

**From:** Gill Jenner  
**Sent:** 23 September 2023 08:12  
**To:** Legg, John  
**Subject:** Re APP/U2235/W/23/3321094

Dear Marion Geary,

We would like to add comments for the Notification of Appeal for the above planning reference.

This is for setting up solar panels at little Cheveney farm, Sheephurst lane,  
Marden. Kent.

This is prime agricultural Land in the Weald of Kent, Garden of England and area of outstanding natural beauty overall.

As such the land should be used for food and agricultural production to support the UK ability to provide home grown produce. Such production is vanishing at a fast rate.

Apart from this the development would be a major eyesore in a beautiful rural farming area.

All nearby residents are against this for that reason, and because inevitably their properties would be devalued and their outlook diminished.

We would like to confirm continuing opposition to the appeal .

This is on behalf of S Jenner and sons

Great Sheephurst farm,

Sheephurst lane,

Marden

TN12 9NX

Yours Sincerely

Gill Jenner

( partner)

David Jenner ( partner)

Ken and Gayella Jenner ( partner and resident of the farm house at Great Sheephurst)

**From:** william Jenner  
**Sent:** 09 October 2023 15:43  
**To:** Legg, John  
**Subject:** PINNS REFERENCE: APP/U2235/W/23/3321094

**Planning Appeal, Little Cheveney Farm, Marden**

Your Reference: 22/501335/FULL

Pinns Reference: APP/U2235/W/23/3321094

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To Who This May Concern,

I am writing to you in relation to the planning appeal of Little Cheveney Farm, Sheephurst Lane, Marden and the proposed installation of ground mounted solar panels and associated electricity generation infrastructure. It is my view that this is not a well considered use of the land, particularly in a country and community where levels of imported food are at an all time high, with rates of homegrown produce decreasing rapidly.

It is also simply impossible to overlook the repercussions that such a development will have on the outlook of residential properties in the vicinity, nor is it possible to overlook the fact that other residents - additionally to myself share the same concerns around both decreasing rates of UK-produced food, and of course, the impact that this will have on the appeal of the countryside surrounding the homes of fellow residents.

Yours Sincerely,

William Jenner

**From:**  
**Sent:** 17 October 2023 16:11  
**To:** Legg, John  
**Cc:** mariongeary@maidstone.gov.uk  
**Subject:** Fwd:Appeal Reference:APP/U2235/W/23/3321094

To: John Legg, Planning Inspector

Dear Mr Legg

Appeal Reference:APP/U2235/W/23/3321094

Proposal: Installation of a Solar Farm on Land North of Sheephurst Lane Marden Kent

I refer to this planning appeal and to my two previous objection letters to this Solar farm being sited on Little Cheveney Farm, and I am disappointed about the way in which a local democratic decision against this planning application for Sheepwash Solar Farm is being challenged by Statkraft and the farmer. What is also disappointing is that the applicants have made no attempt to engage with the local residents who will be affected.

The appeal like the original planning application has numerous errors and inconsistencies which are too many to mention. But I would like to highlight the following concerns.

Choice of Procedure chosen by Statkraft

I note under the appeal approach StatKraft have only chosen to appeal under option 1. Written representations and have said no to the following under this option:

a) Could the appeal Inspector see relevant parts of the appeal site sufficiently to judge the proposal from public land and;

b) is it essential for the inspector to enter the site to check measurements or other relevant facts?

Why would StatKraft's preference be for just a written representation and not consider it necessary for the appeal inspector to be able to test Statkraft's own 'findings' via a site visit. If the appeal inspector cannot sufficiently judge the proposal from public land and check measurements and other relevant facts then how can Statkraft have been able to do the same for this planning proposal?

If Statkraft felt that their plan could not be judged sufficiently from parts of public land, which were chosen as a result of detailed consideration of sensitive viewpoints; as per their photography and verified views and methodology document. Then surely this can go some way in supporting complaints from residents of Little Cheveney Farm and residents elsewhere that their viewpoints have been excluded from the study which are important and would have demonstrated the visual impact of the proposed site from private land.

The appeal justifies the Solar farm being built on Little Cheveney Farm because it only takes up 7.5 percent of the total agricultural land owned by the farmer in Kent. In isolation this is a small percentage but this Solar farm will cover 75 hectares which is almost the whole of Little Cheveney Farm and nearly the size of Marden village and will be built on a good percentage of land which is best and most versatile. Which as you are aware is against MBC local policy.

The solar farm is meant to be Temporary

The development is proposed for 37 years— 37 years is longer than what is stated as temporary in MBC's Planning Policy advice note: Large Scale (>50kW) solar PV arrays, under the Planning Application Considerations section which says "Be for a temporary period only, and a maximum period of 25 years from the commissioning of the facility should be applied". 37 years is a long time to remove good agricultural land away from food production. And even though Statkraft say that the land will be returned back to arable use, there is no guarantee that this will happen as policies can change over time. And restoring the site to arable land after the site's tenure will mean that wildlife and biodiversity will have to suffer twice during the construction stage and then on decommissioning of the site.

Solar Panels - Glint and Glare

The appeal mentions mitigation with new fast growing plants and the scaling back of the number of solar panels in order to reduce glint and glare from vulnerable properties but this doesn't mean that glint and glare for these properties will no longer be experienced.

The Solar Photovoltaic Glint and Glare Study

The Solar Photovoltaic Glint and Glare study that was performed for this planning application is based on solar panels that are 1.84 metres high; the panels being installed will be 2.7 metres high therefore the glint and glare will be far worse than predicted by this study. How can this study therefore be used as supporting documentation for this planning application? Particularly when the study highlights that the residents of Little Cheveney Farm along with other houses that face onto the site states that reflections from the proposed development will potentially

affect 45 out of the 49 houses and that two properties highlighted in their study on page 68 as numbers 43 and 44 Little Cheveney Farm, will experience glare over 3 months of the year (but less than 1 hour per day). But that most of this impact is expected to be moderate and that available imagery has shown that screening in the form of existing vegetation MIGHT reduce the views of the reflective areas for all affected properties and that planting of vegetation will mitigate the two vulnerable properties. Vegetation in and around little Cheveney farm is deciduous, which is also what Statkraft intend to plant to mitigate any views. Therefore, any screening existing or new won't be around for 365 days of the year, regardless of the fact that Statkraft argue in their appeal that the view in winter months views will be filtered; it will still take up to 10 years for any new planting to take effect.

I therefore have to question why has another glint and glare study not been performed based on the correct height of the solar panels.

The importance of a grid connection in selecting the site.

The most important factor in identification for this site was a point of connection to the grid. And it is stated in the appeal's executive summary in paragraph 1.3 that significantly a point of connection is available to the grid enabling the export of renewable energy to start in approximately 2 years of granting planning permission. But in 8.64 under policy appraisal, under the sequential analysis study it says a connection should be available within a reasonable timeframe being up to 4 years. Which is correct?

This is no excuse to build on BMV land just because Statkraft consider that there are no preferred sites available with a grid connection. Close proximity to the grid is not required and the Great Wilberham Solar farm in Cambridgeshire is a good example of this. The only reason this site is favourable is because it reduces connection costs and I consider this to be the main reason for site selection.

#### Diversification and Economic Development

The appeal sites the ALU statement and points out that because the farm is completely arable it has high exposure to risks associated with price fluctuations / environmental conditions and that it is important for arable businesses to diversify their business and that this solar farm would provide a source of income not prone to this volatility. I have to question this statement particularly in light of the Ukraine war and current high grain costs and what if solar farms are no longer viable? Farms like any business are subject to profit fluctuations, the farmer was aware of this when he purchased the land. And in light of the Ukraine war and the consequences of climate change food security has become even more important.

Environmental Health - Noise and disturbance resulting from use:

Battery Storage (BESS) noise Assessment 8 Little Sheephurst Cottages and Willow Cottage, Little Cheveney Farm

The noise assessment was refused by Environmental Health because it is not in line with DM1 and DM24 of the MBC Local Plan 2017. Due to the fact that a noise test was not performed for the BESS on the NE side of the site but this has now been removed. But 8 Sheephurst cottages was highlighted by Statkraft's noise assessment as being a noise sensitive receptor and on appeal Statkraft state that in paragraph 5.2 under amendments to the proposed development that they were not given the opportunity to respond in relation certain concerns. At the planning application stage Statkraft were given plenty of time to resubmit a noise assessment which was not done. This noise assessment was then completed in April 2023, but an actual noise test has not been performed to take into account the the insertion of noise attenuation panels and the relocation of the Bess storage facility away from 7 and 8 Little Sheephurst Cottages to see if there is still a noise issue. This assessment also fails to mention that there are also houses diagonally opposite who possibly could also experience noise pollution, even though a new site for the BESS has been proposed.

