

**29 June 2022**

**Application Summary**

Planning Application Ref: 22/501335/FULL

Site Address: Land North of Little Cheveney Farm, Sheephurst Lane, Marden, Kent

Proposal: Installation of renewable energy led generating station

Case Officer: Marion Geary

**Customer Details**

Sarah Springhall

Little Cheveney Farmhouse, Sheephurst Lane, TN12 9NX

**Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

I **OPPOSE** the proposed development for the following reasons:

**1. LACK OF CONSULTATION**

Engagement with the local community has been insufficient and in our case non-existent. Our home is at the at the epicentre of the proposed development. We along with others most directly affected by the development were not given the promotional flyer distributed by Statkraft, nor were we aware of the apparent meetings which took place at Marden Parish or Collier Street Parish. As a matter of courtesy the developer or landowner should have at least informed us of their plans. An online poll is barely a public consultation, especially when you consider that many who live here are not digitally minded. Enough time has lapsed since lockdown restrictions were eased and therefore Covid is no excuse not to engage with those who live in the area. The first time we had sight of the full plans and design of the Solar Farm was after it was posted on the Maidstone Planning Portal.

NPPF paragraphs 39 and 40 emphasises the importance of engagement with the local community. It is unacceptable to not engage with immediate neighbours and for the local residents to have only a 21 days to digest the vast amount of information on the plans and give an informed response to such a major development.

**2. INDUSTRIALISATION OF AGRICULTURAL LAND**

NPPF Para 170b footnote 53 state “that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality”. The Maidstone Local Plan echos this policy. The economic and productive impact of any development on Agricultural Land must be taken into account. The main objective behind this is to protect national food security and to ensure the efficient use of land with a preference for development on poor quality agricultural land. The report prepared by Bidwells for Statkraft confirms that the land is of good quality, 2, 3a (BMV) and 3b.

Due to the Ukraine crisis, the geopolitical landscape is changing faster than policy can be drawn up. A Westminster Hall Debate March 2022 considered large solar farms with the issue again raised on 29 June 2022 in Parliament during PMQ. It it was very clear that those on both sides of the bench agreed that whilst there is the need for cleaner energy production, it must not be at the expense of food producing greenfield land. Agricultural land is a finite resource and the National Food Strategy 2022 states that as a country we need to be Food Secure. This land has been successfully farmed for hundreds of years. It is good quality land, ideal for the production of wheat - a crop which is currently in dangerously short supply and will be for the foreseeable future. Food security is of paramount importance and therefore removing this productive agricultural land from the food chain does not make sense and would be wrong.

Solar has its place on disused airfields, brownfield sites, old landfill sites such as the one in Wednesfield, West Midlands, and on warehouses such as in Guernsey. The Maidstone Borough Council rightly is committed to a better, cleaner future whilst encouraging growth - but solar panels have their place on the roofs of houses, especially the roofs of all new developments, on the roofs of warehouses, not on food productive land.

### **3. THE DEVELOPMENT GOES AGAINST THE LOCAL PLAN**

Paragraph 6.27 of the Maidstone Local Plan states, "The NPPF encourages the protection of valued landscapes. For Maidstone, these landscapes are identified as the Greensand Ridge, the Low Weald, and the river valleys of the Medway, the Loose and the Len, are afforded protection in policy SP17."

The sheer enormity of this site would be a sizeable scar on the Low Weald landscape.

Rows upon rows of glass like panels, associated energy generation infrastructure, security fencing, gates and access roads in a site would encase ancient woodland and historic parkland, displace wildlife, destroy the beauty of the countryside and ruin the setting of many listed buildings.

As is stated in the Marden Local Plan, the people of Marden and Collier Street place great value on their enjoyment of the local countryside. It is integrally linked to their health and wellbeing - as clearly illustrated during Covid. Rather than public rights of way with views across open farmland, footpaths at the site, which are used daily by local residents who can easily walk to them from the village, would be diverted and become corridors enclosed by security fencing, CCTV cameras or a wall of hedging if/when established after 10 years.

