Act (1990) states there should be due consideration to the preservation of Listed Buildings and their settings.</p>	Development would destroy setting of heritage assets and therefore does not adhere to regulation

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Cumulative effect of industry on Low Weald rural landscape within 5.6km radius	<p>The following industry exists or is in planning within a 5.6km radius</p> <ol style="list-style-type: none"> <li>1) Paddock Wood solar farm 39 hectares 2.9km from Sheepwash</li> <li>2) Widehurst solar farm 14.3 hectares 2.25 km from Sheepwash</li> <li>3) Marden industrial estate 1.2km from Sheepwash</li> <li>4) Collier Street polytunnel farm 900m from Sheepwash</li> <li>5) Bockingfold solar 69.23 hectares (in planning with TWBC) 700m from Sheepwash</li> <li>6) Mathurst solar farm 27 hectares (in pre planning with MBC) 5.6km from Sheepwash</li> <li>7) Sheephurst Lane substation (partially approved) 130m from Sheepwash</li> </ol> <p>If all these were to go ahead, the low Weald would become a checkerboard of industry and glass panels, destroying the rural landscape.</p>	<p>NPPF para 155. To help increase the use and supply of renewable and low carbon energy and heat, plans should:</p> <p>a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while <b>ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);</b></p>	<p>Development is contrary to regulation. Cumulative effect of all this industry, (especially if 2 huge solar farms 700m from each other are granted permission) in a rural area would cause unacceptable harm. Surely some communication between Boroughs is required to prevent this.</p>
AONB	<p>The High Weald AONB is clearly visible from the East side of the site and so the site would be clearly visible from the High Weald AONB. Statkraft claim that vegetation prevents this view from one viewpoint. It is a large area so there would be more than one viewpoint. Views of the site from the AONB would be intrinsically harmed if this development were to go ahead.</p>	<p>AONB and their setting are protected by law.</p>	<p>No industry should be permitted if they can be seen from the AONB High Weald.</p>
Footpath enclosed by fencing	<p>The footpath next to the railway line which currently overlooks open countryside to the south would become a tunnel with solar farm security fencing on one side and railway fencing on the other.</p>	<p>NPPF para 100. Planning policies and decisions should protect and enhance public rights of way</p>	<p>Solar farm and associated fences and industry damages local environment and its beauty. A tunnel footpath with fencing on both sides is not an enhancement of the beauty of the countryside and public right of way</p>

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<b>3. PROXIMITY OF SITE TO RESIDENTIAL AMENITIES AND OAK WOODLAND</b>			
Proximity of site to Residents	Statkraft seems to take their measurements from the buildings, not the boundaries of residential properties. The boundary of Willow Cottage which is in the Little Cheveney Parkland is less than 15m (probably 5m) from the perimeter fencing. Gardens of residences where time is spent to relax and enjoy being outside also must be taken into consideration. It is not just about the house itself. There is also perimeter fencing directly next to nos 7 and 8 Sheephurst Cottages, Willow Barn. Being directly next to such industry will affect those living in these properties. The current living conditions and quality of the lives of the inhabitants will be detrimentally impacted by the development both during and after construction.	NPPF para 185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise	Development goes against regulation.
Proximity of access road and HV compound to residents at nos 7 and 8 Sheephurst Cottages	The 7.5m high HV compound has been placed in an area least likely to flood, but this happens to be 85m from 2 cottages (measurement taken from garden). A large parking area is placed just behind this. The constant hum of the HV compound following construction would have negative impact on those living there. In construction period the presence of 80-100 workers plus 3,200 trips of HGVs would drive alongside these cottages making the lives of those residing the intolerable, and destroying privacy and enjoyment of life. Noise pollution, as well as mess and dust from the site would be horrendous.	NPPF para 185 - as above	Development goes against regulation. It is unacceptable that such industry be placed so close to residents. It is equally unacceptable for those who live there to suffer both during and after construction period.

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Proximity of site to historic veteran oak tree parkland	The perimeter fencing is surrounded veteran oak parkland. Oak trees are protected by law. The Little Cheveney parkland is part of the setting of Grade 2 listed Little Cheveney Farmhouse. The solar farm would cause unacceptable harm to the setting of the house and parkland. There is no landscaping or biodiversity buffer between the perimeter fencing of this development and its valued historic land.	NPPF Para 180c highlights that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.	The development goes against guidelines. The setting of the Farmhouse parkland would be harmed by being enclosed on three sides by security fencing. At the very least, a 15m biodiversity buffer should be placed between the parkland border and perimeter fencing.
<b>4. INCREASED FLOOD RISK</b>			
Increased flood risk	Land closest to the river Teise floods. Properties to the north and east of the site are also at risk of flooding. Solar panel runoff would compact soil underneath causing increase surface water and therefore increased flood risk for neighbours. Flood water hitting the perimeter fencing would gather debris forcing the water to flow towards residences to the north and east of the site. Flooding is predicted to increase. Measures put in place by developer are insufficient.	NPPF para 159. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). NPPF para 167 directs that any planning applications should ensure flood risk is not increased elsewhere	Increased flood risk is contrary to guidance
Flooding to footpath diversion and proposed new footpath	The footpath which has been pushed into the north east corner of the development has forced the footpath onto land that floods every year.	NPPF para 159. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). NPPF para 100. Planning policies and decisions should protect and enhance public rights of way	Unacceptable to site footpath onto land that floods.