#### Effect on listed buildings

Paragraph 8.98 under Heritage impacts mentions a group of Grade II Listed buildings at Little Cheveney a farmhouse, a barn and two Oast houses. There are actually 4 Oast houses on Little Cheveney farm. In total there are 10 residential dwellings.

It also mentions that it is unlikely that the solar farm will be seen from Little Cheveney. Certainly a new house being built called Willow Barn for which the impact of this site has not been considered will have the closest views of the solar farm. The remaining properties on the Eastern side of Little Cheveney Farm whose windows face North and East will certainly have a Birds Eye view of the solar panels facing South, including from from their gardens.

#### Effect on listed Buildings

The photography conveniently does not take into account the views towards or from 6 Grade II listed residential buildings that reside on Little Cheveney Farm, four of which are Oast houses. These listed buildings like any historic structure are focal points in the countryside; and contribute to the historic landscape which is seen by those walking the public footpaths as well as being enjoyed by residents. These building were farm buildings and their setting of residing on farm land is of major importance and contributes to this setting. A massive solar farm will impact this view in a detrimental way and it doesn't seem to matter that residents views across open countryside which they enjoy today will be diminished by the solar farm and the planting of vegetation.

Material Planning Considerations Noise, Smells and Disturbance resulting from use Ecology - Threat to wildlife / Prevent free movement of wildlife due to fencing.

Mitigation for most wildlife is mentioned and 'justified' with Statkraft arguing that "animals will be free to roam outside the fenced area of the development and that there will be small gaps for small mammals to pass through the site".

But this prevents how they transverse the land today and is a poor compromise but this also contravenes MBC's document (Planning and policy advice note: Large scale (50>kW) Solar PV arrays) which states that

'appropriate measures should be in place to facilitate continued access by larger mammals, such as badgers and foxes' to pass through the site. Nothing has changed in this regard.

The proposed plan has been amended in the appeal to try and meet the planning committee's objections but no further studies have been applied to test any of the proposed changes. In particular a new glint and glare study on the correct height of the solar panels has not been done. Also there has been no request by Statkraft to speak to residents who reside in or around little Cheveney Farm to get permission to gain access to private property to understand viewpoints from private land or to do any noise tests from the properties that are potentially affected in order to complete a more informed study. This just highlights the lack of engagement with the local community which doesn't seem important to Statkraft.

Moving towards green energy is important for the planet and I am well aware of the need to produce alternative energy but solar panels should be placed on brownfield sites, warehouses, office blocks, business parks and new houses. Not on land where a good percentage is BMV. Our agricultural land is a finite resource and we need to look after it for the next generation and generations to come.

I strongly reject this planning appeal.

Thank you.

Miss Lynne Jones

Sent via BT Email App

**From:**

**Sent:** Oct 17, 2023 at 3:57 PM

**To:** john.legg@planninginspectorate.gov.uk

**Subject:** Appeal Reference:APP/U2235/W/23/3321094

To: John Legg, Planning Inspector  
Appeal Reference:APP/U2235/W/23/3321094  
Dear Mr Legg  
Proposal: Installation of a Solar Farm on Land North of Sheephurst Lane Marden Kent  
I refer to this planning appeal and to my two previous

objection letters to this Solar farm being sited on Little Cheveney Farm, and I am disappointed about the way in which a local democratic decision against this planning application for Sheepwash Solar Farm is being challenged by Statkraft and the farmer. What is also disappointing is that the applicants have made no attempt to engage with the local residents who will be affected. The appeal like the original planning application has numerous errors and inconsistencies which are too many to mention. But I would like to highlight the following concerns. Choice of Procedure chosen by Statkraft I note under the appeal approach Statkraft have only chosen to appeal under option 1. Written representations and have said no to the following under this option: a) Could the appeal Inspector see relevant parts of the appeal site sufficiently to judge the proposal from public land and; b) is it essential for the inspector to enter the site to check measurements or other relevant facts? Why would Statkraft's preference be for just a written representation and not consider it necessary for the appeal inspector to be able to test Statkraft's own 'findings' via a site visit. If the appeal inspector cannot sufficiently judge the proposal from public land and check measurements and other relevant facts then how can Statkraft have been able to do the same for this planning proposal? If Statkraft felt that their plan could not be judged sufficiently from parts of public land, which were chosen as a result of detailed consideration of sensitive viewpoints; as per their photography and verified views and methodology document. Then surely this can go some way in supporting complaints from residents of Little Cheveney Farm and residents elsewhere that their viewpoints have been excluded from the study which are important and would have demonstrated the visual impact of the proposed site from private land. The appeal justifies the Solar farm being built on Little Cheveney Farm because it only takes up 7.5 percent of the total agricultural land owned by the farmer in Kent. In isolation this is a small percentage but this Solar farm will cover 75 hectares which is almost the whole of Little Cheveney Farm and nearly the size of Marden village and will be built on a good percentage of land which is best and most versatile. Which as you are aware is against MBC local policy. The solar farm is meant to be Temporary The development is proposed for 37 years— 37 years is longer than what is stated as temporary in MBC's Planning Policy advice note: Large Scale (>50kW) solar PV arrays, under the Planning Application Considerations section which says "Be for a temporary period only, and a maximum period of 25 years from the commissioning of the facility should be applied". 37 years is a long time to remove good agricultural land away from food production. And even though Statkraft say that the land will be returned back to arable use, there is no guarantee that this will happen as policies can change over time. And restoring the site to arable land after the sites tenure will mean that wildlife and biodiversity will have to suffer twice during the construction stage and then on decommissioning of the site. Solar Panels - Glint and Glare The appeal mentions mitigation with new fast growing plants and the scaling back of the number of solar panels in order to reduce glint and glare from vulnerable properties but this doesn't mean that glint and glare for these properties will no longer be experienced. The Solar Photovoltaic Glint and Glare Study The Solar Photovoltaic Glint and Glare study that was performed for this planning application is based on solar panels that are 1.84 metres high; the panels being installed will be 2.7 metres high therefore the glint and glare will be far worse than predicted by this study. 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Therefore, any screening existing or new won't be around for 365 days of the year, regardless of the fact that Statkraft argue in their appeal that the view in winter months views will be filtered; it will still take up to 10 years for any new planting to take effect. I therefore have to question why has another glint and glare study not been performed based on the correct height of the solar panels. The importance of a grid connection in selecting the site. The most important factor in identification for this site was a point of connection to the grid. And it is stated in the appeal's executive summary in paragraph 1.3 that significantly a point of connection is available to the grid enabling the export of renewable energy to start in approximately 2 years of granting planning permission. But in 8.64 under policy appraisal, under the sequential analysis study it says a connection should be available within a reasonable timeframe being up to 4 years. Which is correct? 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But this prevents how they transverse the land today and is a poor compromise but this also contravenes MBC's document (Planning and policy advice note: Large scale (50>kW) Solar PV arrays) which states that 'appropriate measures should be in place to facilitate continued access by larger mammals, such as badgers and foxes' to pass through the site. Nothing has changed in this regard. The proposed plan has been amended in the appeal to try and meet the planning committee's objections but no further studies have been applied to test any of the proposed changes. In particular a new glint and glare study on the correct height of the solar panels has not been done. Also there has been no request by Statkraft to speak to residents who reside in or around little Cheveney Farm to get permission to gain access to private property to understand viewpoints from private land or to do any noise tests from the properties that are potentially affected in order to complete a more informed study. This just highlights the lack of engagement with the local community which doesn't seem important to Statkraft. Moving towards green energy is important for the planet and I am well aware of the need to produce alternative energy but solar panels should be placed on brownfield sites, warehouses, office blocks, business parks and new houses. Not on land where a good percentage is BMV. Our agricultural land is a finite resource and we need to look after it for the next generation and generations to come. I strongly reject this planning appeal. Thank you. Miss Lynne Jones Little Cheveney Farm Sheephurst Lane Marden Kent TN12 9NX

**From:**  
**Sent:** 17 October 2023 14:31  
**To:** Legg, John  
**Cc:** mariongeary@maidstone.gov.uk  
**Subject:** Planning Appeal APPU2235W233321094  
**Attachments:** APPU2235W233321094 John Martin Appeal Letter 17.10.2023.pdf  
  
**Importance:** High

Dear Mr Legg,

***Installation of a renewable energy led generating station comprising of ground-mounted solar PV arrays, associated electricity generation infrastructure and other ancillary equipment comprising of storage containers, access tracks, fencing, gates and CCTV together with the creation of woodland and biodiversity enhancements.  
Location: Land North Of Little Cheveney Farm Sheephurst Lane Marden***

Please find attached my letter in relation to the above planning appeal that I would like to be taken into consideration in your deliberations.