### **4. SCALE OF THE PROJECT AND PROXIMITY TO RESIDENTS**

The footprint of the proposed solar farm is similar in size to the footprint of Marden. It falls just short of requiring Secretary of State approval. This is disproportionately large and over development of productive agricultural land.

The site is unacceptably close to some residential properties and in some cases there is no seclusion from the industrial development. No consideration or care has been given to the local residents by the developer. The 7.5m high HV compound along with items 5m tall CCTV cameras will loom over the cottages that it is placed next to. Siting the compound next to this property is unacceptable and contrary to the Principles of Good Design. It would not only destroy the living conditions but would be highly damaging to the quality of life of those who reside there both during and after construction. The noise during the construction period would be unbearable. Willow Cottage on the East side of the development is some 15m from the high security fencing and would also be detrimentally impacted by the development.

### **5. IMPACT ON HERITAGE SETTING AND HISTORICAL VALUE**

There is much detail in the NPPF which requires development ensure the conservation and enhancement of the natural, built and historic environment, including landscapes. Paragraph 189, "Heritage assets range from sites and buildings of local historic value....so that they can be enjoyed for their contribution to the quality of life of existing and future generations". Paragraph 190, "Plans should set out a positive strategy for the conservation and enjoyment of the historic environment". Planning (Listed Buildings and Conservation Areas) Act (1990) clearly states the within the Planning process there should be due consideration to the preservation of Listed Buildings and their settings. This is echoed in the Maidstone Local Plan 3.5 "Protection of the borough's distinct urban and rural heritage remains an important issue for the council".

The proposal goes against the above for the following reasons:

. There are numerous listed building dotted on the boundaries of the site, as well as some further afield. Their setting is protected by law. The setting of all of these heritage assets would be intrinsically harmed by this development.

. The land at the site has been farmed successfully since the 17th century, probably earlier, and as such has historical agricultural significance. We know this because we have sight of the deeds, (including a map) for the house and land at Little Cheveney Farm dating back to the early 1653. These historical documents are unique and give the house and associated farmland a significant historical value.

NPPF Paragraph 180c - "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused."

. Parkland in Kent is rare, but is a prominent feature at the heart of this proposal. The Historic Parkland of Grade 11 Little Cheveney Farmhouse is a unique feature of the local area and is full of veteran oak trees which are legally protected. Oak trees are the UK's most important tree for biodiversity, supporting around 2,200 species. This is more than any other native tree species. This plot of land should therefore be regarded as an important ecological and heritage asset of the Borough. The Statkraft proposal fails to recognise this. The solar farm encloses the Parkland on 3 sides with 2.4m high security fencing and access roads with no buffer. Such close proximity to the border would not only cause harm to the setting of the Parkland but would cause deterioration of this green space. In addition, there the ancient woodland which is across the field from the parkland. The buffer that has been put in place around this protected space is insufficient.

## **6. GLINT AND GLARE and VISUAL HARM**

. On page 15 of the study conducted by Page Power, it states that their Glint and Glare report is modelled on panels 1.84m above ground level. The panels in the Statkraft proposal are 2.47m high panels, a third higher than those in the report. Surely this report is therefore irrelevant?

. Views of the fields on the East side of the development are visible from the AONB High Weald. This has not been addressed by Statkraft in their reports.

. Despite hedging, the solar farm site would be clearly visible the North side of Little Cheveney Farmhouse, rendering the mitigating screening useless. When the deciduous trees of the parkland drop their leaves, the view extends to over the Eckley fields to the North West of the house as far as the railway. With no hedging around the parkland plus a gentle undulation of the land the panels will be very visible from the listed property.

. The photographic evidence to support the Statkraft development give excellent views of productive farmland, and what the site may look like from various spots on the sites boundaries. However, they are inadequate and do not give any idea of what the site would look like from the properties that surround and overlook it. The proposal cannot go ahead until the magnitude of the visual impact from local dwellings is clarified and as per the NPPF "not cause visual harm". In addition the photographs do not show what the 7.5m high HV compound would look like from the property which it abuts, the battery storage compound next to the river, or what the CCTV cameras would look like in situ.