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<b>5. PRE-CONSULTATION CONCERNS</b>			
Lack of Consultation	588 leaflets in a 2 km radius distributed. This included Marden village. Statkraft claims this was sufficient. However this pre-consultation was insufficient, especially when it is considered that 500 new residences alone have been built in Marden since 2015 and immediate neighbours to the site never received the leaflet. This is unacceptable.	NPPF paras 39 and 40 emphasises the importance of engagement with the local community	Development does not adhere to regulation
<b>6. GLINT AND GLARE SURVEY REMAINS ADEQUATE</b>			
Glint and Glare	The Glint and Glare survey remains inadequate as it was based on solar panels 1.84m above ground, not 2.47m as in the plans. Concerned residents remain concerned that the survey was inaccurate and would therefore negatively impact them. Statkraft response to previous concerns is to dismiss them, not address them.	Accurate Glint and Glare survey should be required	The survey should be remodelled with correct height of panels
<b>7. DANGEROUS ROUTE OF CONSTRUCTION TRAFFIC</b>			
Construction Traffic	1,600 deliveries on 18m long HGVs. So 3,200 trips on a country lane which is used by walkers and cyclists, which has blind corners, narrows to single track and has 2 small bridges. Current preferred access is through Marden village, directly passed the Primary School. Both ends of Sheephurst Lane have very restricted views, so turning in and out of the Lane at both ends is unsafe.	NPPF para 111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.	It is dangerous for this volume of HGVs to travel through Marden and onto Sheephurst Lane and therefore the proposal goes against guidelines.

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<b>8. UPDATED PLANTING SCHEDULE REQUIRED</b>			
Additional mitigating planting required following amendments on the plans	The solar array has been altered by Statkraft. Where is the amended mitigating planting schedule? Under current plans, Willow Cottage, Willow Barn, grade 2 Little Cheveney Farmhouse and the grade 2 listed oasthouses would directly overlook the infrastructure and in our opinion also suffer from glint and glare from the panels.	The solar farm goes against the principle of good design which highlights that development should be influenced by protecting views, vistas and settings.	Additional planting schedule required before planning be considered.
Mitigating planting currently placed behind security fencing	It seems counter productive for mitigating planting to be placed behind security fencing with associated cameras. This fencing negates any mitigation and causes harm to the countryside setting. It would be more in keeping if such planting were to soften the industrial outlook of this development. Contrary to their statement of responses to concerns, a woodland buffer would screen the security fencing. How can this be so if the fencing is in front of the woodland?	Local Plan Review under Regulation 19 Policy LPRSP9 which places great importance on the conservation and enhancement of landscapes of local value and ensuring development will not result in harm to the rural character and appearance on the area	Additional planting schedule required before planning be considered.
New planting maps required	On the planting schedule, mitigating planting is on a field directly to the east of Little Cheveney Oasthouse and Willow Cottage. <b>This field does not belong to Eckley Farms.</b> This should be removed from the plans, biodiversity measures recalculated and alternative planting be considered to mitigate destruction of views to the listed buildings.	It is simply not legal to apply for planning permission on land that does not belong to you.	The planting schedule should be amended and biodiversity measures recalculated.
<b>9. POSSIBLE POLICY CHANGE IN SITING OF LARGE SOLAR FARMS</b>			
Current Government Position	Prime Minister Liz Truss has vowed to increase green energy production, but to stop solar farm development on valuable agricultural land. This land is valuable productive agricultural land.	Regulation tbc in coming weeks	Any solar farm development that goes against Government Guidance should not be permitted.

A final note: It may not be a planning concern, but I highlighted on my previous objection that it should be noted that the original Statkraft Summary Document is littered with fundamental mistakes as the NPPF is misquoted on numerous occasions. Most of the policies quoted do not correlate to current (July 2021) guidelines. The NPPF lies at the heart of all development. One can only assume that Statkraft is working from old version or their summary copied and pasted from previous applications with this application made to fit a template without consideration to current policy. Statkraft has made no attempt to rectify these misquotes. From the outset, there has been a total lack of professionalism, consideration and attention to detail which is deeply concerning. One can only fear what level of professionalism will be in place if this project were to be given permission. How can it be trusted that mitigating planting with suitable sized plants would actually take place? Indeed, how can it be trusted that any of their promises will be fulfilled if their proposal is so lacking in accurate detail?