Best regards

**John Martin**

Mobile :

E-mail: .

Date 17/10/2023

Dear Mr Legg,

**Ref:APP/U2235/W/23/3321094 Proposal: Installation of a renewable energy led generating station comprising of ground-mounted solar PV arrays, associated electricity generation infrastructure and other ancillary equipment comprising of storage containers, access tracks, fencing, gates and CCTV together with the creation of woodland and biodiversity enhancements. Location: Land North Of Little Cheveney Farm Sheephurst Lane Marden**

I wish to add further to my original comments made on this case.

In short, I support Maidstone Borough Council's decision to reject this application and would ask that this decision is supported at appeal and that it continues to be rejected both in its original and revised form.

In particular: -

#### **Process**

- Statkraft appear to introduce a revised plan in the appeal process whilst they had ample opportunity to do this during the original application and consultation as it was clear from the many objections the resistance to this proposal.
- This has meant that we have had insufficient opportunity to consider its implications and to consider need for further reports such as our own glint and glare study and heritage assessment.
- On a simplistic level that they have chosen to do this I believe supports the original decision by Maidstone Borough Council to reject their original proposal.
- If they want to propose a revised solar farm then I believe they should start the process again with proper consultation etc. without trying to introduce this revised proposal by "stealth" as part of the appeal process

Given that the waters are now muddied with the introduction of this revised plan and documents I have no option but to make these further comments in relation to what I've been able to establish online: -

#### **The Revised Plans**

- Whilst I'm grateful that the revised plans remove the solar farm from the field adjacent to my property it is still of a scale and magnitude that will impact me and my property.

- From what I can see all of the revised reports and documentation completely fail to acknowledge its impact on the property #7 adjacent to mine.
- This is high quality agricultural land that is inappropriate for such a project despite its proximity to the power grid.
- Even in its revised form this solar farm will have adverse impact on many properties as well as my own including adverse impact on heritage, glint and glare and increased flood risk.
- To “disguise” the considerable impact of this proposal a large amount of mitigation planting is going to be required. This will take many years to fully establish itself, will completely change the aspect of the open countryside and bring with it increased risks such as flooding etc.
- I believe all of this is evidenced in stark contrast to the Bockingfold Solar Farm which is just 700 metres from this proposal This was granted planning permission by Tunbridge Wells Borough Council on 22 December 2022 Planning Ref 22/02773/FULL.
  - This is of similar scale and size to this proposal and encountered minimal objection.
  - It is of lower grade agricultural land, will not be visible, does not require mitigation planting and causes no flood risk.
  - Unlike this proposal it is a suitable location for such an initiative.

### **Conclusion**

I do not believe that this is nimbyism, as many others have said, this is the wrong project in the wrong location.

I believe that we should be looking for alternative energy sources and that solar farms are one of them.

I believe there is scope for a much smaller solar farm in this location that is closer to the railway line and with suitable flood mitigation- however, this is not what is being proposed.

In the light of this I would urge you to reach the conclusion that maintains Maidstone Borough Councils rejection of this plan in both its original and revised form

Yours faithfully,

**John Martin**

**From:** Zsa Moncreiffe  
**Sent:** 16 October 2023 21:52  
**To:** Legg, John  
**Subject:** REF: APP/U2235/23/3321094



**Zsa Moncreiffe**

to john.legg

**Proposal: Installation of a renewable energy led generating station comprising of ground-mounted solar PV arrays, associated electricity generation infrastructure and other ancillary equipment comprising of storage containers, access tracks, fencing, gates and CCTV together with the creation of woodland and biodiversity enhancements. Location: Land North Of Little Cheveney Farm Sheephurst Lane Marden**

Dear Mr Legg,

We, being residents of properties at Brook Farm, Green Lane, Marden, are writing to raise our objections to the appeal of the solar farm known as Sheepwash Solar Farm by developer Statkraft.

We live in a number of properties at Brook Farm, which lies approx. 500m North of the proposed solar farm. This area is in flood zone 3 and we have experienced an increase in flooding to our properties in recent years. Every year the ground becomes saturated, with the River Lesser Teise breaking its banks with increasing frequency, which has in the past has resulted in flooding to some of our properties. Indeed, when we flood, so often do Collier Street, Yalding and other communities.

It should be noted that when the river floods, the roads flood too. We are cut off – making it impossible for emergency vehicles to access us.

Any acceleration in the rate of water run-off from local fields or increased volume of water into the Lesser Teise will result in yet further flooding to our homes. At the moment rainwater on the site of the proposed solar farm is soaked up by crops, the clay soil is aerated with ploughing, whilst land drains discharge extra run off from the site into the Lesser Teise. The Lesser Teise which borders the Eastern side of the site, flows north towards Brook Farm. Managing the water flow and level is a very delicate balance, and we do not believe that the plans have mitigated the possibility of increased flooding for surrounding properties, including those who reside at Brook Farm. Our reasons for this are as follows:

1. Accelerated run-off during construction period. Clay soil will be compacted and we understand soil will be removed. Land drains will be disrupted due to the piling

required for the installation of the solar panels. With no crops or vegetation to soak up the water, no ploughing to aerate the clay soil, there will be increased run-off from the fields into the river, and will therefore increase flood risk.

2. Increased and accelerated run-off from solar panels with no allowance for trenches to collect and distribute the water uniformly. Rainwater will run off the panels in a sheet-like manner (similar to water running off a roof), compact the clay soil and cause channels to form, accelerating flow of water into the river. A solar panel is a solid surface and therefore it is not possible for the rain falling on the panels to “immediately drop onto the existing soft landscaping under the panels” as stated in the JBA Consultant report.

3. In December 2013 there was widespread flooding in the area. The banks of the Lesser Teise broke and the fields on the Eastern side of the proposed solar development were completely underwater. Our concern is that in the event of another flood such as this (which we believe is inevitable), the fencing alongside the river will trap floodwater debris from the river, which will then act as a barrier and force the increased river water volume to flow towards our properties instead of allowing the water to spread out evenly across the fields which serve as a flood plain.

4. It is stated in the JBA Consultant assessment “As the development will introduce areas of impermeable surfacing to the site, there will be changes to the rates and volumes of surface water run-off generated within the application boundary in comparison with the existing Greenfield site”. Whilst hardstanding run-off will be managed with swales, access tracks will enable run-off onto Greenfield site which will accelerate water flow into the Lesser Teise which will also increase flood risk to our properties. We feel the potential harm to our properties has been overlooked.

## CONCLUSION

It is our position that this solar farm development will increase the flood risk to our homes (as well as to other communities down river), thus causing significant harm. This is therefore contrary to national and local planning regulation and we urge you to uphold Maidstone Borough Council’s decision to refuse development.

Clive Allcorn and Angela Pratt – 2 Forstal Cottages  
Patrick Dighton – the Black Barn, Brook Farm  
Mark and Lynn Gadsby – Brook Oast Place, Brook Farm  
Chris and Jacqui Griffiths – Brook Oast, Brook Farm  
Mark and Zsa Moncreiffe – Brook Farmhouse  
Patrick and Pam Watts – the White Barn, Brook Farm



**From:** Claudine Russell (Cllr)  
**Sent:** 17 October 2023 13:16  
**To:** Legg, John  
**Cc:** Marion Geary  
**Subject:** APP/U2235/W/23/3321094 Sheepwash Solar comments  
**Attachments:** Solar Farm Comments for Appeal.docx

Dear Mr Legg,

Please find attached my further comments regarding the Sheepwash Solar Farm Appeal, land North of Little Cheveney Farm, Sheephurst Lane. Marden, PINS Ref:APP/U2235/W/23/3321094. Maidstone Borough Council planning ref 22/501335/FULL.