. It would appear that high security metal fencing and 5m high CCTV cameras would be placed in front of the mitigating hedging. Therefore, views of prison style fencing complete with cameras is not in keeping with the local area and would cause an adverse effect on the views.

. The visual impact assessment does not mention what how high the solar panels are. Like the glint and glare study, were they working on an assumption that the solar panels would be 1.84m high?

## **7. SELECTION OF LAND**

Planning requires that Statkraft has to set out why this site is the most suitable for a Solar Farm, that there are no better sites for such a development. It also argues that the development will help the landowner/farmer diversify.

Statkraft has only looked at possible sites along the power line because it provides the best return on investment for the developer. There appears to be a severe lack in looking at sites further away from the power line, which may be more appropriate land for a Solar Farm, away from residential property and on lower grade agricultural land. There is no technological barrier to connecting sites at a range of locations as illustrated by the solar development in Great Wilbraham, Cambridgeshire which is connected to the sub-station 11km from the site. In addition Eckley Farms has previously applied to place a Solar Farm on land

between Marden and Staplehurst which is not next to the grid. Finally on the border of the MBC and TWBC, there is another similar sized Solar Farm going into planning with TWBC. This illustrates that Statkraft has not met the requirements.

Statkraft states, "The site comprises only 4.6% of the arable land of Eckley Farms. Removing relatively poorly performing field has benefits to the Estate in terms of harvesting capacity and efficiency.... This will more than offset the limited lost income of crop output from the site where productivity is below average." With some 1000ha with associated farmyards and buildings, Eckley Farms are major landowners and benefit from economies of scale. As such they do not need to diversify in the same way that smaller landowners may do. Prior to Eckley Farms purchase of this land in 2010, the land has been successfully farmed for hundreds of years. There is no justification for the landowner to have to diversify to solar energy production.

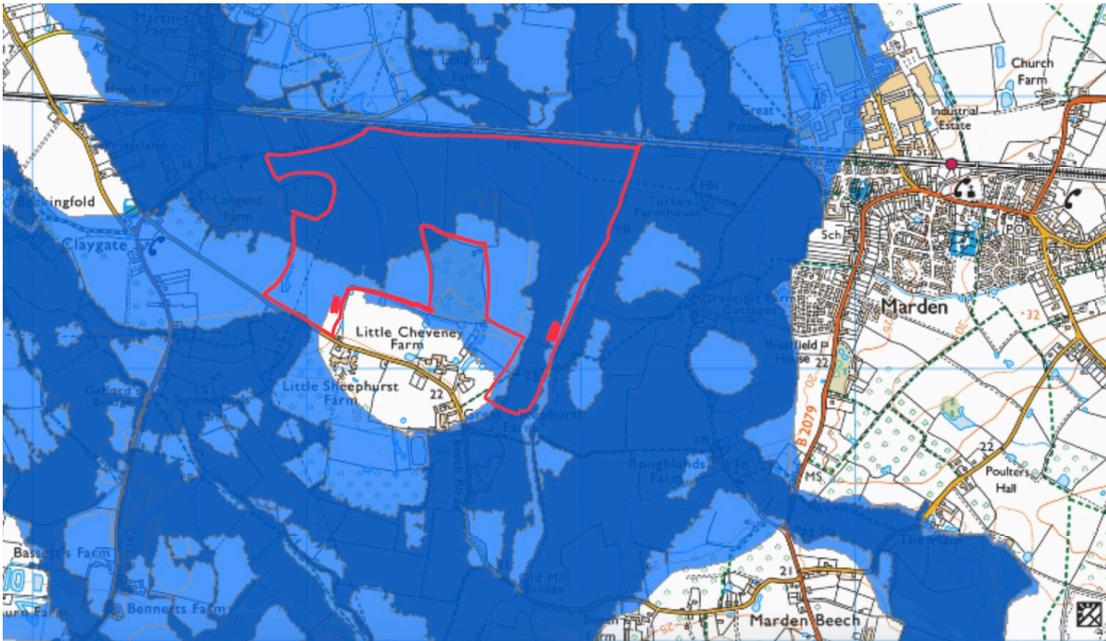
### 8.CUMULATIVE EFFECT

In addition to this proposal, there are plans for a large electricity switching station directly opposite the Marden Solar Farm on Sheephurst Lane as well as another similar sized solar farm fields away on the Maidstone Road. Planning for this site will shortly be going into TWBC . The cumulative effect of all this potential industrial infrastructure is excessive and would destroy the landscape and open countryside. See below map.