Thank you in advance for your consideration.

Kind regards,

Claudine

**Cllr Claudine Russell**

MBC Ward Member for Marden and Yalding

Cabinet Member for Communities, Leisure and Arts

Chairman of the Joint Transportation Board

Maidstone Borough Council, Maidstone House, King Street, Maidstone, Kent ME15 6JQ

[w www.maidstone.gov.uk](http://www.maidstone.gov.uk)

A copy of the applicable privacy notice which details how I will hold and use your data, and your rights in this respect is available on the MBC website using the following link:

<https://maidstone.gov.uk/home/privacy-and-cookies/service-level-privacy-notice/democratic-services/councillors>

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APP/U2235/W/23/3321094 Comments for Mr Legg, Planning Inspector.

Dear Sir,

Farms wish to diversify, and as a society we turn more and more towards electricity requiring ever more generation sites. It is not unlike the housing problem that is often before us, houses are desperately needed, and brownfield sites are small in number. To determine the housing issue we turn to the NPPF, the local plan, neighbourhood plans and various guidance to discover if this is the right location for this type of housing. To determine the solar farm issue we should do the same. Just because there is a need, this does not give carte blanche to the development of these sites.

The land itself is 47% grade 2 and 3a of the best and most versatile farmland and is in current arable production, the loss of this for a solar farm is against both national and local policy guidance.

The original committee report showed clearly that various consultees raised objections; The Environment Agency stated a risk to the Lesser Teise, CPRE stated various objections including the whole site not being screened from a distance and the glint and glare study submitted by the applicant excludes the road that the site is on. Environmental Protection objected to the noise assessment as it has several inadequacies and the Conservation Officer objected to the changing of the landscape in which the heritage assets are situated.

The planning committee report presented at the committee was full and comprehensive, the site is contrary to Policy DM24 of the Local Plan and the applicant has not adequately demonstrated why the use of this best most versatile agricultural land is needed for this installation. The scale and form of the site would cause significant harm to the character and appearance of the countryside and the benefits do not outweigh this harm, it is contrary to policies SP17, DM1, DM24 and DM30 of the Maidstone Local Plan. The proposal represents harm to the setting of the heritage assets and is therefore contrary to policies DM4 and DM24 of the local plan. There would be harm to natural assets which would be contrary to policies DM3 and DM24 of the local plan and the noise assessment is incomplete, thereby failing to demonstrate that there would be no harm to residential amenity which is contrary to policies DM1 and DM24 of the Local Plan.

The planning committee voted overwhelmingly and almost unanimously to reject this proposal in its current form and this should not be overturned at appeal in my opinion.

Yours faithfully,

Cllr Claudine Russell



**From:** Sarah Springhall  
**Sent:** 17 October 2023 12:13  
**To:** Legg, John  
**Cc:** mariongeary@maidstone.gov.uk  
**Subject:** APP/U2235/W/23/3321094 Sheepwash Solar comments  
**Attachments:** Sheepwash Appeal comments.17.10.23.Springhall.Petrie.Wallis-Hosken.pdf

Dear Mr Legg

Please find attached comments regarding the Sheepwash Solar Farm Appeal, land North of Little Cheveney Farm, Sheephurst Lane. Marden, PINS Ref:APP/U2235/W/23/3321094. Maidstone Borough Council planning ref 22/501335/FULL.

Thank you in advance for your consideration.

Yours sincerely

Sarah Springhall

**Date:** 17 October 2023

**To:** John Legg, Planning Inspectorate

**Ref:** APP/U2235/W/23/3321094

**Proposal:** Installation of a renewable energy led generating station comprising of ground-mounted solar PV arrays, associated electricity generation infrastructure and other ancillary equipment comprising of storage containers, access tracks, fencing, gates and CCTV together with the creation of woodland and biodiversity enhancements.

**Location:** Land North Of Little Cheveney Farm, Sheephurst Lane, Marden

**From:** Tim and Sarah Springhall, Little Cheveney Farmhouse, Sheephurst Lane  
Duncan and Vicky Petrie, Bottom Oast, Little Cheveney Farm, Sheephurst Lane  
Gillian Wallis-Hosken, The Lodge, Little Cheveney Farm, Sheephurst Lane

We are supporters of the Government's energy strategy and the drive towards a future with renewable energy. However, we are writing to raise our concerns and objections regarding the Appeal for Sheepwash Solar Farm which we believe causes more harm than would outweigh the benefits.

In October 2022, this proposal was refused at Maidstone Borough Council's planning committee meeting with an almost unanimous vote (12 councillors voting for refusal, one abstention). The proposal received a significant number of objections from local residents and groups, all with a shared opinion that the harm caused by this development would outweigh the benefits it would deliver. This is in stark contrast with Bockingfold Solar Farm, an equally sized solar farm approximately 700m from the proposed Sheepwash Solar Farm, which passed easily through planning with very few objections in December 2022.

The original Statkraft proposal was shambolic - from quoting an outdated NPPF, a lack of communication and consultation with residents, lack of adequate noise surveys, placing mitigating planting on land not belonging to the landowner thus miscalculating the biodiversity gain, increasing flood risk, causing harm to heritage, ecology and endangered species, to proposing the change of use of BMV land for energy production. Surrounding this site are 9 listed buildings, a river that floods, and protected ancient and veteran woodland. The Council refused planning permission citing numerous reasons for refusal.

Our concerns below are focussed on the new plans that the appellant is proposing at appeal stage, which, like the original proposal would cause harm that has not been adequately mitigated.

### **1) VALIDITY OF NEW PROPOSAL**

The appellant is proposing an amended plan at appeal stage, with a considerable number of new sizeable reports, skewed to support their new plans in an attempt to dismiss reasons for refusal. They place weight on the climate crisis and the need for the growth in renewable home grown energy supply. We do not disagree with this assertion, but guidance is very clear that an appeal should not be used to put forward new plans and that, "if an applicant thinks that amending their application will overcome the LPA's reasons for refusal, they should normally make a new planning application". In the October 2022 Maidstone Borough Council Planning Committee meeting, Cllr Clive English voted against the development, but commented that if the developer revised their plans and put forwards a smaller site so all harm was mitigated, then maybe it would be met more favourably by the Council. So why did Statkraft not reengage with the Council and the community? Why action an expensive appeal forcing the Council to use taxpayers' money to argue their case?

We would therefore question the validity of this appeal. The appellant should follow correct procedure, reengage with the Council, and communicate with residents.

## **2) BMV & BEST USE OF LAND**

The Pegasus Sequential Analysis Study (SAS) sets out to justify use of this land for a large solar array.

National, Local Policy as well as the National Policy Statement for Renewable Energy Infrastructure place great weight on the protection of BMV land, and that development should be directed to lesser quality land, non agricultural land and brownfield sites.

When balanced against this policy, the SAS does not justify use of the land for solar for the following reasons:

### **2.1 USE OF BMV LAND**

The SAS states on page 2 1.10. “The overarching purpose of this Sequential Analysis Study is to demonstrate that the use of agricultural land for solar farm development has been properly considered in relation to relevant planning policy and material considerations.”

The 74.5 hectare site is 47% BMV land and produces healthy staple crops of wheat, rapeseed and beans (the PureKent instagram account of Eckley Farms, owners of the site illustrate this). According to a Natural England estimate, 42% of UK farmed land is BMV land, so this site is above average. Productive agricultural land is a finite resource. As stated by the NFU Deputy President Tom Bradshaw “food security needs to be a priority.....especially during times of global unrest”. In the House of Lords Land Use in England Committee report 2022-2023, the NFU is quoted as saying the country “should be looking to maintain and increase domestic food production to help sustainably feed the world’s growing population”. With crops in Europe failing as a result of climate change, the pressure on the productive UK fields will become greater. This places weight on the argument that BMV land should not be used for energy production.