The Marden and Collier Street area has already lost much of its open orchards, farmland and countryside to poly tunnels, housing development and a solar farm (Widehurst solar farm). The cumulative effect of all this industrial development in such a small rural area is excessive.

## 9.FLOOD RISK



This map overlays the site onto the Kent County Council's flood risk zone map. The dark blue area is flood zone 3 and the lighter blue zone is flood zone 2. The Maidstone Local Plan rightly states in their plan paragraph 4.82 that there are "strict controls on the location of development within Flood Zones 2 and 3. This is also set out in NPPF Paragraph 159 which states that "inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future)". 75-80% of the site is in flood zone 3 with the remaining in flood zone 2. The HV compound is in flood zone 2/3 and the Battery Storage compound is in flood zone 3 next to the river. There is also no buffer between the river and some of the solar panels on the East side of the development.

We have lived in Marden since 2010 and in that time along we have known flooding to happen on 3 separate occasions. The most flood vulnerable properties are on the east side of the river and north of the railway line. Sheephurst Lane, Green Lane and Plain Road become impassable, sewage drains overflow in the village, with some houses and gardens on suffering from floods. We are told to expect increased flooding in future years as climate change worsens.

I believe the flood mitigation measures in the proposal are inadequate and would increase flood risk for properties on the East side of the River Teise and the North side of the railway line for the following reasons:

- 1) Solar Panels. Just like roofs, run off water from the solar panels could be as much as 10 times greater than that of evenly distributed rainfall. The water pours off the panels rather than seeping into the ground, causing compaction of the low Weald clay soil. The water cannot seep into the ground and would end up pooling, resulting in a speeding up process of any flooding. There is no plan to help ease this issue.
- 2) In wet months, land drains currently divert water from the saturated ground to ditches and the river, which prevents water logging and keeps the land fertile and highly productive. What measures have been taken to ensure the the 900mm deep land drains would not be interrupted by the 1.5m footings of the solar panels and cabling required to connect the battery storage across the land to the HV station?
- 3) Without aerating the soil by the drilling and ploughing farming processes, the clay soil would become impacted causing increased pooling and possible run off which would have an adverse effect on properties on the flood plains to the East and North of the development.
- 4) In the Flood Risk Assessment it was considered "appropriate to assess the development for the 1 in 100 year event with 35% allowance for climate change". I have known the area to flood 3 times in the last 10 years alone so surely there are grounds for these parameters to be changed to reflect actual risk, not theoretical risk.

## **10. FIRE AND PUBLIC HEALTH RISK**

A battery storage unit is recognised as an inherent fire risk. There are examples of battery storages fires and explosions around the world and there has already been one such event in Liverpool in 2020. This concern was highlighted in the Government debate on solar farms in March 2022, and it was agreed that further investigation is required to understand the risks and what steps are required to prevent fires and educate firefighters on how to tackle such fires and explosions.

The fire report following the Liverpool fire stated “once water was applied, the resulting run-off contained Hydrofluoric Acid (HF) – a highly toxic substance which can dissolve concrete and whose fumes can be fatal to life”. Measures to protect the safety of public and water course should be of primary importance. If there were such a fire at this unit, then run off would inevitably end up the river with disastrous, far reaching consequences. It is also important to note that the footpath is close to the unit. The public need to be kept at a very, very safe distance from such potentially dangerous and life threatening industry.

## **11. CONSTRUCTION TRAFFIC**

NPPF Paragraph 111 of the directs that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Sheephurst Lane is a country lane with 2 narrow bridges which already carries too much traffic. When large vehicles, for example the local bus, travel down the road, other vehicles are forced to the side of the road into the hedging. It is already not safe. The 18m long articulated lorries to carry goods to the site are significantly larger than the 12m long local bus. The lane would get jammed and impassable. Sheephurst Lane is also part of some very popular cycling routes, with a notable increase in cyclists since Covid. Updated Highway Code hierarchy gives cyclists greater priority on roads. The nature of the heavy goods traffic associated with the development would pose a serious danger to cyclists whose interests must be taken into consideration.

The road simply cannot safely carry the numerous articulated lorries required to deliver infrastructure and accidents are inevitable. The cumulative impact of articulated lorries on such small roads would be a severe and unacceptable impact on the local road network.

## **12. ENVIRONMENTAL CONCERNS**

. An ecology survey has been undertaken by the developer, but there is more wildlife in the area which has not been noted.. As local residents we have spotted many species of rare birds including barn owls, little owls, tawny owls, red kites, as well as kingfishers on the river and also on the ponds at Little Cheveney. Some bird species on the site are on the Red List and are protected under the Wildlife and Country Act 1981. We firmly believe that the massive construction process involved in the solar farm would cause huge disturbance to these species, displace existing wildlife with there is no guarantee of their would return. The process of driving piles to fix the solar panels into the ground would cause harm and disruption to the badgers on the site. Badgers are a protected species yet there appears to be little if any measures in place to protect them.

. Maintenance and management of the mitigating planting will be substantial. As will the maintenance of the footpath corridors. Who would be doing this? How do we know this will definitely happen? As is the case in so many developments, much is promised, yet little or nothing is delivered. Who is held to account to ensure this is done properly - the landowner (who currently does not sufficiently look after boundaries or footpaths) or the developer whose interest is in maximising profit?

. Trees and mitigating planting appear to be placed behind the fencing in many areas across the site. So in 10 years time when the planting has established, the view would be trees and hedges behind high metal security fencing with 5m high CCTV cameras. Contrary to the NPPF guidelines, this is not enhancement of the natural environment.

. The land under the solar panels is degraded with little potential for biodiversity around the solar panels as half of it will be in permanent shadow and rain water run-off creates set channels without proper dispersal. If sheep are to be grazed on the site then they would also prevent biodiversity from happening.

### 13. SOLAR FARMS AND THE ENERGY WHITE PAPER

In the rationale to permit planning, much is made of the need for solar energy in the Statkraft proposal so as such is a material planning consideration. The Government has specifically promoted offshore Wind Turbines as one of the best ways forwards for the UK to produce green energy. In the Ten Point Plan, there is little mention of solar farms but does place emphasis on wind farms, nuclear energy, fusion power with predictions that by 2030 offshore wind will supply 60% of energy requirements. So why is there little mention of Solar Farms in the Energy White Paper? Is it because:

- the UK has a finite amount of good agricultural land that shouldn't be replaced by solar panels which would be better positioned on inert ground and roofs?
- it is recognised that solar panels are not efficient in the North European Hemisphere. As Dr Benny Peiser, director of the Global Warming Policy Foundation (GWPF) has pointed out - solar energy in the the UK makes no sense and the miles of panelling are likely to do more harm than good. There is simply not enough sun.
- large solar farms are NOT carbon neutral. The carbon generated to manufacture the panels, wiring, batteries, materials associated buildings, plus transportation required from China would mean that this solar farm would never be carbon neutral.
- The government recognises that as technology advances and our ability to produce home grown energy will improve, so as such Solar Farms will be Solar Graveyards and a huge scar on the landscape across the UK?