### **2.2 ALTERNATIVE, MORE APPROPRIATE SITES IN THE IMMEDIATE AREA**

The SAS argues that Carter Jonas concluded that this was the only appropriate site in the area for solar. Bockingfold solar farm - 700m from Sheepwash was granted planning permission by Tunbridge Wells Borough Council on 22 December 2022 Planning Ref 22/02773/FULL. It is of equal size and generating capacity to the Sheepwash Solar Farm proposal. Contrary to the SAS claim that Bockingfold was dismissed by the developer as it is grade 2, this site is 82.5% grade 3b and 17.5% grade 3a.

It should also be noted that the Bockingfold development will cause no harm to listed buildings or ecology, it will not increase flood risk to neighbours, it will not be visible from viewpoints or public highways and as such there is little, if any mitigating planting, so the openness of the landscape remains intact. In stark contrast to Sheepwash, Bockingfold received healthy support from the Council and local groups with very few local objections. This is an example of how a sensitively designed solar farm can be supported in the area if it is in the right place and highlights further that the Sheepwash site is not appropriate for solar energy generation.

Bockingfold also illustrates that there could be other sites locally which are better suited to solar generation.

### **2.3 CONTINUED USE OF LAND FOR FARMING - “SHEEP GRAZING”**

A tenuous argument by the developer is put forwards that that land will continue to be used for food production in the form of sheep grazing. Sheep already graze on the field at Little Cheveney Farmhouse and Little Cheveney Parkland, but due to water logged ground during Autumn/Winter and some Spring months, it is not sustainable to keep sheep on the land over the course of the year. We have yet to see any solar farm in the South East with sheep grazing under the panels. Grazing land is typically to the West of the country and not the East where land is used for arable farming.

## 2.4 CONNECTIVITY AND COST

Parameters of the search were restricted to land within 500m of the grid because it presents a quick fix, because it is easier and more cost effective to connect a solar array close to the grid. Land outside this distance has not been considered, despite the fact that there are already operating solar farms which are situated further than 500m from the main grid.

Although consideration should be given to the ability to connect to the grid, this should not be a reason to grant permission if unacceptable harm is caused. The overriding sense is that this site has been retrofitted to make the site appear suitable with all arguments (notably regarding the use of BMV land) shaped to fit accordingly.

## 2.5 NUMEROUS OTHER SOLAR SITES IN PLANNING

Renewable Energy is big business and we are seeing a huge rise in applications for wind, hydropower and solar energy plants. Solar developers approach landowners and farmers, offering healthy rent to lease their land for renewable energy generation. In a Parliament debate in March 2023, it was stated that “total solar generating capacity is now about 14.6 GW..... It is estimated that a further 160 solar farms have been approved and there are several hundred more planning applications in the pipeline, including at least seven nationally significant infrastructure planning applications which are over 50 MW. That planning and construction pipeline could be equivalent to a further 150,000 acres of solar panels, the majority of which would be ground-mounted on farmland.” The company Cero has 38 standalone or BESS projects in the UK pipeline with Enso - a partnership that alone could generate 10GW of solar power. In short, there should be more than enough appropriate sites to reach the Government targets without having to lose BMV land and cause harm.

## 3. PEGASUS SEQUENTIAL ANALYSIS STUDY CONTRADICTIONS

Highlighted in red are examples of where there is contradiction in the rationale for development. Detail of why there is contradiction is below lettered a-g.

On page 2 1.11. “*The site selection parameters applied by the Appellant to identify a suitable solar farm development site are described within the SAS as part of this process as summarised below*”.

On page 19 4.23. “*The other parameters applied by Carter Jonas as part of the initial site identification included the following: Environmental/heritage/landscape designations. Visual impact and local residences, Flood zone, Topography. Fragmentation of array blocks (including overhead lines). Vehicle accessibility. Open/common land access and rights of way. Constructability of connection route.*”

### “2. Site Assessment Constraints

- 4.33. *Land within the Study Area identified is then examined in relation to constrained and designated areas where large scale solar farm development would be excluded.*
- 4.34. *The application of constraints is applied in two phases. The first phase excludes those areas that are particularly sensitive and constrained using the following parameters:*

*Listed Buildings, Grades 1, II\*, and II - 50m buffer., Country Parks, Registered Parks and Gardens, Scheduled Monuments, Conservation Area, Common Land – Countryside and Rights of Way Act (CROW Land), Areas of Outstanding Natural Beauty, Locally designated sites for landscape protection, Sites of Special Scientific Interest. Woodland, Ancient Woodland, Statutory designated sites for ecology, RSPB Reserve, Residential buffer – 100m, Local Nature Reserve”*

a) *Environmental/heritage/landscape designations. Visual impact and local residences* - Paragraph 6.27 of the Maidstone Local Plan states, "The NPPF encourages the protection of valued landscapes.....which are afforded protection in policy SP17". The Low Weald, where the proposal is sited, is identified as one of these landscapes.

The sheer enormity of this site would be a sizeable scar on the Low Weald landscape. The extensive mitigating planting required to make the site acceptable to mitigate harm to heritage, woodland and residential amenity carves up and causes harm to the open landscape character of the Low Weald. The views across the open agricultural landscape from PROWs and the train would be replaced by fields of solar panels. Other solar farms, including Bockingfold, do not have the requirement for such extensive planting to shield the site. The new plans do not mitigate one of the reasons for refusal which stated, "The harm to the intrinsic character and appearance of the open countryside is substantial, both in significance and scale, and would not be adequately mitigated by landscaping proposals which would take a long time to mature and would not integrate the development into its setting".

b) *Flood Zone* - the vast majority of this site is on flood zone 3. In recent years, land and properties surrounding the site have experienced increased water level/flooding. Further detail on flooding concerns in relation to the solar farm development are below in point 4.

c) *Topography* - Solar panels, an HV compound, security fencing with CCTV cameras shielded by extensive mitigating planting will be a stark change from the natural topography of the area.

d) *Vehicle accessibility* - Bockingfold solar farm (700m from this site) will be commencing construction in 2024. If Sheepwash were to go ahead, then there would be 2 solar farms of 49.9MW generating capacity being built simultaneously. The increased number of HGVs on small country lanes, which already struggle with daily volume of traffic, would be unacceptable. National Policy Statement for Renewable Energy Infrastructure, "NPS EN03 3.10.117 Where a cumulative impact is likely because multiple energy infrastructure developments are proposing to use a common access route, applicants should include a cumulative transport assessment as part of the ES." Bockingfold is going ahead. If Sheepwash is given permission, then the number of HGVs on small country lanes will be negatively impactful.

e) *Open/common land access and Rights of Way Act* - Redirecting the PROW to the north east corner of the site and along the banks of the River Lesser Teise is placing it on land which regularly floods and consequently becomes impassable. This would have a negative impact on the recreational use of the the paths. In addition the siting of an orchard on the banks of the river on an area which regularly floods shows poor judgement.

f) *Woodland/Ancient Woodland* - The oak parkland of Little Cheveney, which is surrounded on 3 sides by the development site, is significant not only to the setting of the listed buildings at the site, but also to the biodiversity of the land. Statkraft belittle the significance of this parkland because the trees do not feature on magic maps. It should be noted that not all relevant trees are on this map and it is a work in progress. The omission of these trees is being rectified. According the Woodland Trust, "a veteran tree may not be very old, but is has significant decay features, such as branch death and hollowing. These features contribute to its exceptional biodiversity , cultural and heritage value". "Renowned in history and legend, oak trees symbolise royalty, patriotism and strength. But perhaps their greatest feat is nurturing wildlife. They are a haven for a colossal 2,300 wildlife species, providing vital spaces to eat, shelter and breed."

Many of the oak trees which form this parkland are hundreds of years old and are veteran trees and home to numerous species. There is no buffer between the parkland and the site. There is no functional habitat passage between the ancient woodland and this wood pasture. The increase of noise and vibration pollution during construction would increase disturbance to wildlife. To mitigate this harm and make the proposal acceptable, a passage between the parkland and the ancient woodland should be created, and a buffer between the site and the parkland would contribute to the biodiversity gain and allow for natural regeneration. An independent biodiversity assessment of the parkland should be commissioned to fully appreciate the ecology of the area to ensure no harm is caused.

g) Residential buffer - 100m - the site is 55m from Willow Cottage, whilst Willow Barn does not even feature on the new plans. So negative impacts on this property have not been fully considered and the developers' own parameters have not been followed. The buffer between Willow Barn and Willow Cottage should be almost twice as deep.