### 14. MORE THAN 74.5ha OF AGRICULTURAL LAND REMOVED FROM FOOD PRODUCTION

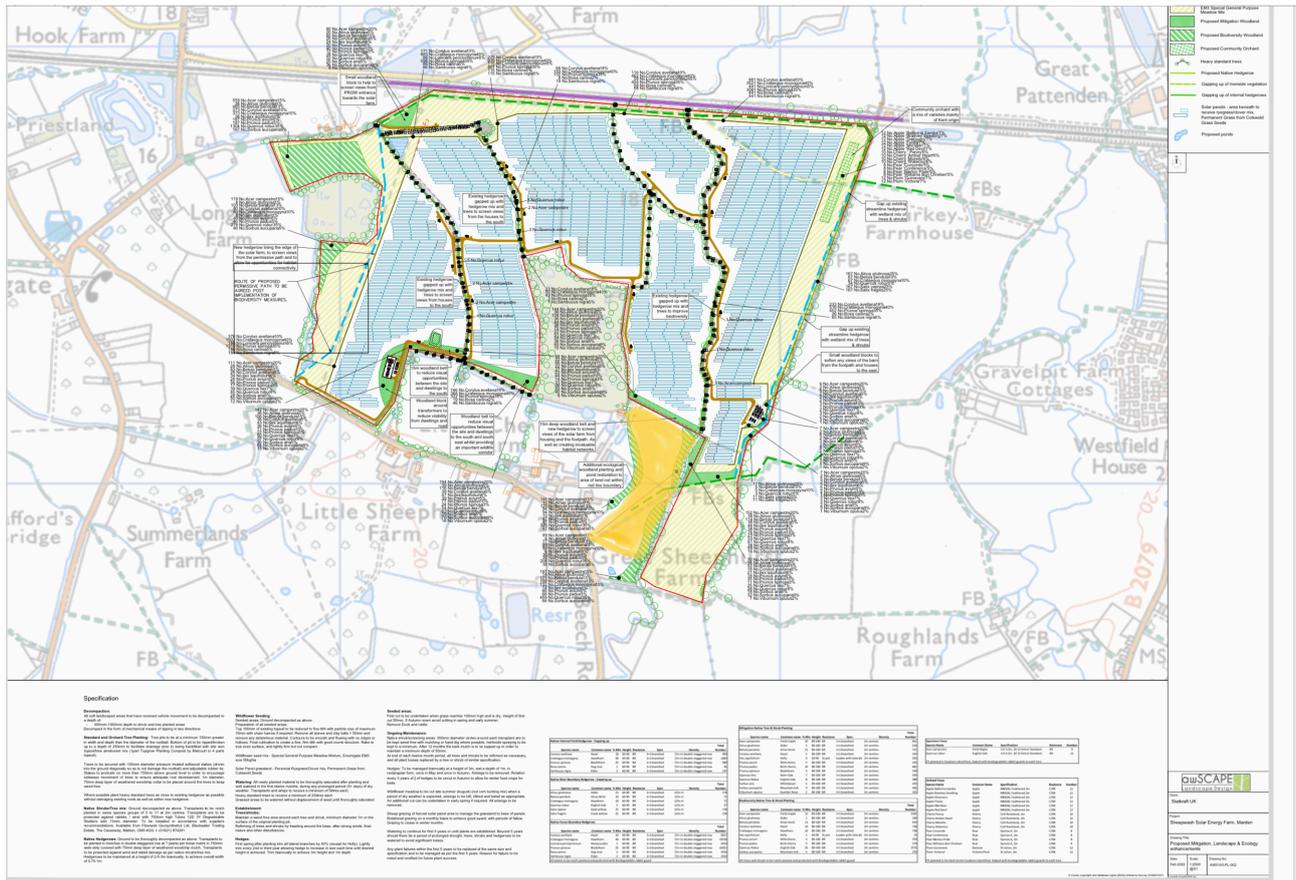
Two pockets of land as highlighted in yellow on the map below have been retained by Eckley Farms. This is currently productive arable land, but economies of scale would suggest that the acreage is unviable as productive land if the solar installation were to go ahead. Therefore more land than the 74.5hectares for the Solar Farm would be taken out of food production. This is deeply concerning in a time of food crisis.



## 15. ERRORS ON THE STATKRAFT PLANS

In addition to the miscalculated glint and glare report there are two notable errors in the Statkraft Plans:

A) The boundaries are incorrect. The planting scheme includes numerous trees on land that is not owned by Eckley Farms. To my knowledge no permission has been given by the actual landowner for mitigating planting to be placed on their land. The area concerned is highlighted in yellow below. This is a sizeable area. If taken out of the picture, then planned mitigation planting is even less effective and causing greater visual harm to the landscape.