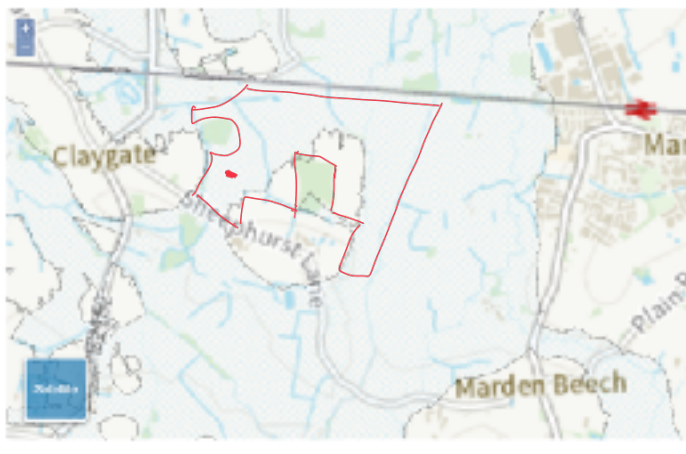
#### 4. INCREASED FLOOD RISK

NPPF paragraph 167 provides that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

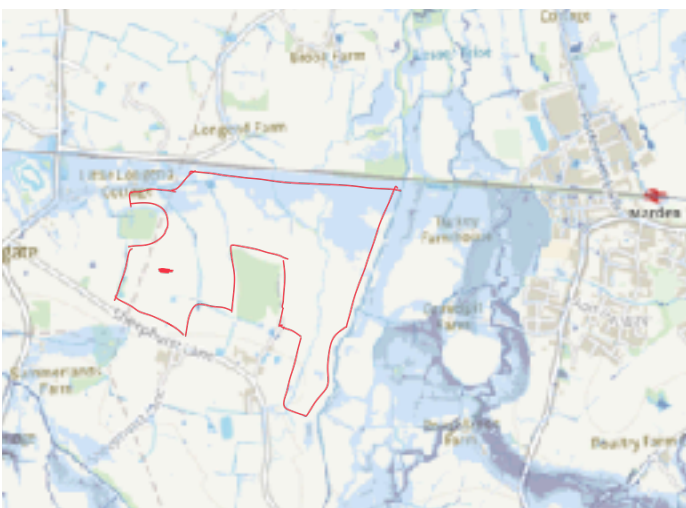
The NPS EN-3 highlights that the PV sites in low lying sites should consider, in particular, how the plant will be resilient to increased risk of flooding.



This map overlays the site with HV compound (in red) onto the Kent County Council's flood risk zone map. Dark blue area is flood zone 3, light blue zone is flood zone 2. The Maidstone Local Plan paragraph 4.82 states 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)".



This historic flooding map is from Urban Water. Marked in pale blue is historic flooding in the area. The site is outlined in red with the site of the HV compound also in red.



This surface water map is from Urban Water. Marked in blue shows surface water flooding with the site outlined in red with the site of the HV compound also in red.

There is already regular flooding in the area, with the River Lesser Teise breaking its' banks with increasing regularity. Properties at greatest risk of flooding are to the north (Brook Farm on Green Lane) and east of the site (Gravelpit Farm, Turkey Farm, and residences on Roughlands Lane). It is our assertion that the development will cause increased flood risk to these properties. This has not been adequately considered in the JBA Consultant Report. There is insufficient detail and information in relation to ensuring that the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. This is contrary to national and local policy.

#### **4.1 CONSTRUCTION PERIOD - ACCELERATED RUN OFF**

The construction of the site will result in compacting clay soil, the removal of top soil and no vegetation or crops to soak up the water. There will therefore be an increase in surface water. The natural convection of water will be disrupted and piling of the panels could disrupt existing land drainage, again causing an increase in surface water and volume of water flowing into the Lesser Teise, which in turn could cause flooding to the properties already mentioned.

#### **4.2 MAINTENANCE OF SURFACE WATER DRAINAGE**

The maintenance of the ditches and land drainage is imperative to help prevent flooding. There does not seem to be a plan in place to manage surface water drainage. On the JBA Consulting Report page 17, it states: "It is envisaged that the surface water drainage system will remain in private ownership and be maintained by the site owner/occupier or their appointed management company." It is a major concern that long term land and water management has not been adequately considered.

#### **4.3 INADEQUATE DRAINAGE UNDER SOLAR PANELS**

Whilst the panels are placed above flood level, there is no allowance for drainage trenches to ensure controlled run off from the panels. Rainwater will flow off the panels and compact the clay soil below, causing channels to form. During periods of heavy rain the flow of water would be accelerated towards the river, which again could raise flood risk to properties already mentioned.

#### **4.4 FENCING**

In the floods of December 2013, the eastern side of the site was completely underwater when the river broke its banks. In the event flooding, fencing along the eastern border of the site would interrupt the conveyance of floodwaters freely across the site, by trapping floodwater debris and creating a barrier. This change to the natural flow of water in the event of a flood would result in increased volume of water flowing towards the properties already mentioned.

### **5. HARM TO HERITAGE**

Section 66(1) of the Planning Act 1990 states that special regard should be paid to the desirability of preserving the settings of listed buildings, where those settings would be affected by the proposed development. The NPPF defines the setting of a heritage asset as the surroundings in which it is experienced. Significance may be harmed by a development and it is necessary to determine the degree of harm caused.

The NPS EN-3 3.10.109 highlights, "the significance of a heritage asset derives not only from its physical presence but also from its setting, careful consideration should be given to the impact of large-scale solar farms which....may cause substantial harm to the significance of the asset".

Policy DM4 of the Maidstone Borough Local Plan states that new developments affecting a heritage asset should incorporate measures to conserve, and where possible enhance, the significance of the heritage asset and its setting.

The desk based heritage statement shows distinct bias in favour of placing solar farms on Greenfield farmland (see page 10 of the report 3.20-3.22) with the author stating that they consider “solar farms of the scale being proposed here, are inherently rural and agricultural in character”. This is subjective and personal opinions of the author are reflected in their conclusions. It is our assertion that the production of energy with solar panels is not rural, it is not a characteristic natural element of the countryside, nor is it agricultural. Agriculture is defined as the cultivation of soil for the growing of crops and the rearing of animals. Solar farms with all the associated infrastructure, roads, cables, fencing are man-made and are alien in the countryside.

The conclusions drawn show a lack of understanding of the topography and the listed buildings which will be affected. Despite mitigating planting, the height of the panels would give them a high visual profile and would be visible from listed buildings (notably the listed buildings at Little Cheveney Farm) and their settings thus causing harm. As such, the findings of the report are misleading.

**6. MORE THAN 74.5ha OF AGRICULTURAL LAND REMOVED FROM FOOD PRODUCTION**



Much is made throughout the appellant’s appeal documents to justify the use of BMV land. They omit to mention that there is an additional acreage which will also be taken out of arable production. Two pockets of land as highlighted in yellow on this map 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. The land has not been marked for biodiversity. Wider impacts of the development should be considered - but neither the developer or landowner have given answer to what will happen to the land post development.

**7. CUMULATIVE IMPACT**

Cumulative effects are addressed, but only with regards to visibility between the sites. Eversheds Sutherland Appeal Statement of Case on behalf of Statkraft, page 19, 8.44, “Due to the distance between (proposed) developments, the combined effects on landscape character would be negligible”.

The overall cumulative effects on the Low Weald rural landscape require further consideration.

Below a map of the area. Outlined in red are Bockingfold Solar Farm (on left), Sheepwash Solar Farm (centre), a switching station (between Bockingfold and Sheepwash) whilst Marden is outlined in blue.





The Marden and Collier Street area has already lost much of its open orchards, farmland and countryside to polytunnels, an industrial estate, housing development and Solar Farms (Widehurst solar farm to the South East of Marden and Bockingfold). The cumulative effect of this development in such a small rural area is excessive and is unsustainable.

## **8. DECOMMISSIONING**

There is little detail on the reversibility and decommissioning of the project. 37 years is a lifetime, and the reality is that this site is unlikely to be returned to farmland. This should be considered in relation to the harm caused to listed buildings and BMV land. In order to return the site to farmland, all the extensive mitigating planting, including woodland will have to be destroyed. This would mean destroying biodiversity gain. Removing the panels, underground cabling, HV compound infrastructure and will be a sizeable operation and will also cause harm. In the NPS for Renewable Energy Infrastructure (EN-3) 3.10.63 "applicants should set out what would be decommissioned and removed from the site at the end of the operational life of the generating station".

## **CONCLUSION**

Statkraft, their consultants and lawyers place weight on the requirement for renewable energy to justify the use of this land. But the rush to a greener, cleaner future must protect, not destroy or diminish existing assets and must not cause harm.

Just because this site is next to the grid, and is therefore cheaper and easier to connect, it does not justify the placing of a solar array on productive farmland. From harm to heritage and landscape, removal of BMV land and increased flood risk, there are numerous reasons why this site is not appropriate for a solar farm. New plans still do not go far enough to mitigate the harm caused.

**There is support on a local and national level for solar farms, but only where they are in the right location.** There has been substantial, valid opposition to this development - whereas there was little if any opposition to Bockingfold an equally sized solar farm some 700m from this site.

We need renewable energy; we need solar farms; but this is the wrong development in the wrong place.

**From:** Steve Walker  
**Sent:** 16 October 2023 11:15  
**To:** Legg, John  
**Cc:** JANE Walker  
**Subject:** Object to the appeal of Statkraft Reference APP/U2235/W/23/3321094  
**Attachments:** Objection Letter.odt

Dear Mr Legg,

My name is, Steve Walker and I am one of the owners ( alongside my parents, Jane and Dave Walker ) and we are the owners of Willow Barn, Little Cheveney, Sheephurts Lane, Marden, TN12 9NX of which we are currently building our house.

We have been made aware of the above from a neighbour, there please find attached my objection letter for the above appeal that you are dealing with.

Many thanks

Kind Regards

Steve Walker

Dear Mr Legg,

I am writing to Object to the appeal of Statkraft In relation to;

**Proposal: Installation of a renewable energy led generating station comprising of ground-mounted solar PV arrays, associated electricity generation infrastructure and other ancillary equipment comprising of storage containers, access tracks, fencing, gates and CCTV together with the creation of woodland and biodiversity enhancements. Location: Land North Of Little Cheveney Farm Sheephurst Lane Marden**

**Reference** APP/U2235/W/23/3321094

**Maidstone Borough Council Reference** 22/501335/FULL

I have made the following comments for my reasons for objecting to this Proposal.

1) This Proposal does not fully take into account Willow Barn, which is a new dwelling being developed just 3 metres from the southern boundary of the proposed site. Willow barn is only mentioned in the statement of case Appeal Amendments 8.58 “The Appeal Amendments have been designed in order to improve the visual amenity of 8 Sheephurst Cottage, dwellings along Sheephurst Lane, Willow Cottage, Willow Barn and Listed buildings within Little Cheveney Farm.” However there is not Landscape and Visual Impact Assessment (LVIA), Noise Impact Assessment or Glint and Glare Study for Willow Barn. Furthermore the LVIA has only been conducted on public land, which does not fully represent the impact of the proposed solar farm. If the applicant had genuinely engaged with the local community and made contact with me, arrangements could have been made to allow access for a proper assessment to be carried out, which would have enabled them to ensure that the site layout and mitigation planting would be sufficient. However this has not happened and so the property of Willow Barn situated 3 metres from the boundary has not been properly accounted for, which represents neglect from the applicant in regards to assessing the impact on all neighbouring properties. As part of their argument in the statement of case Visual Impact 8.39 “In relation to impacts upon dwellings, the property which is located closest to the solar arrays, being the bungalow at Little Cheveney Farm (55m to the south), would experience **substantial adverse effects**, albeit views would be partially screened by an existing barn and garden vegetation...” This contradicts their statement in 8.58 whereby they have designed to improve the visual amenity of ...Willow Barn, the very same barn they are using as a partial screen for Willow Cottage. This further proves that they have not conducted sufficient site surveys and taken into account the affect on **ALL** properties.

2) The Applicant states that as there is a lack of low grade land available in the Maidstone District that it is reasonable to place a solar farm on BMV land. However this is not a substantive reason for accepting this proposal, as government guidelines require grade 3b, 4 and 5 Agricultural land and brownfield sites to be considered first and do not state that all districts must contribute to green energy production. As such a lack of suitable alternatives within the district is an insufficient argument.

3) It is important to recognise that whilst the permission would be for a period of 37 years, its impact will be much longer and more damaging than implied. When the solar farm reaches the end of it's term, the decommissioning process of the site will impact on any benefits gained in soil regeneration as heavy machinery would be required to remove the solar arrays and the foundations will most likely remain, which will then impede the drainage of the land and affect rooting depth for crops and impede the ability of farm machinery to work the land. With these obvious negative impacts during decommissioning it is more likely to assume that further permission will be sought

to extend the life of the solar farm for another 37 years or more, with the argument being that the infrastructure already exists and there will still be a need for the energy to be generated to maintain supply. So in reality this is not a temporary loss of BMV agricultural land but more likely a permanent one. Even if a condition is placed upon them that ensures decommissioning of the Solar Farm, the effects of it on the land will remain, as previously stated with the foundations for all of the solar arrays, this at very best will result in the land classification being downgraded to Grade 4 or 5 or even potentially being considered a brownfield site and as such open to further exploitation of development, within the countryside.

4) We are currently at a point in this nation where we are faced with multiple key issues. We have to transition to greener energy, We need Energy Security, Cost of Living is increasing particularly Food Prices, and Food Security. I understand the need for green energy projects such as this, however we cannot at the same time allow the loss of Good Quality Agricultural land, even moderate quality land has a role to play in our food security. With this proposal looking to remove 47% of BMV agricultural land from arable production, it would cause more harm than good.

5) In the proposal they have also included planting woodland on land not owned by Eckley Farms in the south east of the project. As the owner of one of those areas I can confirm we have not been approached in regards to this and have not made any agreements to allow further mitigation planting on our land. This means it cannot be considered as a part of their proposal, and the suggestion in the statement of case 8.31 "...Further, it is not agreed that there is no way of securing mitigation planting outside of the red line boundary. A 'Grampian' Style condition could be imposed which requires full details of mitigation planting to be submitted to and approved by the council prior to commencement of development and thereafter implemented as approved. It would then be for the Appellant to secure the delivery of mitigation planting outside the red line in order to satisfy the requirement of the condition." Is not considered acceptable by us. If the Applicant feels further mitigation planting is required then this should be included within the red line boundary at the expense of solar arrays, not on neighbouring land.

6) Paragraph 8 of the NPPF's economic objective explains that to help build a strong, responsive and competitive economy we need to ensure that sufficient land of the right type is available in the right places and at the right time to support growth. In this time of high food prices and the need for increased food security Grade 1,2 and 3a agricultural land is vital. This proposal however would remove land of the right type (arable) and in the right place (Key food Producing region with the relevant infrastructure) and change it into a Solar farm with Pasture (traditionally Grade 4 or 5 Land).

7) This Proposal implies there would be a contribution to the local rural economy via local employment during the operational phase of the project, however they clearly state that visits to the site would not be frequent thereby not increasing traffic flow. If this is the case, they cannot guarantee local employment, as anyone employed for the operation and maintenance of the solar farm, would be required to look after additional sites in order to be able to receive full time employment, as such these employees may travel great distances and so may not be employed in the local area.

8) Furthermore the security fence/Deer Fence and CCTV cameras must also be taken into account when considering the visual amenity of neighbouring properties and as such should be located beyond any mitigation planting and so the site layout plan should reflect this, which it does not so is further evidence of insufficient design and layout in relation to the visual amenity of neighbouring properties.