B) In the Statkraft Executive Summary it states that “supporting reports fully addresses the key guidance in the NPPF, namely paragraphs 154 and 170”. Paragraph 170 states “In coastal areas planning policies and decisions should take into account of the UK Marine Policy Statement”. This is clearly irrelevant and the developer has clearly copied and pasted their arguments from one of their other 34 proposals across the UK.

If such little care and consideration is taken into the preparation of their proposal, one is led to question how much care and consideration would be given to the land and the residents both during and after the construction.

## 16. THE FUTURE

. The solar farm is promoted as being temporary and could be reversed after 37 years. 37 years is a lifetime and should not be termed as temporary. Huge infrastructure is required on sites as large as this, including 12,000m<sup>2</sup> of permanent roads, a substation and an energy storage compound. Significant capital expenditure and time would be required to remove structures and footings both above and below the ground. Therefore, the reality is that there is no guarantee that the land would return to farmland and it is likely that the associated structures would not be decommissioned. Indeed, in the Statkraft decommissioning document they state that, “The future of the electrical compound including the substation and the energy storage facility would be discussed with the distribution network operator and agreed with

the landowner and the local planning authority prior to commencement of decommissioning.” This statement is ambiguous and implies that the structures would be a permanent development. In addition, like the construction phase, the environmental damage caused by the decommissioning would be detrimental.

#### **17. DEVELOPMENT CONTRARY TO NPPF PARAGRAPH 8**

Paragraph 8 of the NPPF states that in “achieving sustainable development there are three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways”. I do not believe any of these objectives have been met by the developer as outlined below.

- A) *“an economic objective - to help build a strong responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity”.* This land is grade 2, 3a and 3b and as such is productive as agricultural land. To remove this land from food production in a time of food crisis, which is predicted to only get worse, would be contrary the economic objective set out in the Food Strategy White Paper. Best use of land was also highlighted in a Government debate in March 2022 and in PMQ on 29 June 2022. Both sides of the house agreed that sacrificing good agricultural land because it is the easiest way to develop solar farms, does not make it the right way forwards.
- B) *“a social objective - to support strong, vibrant and healthy communities...by fostering well-designed, beautiful and safe spaces that reflect current and future need and support communities health, social and cultural well-being”.* The site would be a visual scar on the landscape and would have a detrimental impact on the lives of the immediate neighbours. Mitigating plans to screen the site are insufficient and do not consider the negative impact on the wellbeing of neighbours or local residents who daily enjoy the open countryside and use these open spaces for their wellbeing. There is no benefit to the local community.
- C) *“an environmental objective - to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy”.* A solar farm in this area does not enhance the natural environment - there is nothing natural about putting industrial glass panels, metal security fencing, CCTV cameras countryside. The environment and setting in which the site lies has historical value with heritage assets which would be detrimentally effected by the development. It is home to protected species who would be displaced by the construction process.

#### **18. CONTRARY TO MAIDSTONE LOCAL PLAN POLICY DM24**

The proposal is contrary to the guidelines as set out in the Maidstone Local Plan Policy DM24 Renewable Low Carbon and Energy Schemes for all of the reasons already stated in this opposition. In summary - it is good agricultural land; the development would be in conflict with landscape character and existing use; the cumulative impact would be unacceptable; the visual impact on this protected landscape would be adversely affected; there would be an adverse effect on heritage assets and their setting; the noise and disruption generated during the construction phase would be unacceptable; there would be negative impact on the local ecology particularly during construction phase.

#### **CONCLUSION**

We all recognise and support that the move to green energy is required and is rightly a priority across the UK. However, as the NPPF clearly states that development should be in the right type of land in the right place. Not only is this site productive agricultural land, it has heritage assets, is too close to dwellings, and is contrary to the Local Plan. This site is the wrong type of land and in the wrong place.

With all of these factors taken into consideration, I respectfully ask the Maidstone Planning Authority refuse planning permission.