**In conclusion, I am objecting to this Proposal for the following reasons:**

- 1) That it has not taken into account all properties to be affected**
- 2) Has not conducted sufficient site surveys to minimise impact on neighbouring properties**
- 3) It will remove BMV Agricultural land from production**
- 4) Has insufficient Mitigation planting (demonstrated by their inclusion of mitigation planting on land not owned by them)**
- 5) Does not meet the economic objective in Paragraph 8 of the NPPF**
- 6) Does not contribute to the local rural economy**
- 7) The temporary nature of the proposal is questionable**

Kind Regards

Steve Walker  
Willow Barn  
Little Cheveney  
Sheephurst Lane  
Marden  
Kent  
TN12 9NX

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RH7 6DR

**From:** David West  
**Sent:** 16 October 2023 14:25  
**To:** Legg, John  
**Subject:** APP/U2235/W/23/3321094

Dear Sir

I am responding to the the above appeal regarding a solar farm at Land North Of Little Cheveney Farm Sheephurst Lane Marden Kent. I submitted the objection for my wife and I during the initial planning process. My comments made at that time still stand.

But I would reiterate the following key points:

1. Concerning any development in the flood plain. This site is next to the Lesser Teise River. What is not so well known or understood unless you live in the area is how barriers to flood water impact the flooding process. Those of us who maybe impacted by the flood waters see the impact, specifically of how fences and hedges gather the stubble (which is now left in the fields when crops have been harvested, rather than ploughed into the soil). In the last significant flood (2013 in believe) hedges created a natural barrier which caught the stubble and created a mat 18 inches thick and 20 meters wide, damming the flow water such that it created a lake in these fields until the water receded. I fear that the complete fencing of the site with a mash fencing will significantly increase this damming effect directly next to the river pushing the water towards the properties recently built in the flood plain in Marden and towards or property.

Whilst the developer may argue they will keep the fencing clear and maintain the site, they will not have people on site 24/7 and we have seen with many developments, that whilst the developer may make promises to manage the landscaping and surrounding site this does not happen in practice. A trip to ones local superstore or recent housing developments where planting schemes, landscaping and maintenance schemes are in place will demonstrate that whilst these start with good intentions for them to receive planning consent, those intentions and commitments are forgotten after the first few years.

Finally regarding flooding, there will be a need for some buildings or structures all of which reduce the capacity of the flood plain during flooding, a situation already exasperated by recent housing developments in Marden.

2. We already have a good number of local solar farms in the Marden and Paddock Wood area. Whilst we understand the need for renewable energy, at some point there must be an argument that a single locality has enough of them, that the concentration in one locality in enough. With the existing solar farms in Marden and Paddock Wood I think enough local farm land has been used for them. This solar farm would be over concentration and over development.

3. The impact on the local wildlife will be significant. Local deer populations cross the land being considered, Barn Owls, Tawny Owls, Little Owls, Sparrow Hawks and Buzzards nest and hunt in the area. Kingfishers are seen regularly. The size of this site will significantly impact the local wildlife. If we must have it, then it should be reduced in size so that its impact is reduced.

Regards  
David and Julie West

**From:** Mike Williams  
**Sent:** 17 October 2023 10:50  
**To:** Legg, John  
**Cc:** mariongeary@maidstone.gov.uk  
**Subject:** Appeal Reference APP/U2235/W/23/3321094

Dear Mr Legg  
Planning Inspector

Appeal Reference: APP/U2235/W/23/3321094  
Installation of solar farm on land north of Sheephurst Lane Marden Kent

I refer to my previous objection letters.  
I am a local resident opposed to this planning appeal.

I am in favour of the need for more green renewable energy but the proposed development of this best and most versatile farmland, which has been farmed for hundreds of years, is not acceptable and contradicts national energy policies and local planning policy. Climate change and the current cost of living crisis has highlighted the need for more locally grown food.

What is the point of the planning process, when a locally elected council planning committee can be overruled and challenged by an international company because they disagree with the unanimous majority decision ( 18 against, 1 abstain). This decision was based on the local plan SP17, DM1, DM3, DM24 & DM30 of Maidstone Local Plan 2017 and National Guidance.

At the time of the original planning application, numerous inaccuracies were highlighted by local residents. Statkraft ( including this appeal) have failed to properly address any of these issues.

My concerns include:

- The construction of the HV Compound - Behind 7 & 8 Little Sheephurst Cottages. Statkraft continue to dismiss the impact this compound will have on day to day living for the residents who live in these cottages and nearby.

- Harm to the heritage setting of grade 2 listed farm and agricultural residential buildings ( including five oast houses). Statkraft do not seem to know how many private properties are near to this site.
- Visual impact - The close proximity of solar panels and fencing to residential properties.
- Environment health - Noise and disturbance from the site. No assessments have been carried out from the privately owned residential properties.
- How dismissive Statkraft have been about incorrectly submitted solar panel specifications ( regarding size and height of panels). I would suggest these inaccuracies are sufficient grounds to question any data submitted in the original application and appeal regarding the impact of glint and glare, noise and visual impact.
- Statkraft and appointed advisers did not visit any of the private properties on Little Cheveney Farm or Sheephurst Lane when carrying out their inaccurate impact studies.
- The suggested vegetation screening ( which will take at least 10 years to grow) does not take into consideration the visual impact of this industrial size complex during the winter months.
- The applicants have failed to communicate and engage with the local community, in particular the residents that live on or near Little Cheveney farm. ( At the time of the planning application and before the appeal was submitted).

- Solar farms do not need to be close to pylons as claimed by Statkraft, ( I refer to the Great Wilbraham Solar Farm). Why should this site be considered just because it saves Statkraft money?

- Why are Statkraft not prepared to consider brownfield sites outside the MBC area.

- The impact on the local wildlife.

We need more renewable green energy but it needs to be in the right place and not at the expense of good agricultural land. If this agricultural land is so poor, why did the current farmer purchase the land, which he continues to farm. The size of this proposed industrial complex will cover most of this farm, it will not benefit the local community and will not reduce energy costs for local people.

I ask that you respect the local planning decision and reject this appeal.

Thank you

Mike Williams

Sent from my iPad

Date 18/10/2023

Dear Mr Legg,

**Ref:APP/U2235/W/23/3321094 Proposal: Installation of a renewable energy led generating station comprising of ground-mounted solar PV arrays, associated electricity generation infrastructure and other ancillary equipment comprising of storage containers, access tracks, fencing, gates and CCTV together with the creation of woodland and biodiversity enhancements. Location: Land North Of Little Cheveney Farm Shephurst Lane Marden**

I wish to add further to my original comments made on this case.

I to alongside may others support Maidstone Borough Council's decision to reject this application and would ask that this decision is supported at appeal and that it continues to be rejected both in it's original and revised form.

In particular Statkraft appear to introduce a revised plan in the appeal process whilst they had plenty of opportunity to do this during the original application. This has meant that we have had insufficient opportunity to consider its implications and to consider need for further reports such as our own glint and glare study, and heritage assessment.

If they wish to propose a new solar farm then I believe they should start the process again with proper consultation etc. without trying to introduce this revised proposal in an appeal scenario.

I have no option but to make further comments in relation to what I've been able to establish online: -

### **The Revised Plans**

- From what I can see all of the revised reports and documentation completely fail to acknowledge its impact on our property #7.
- This is high quality agricultural land that is inappropriate for such a project despite its proximity to the power grid.
- Even in its revised form this solar farm will have adverse impact on many properties as well as my own including adverse impact on heritage, glint and glare and increased flood risk.
- To "disguise" the considerable impact of this proposal a large amount of mitigation planting is going to be required. This will take many years to fully establish itself, will completely change the aspect of the open countryside and bring with it increased risks



such as flooding etc.

- I believe all of this is evidenced in stark contrast to the Bockingfold Solar Farm which is just 700 metres from this proposal This was granted planning permission by Tunbridge Wells Borough Council on 22 December 2022 Planning Ref 22/02773/FULL.
  - This is of similar scale and size to this proposal and encountered minimal objection.
  - It is of lower grade agricultural land, will not be visible, does not require mitigation planting and causes no flood risk.
  - Unlike this proposal it is a suitable location for such an initiative.
  - There are also 2 further solar farms being run in Churn Lane, at the rear of Paddock Wood.

This the wrong project in the wrong location. The revision which in fact is a new application still does not change any of my previous comments even if it has been moved further back and not adjacent to property 8.

I believe that we should be looking for alternative energy sources and that solar farms are one of them.

In the light of this I would urge you to reach the conclusion that maintains Maidstone Borough Councils rejection of this plan in both its original and revised form

Yours faithfully,

Symon Wright