

**How to object – It is important that you endorse all communications to ABC from SOWLIS, including their objection letter (to be published).**

Click on [Planning Application: PA/2022/2415 \(site.com\)](#) which will take you directly to the application. You can read all the documents associated with the application. There are three tabs marked Details, Comments, Files.

### **How to Object (Everyone in a household can comment individually)**

You can do this directly online either by filling in the form under the Comments tab; or you can upload a letter or other documents to the Files tab. You can also write/email to the relevant case officer (David Lane) requesting that your objection be made public on the web page.

**1. Make it Clear that You Object** by stating in bold, capital letters in the very first sentence ‘**I OBJECT**’ to this application, and then give your reasons. Quote the application reference number PA/2022/2415 and the scheme address, North Court Fruit Farm.

**2. Make your point/s relevant.** It is really important that you give clear and valid planning reasons for your objection preferably supported by evidence from national and local planning policies. Valid reasons that can be taken into account are known as “Material Considerations”. To help you, we have made some suggestions of material considerations and given supporting evidence (below). We need to give the Planning Officer and members of the Planning Committee plenty of ammunition to justify refusal of this application.

**3. Use your own words.** It is also very important that you do **not** just copy and paste from our suggestions, or from other Comment submissions, but select points that you think are important, put them in your own words and then explain how they affect you.

**4. Be Objective** planning permission runs with the land so your opinions about the applicants are irrelevant. Try to use evidence to support your point ie photographs with date and time, or letters/documents specific to your argument, case law etc.

**5. Consider the public interest** and explain how the development affects not just the local community, but the wider public. Avoid focusing on issues such as land ownership, the effects of the proposal on the value of neighbouring properties, or the personal circumstances of the applicant.

### **Suggestions and Supporting Evidence**

You should confine your comment to ‘material considerations’, those matters that relate directly to planning. Some of Ashford Borough Council’s include local and national policies, impact on the countryside, heritage setting of the site; nature conservation, amenity value (the aspects that affect someone’s appreciation of the area, including the pleasantness, aesthetic and cultural and recreational possibilities), traffic and noise pollution.

You should not refer to any impact on house prices or to organisations or personalities – planning permission runs with the land so your opinions about the developers are irrelevant.

Even if you object more generally to solar energy generation (on, say, grounds of inefficiency), it is not a valid objection for planning purposes.

It is important that you give clear reasons for your objection, preferably supported by evidence from national and local planning policies. This document is intended to provide you with reasonable

grounds for opposition to the solar farm development, along with indications of relevant policies that you could reference in your submission.

## **Loss of agricultural land**

Agricultural land is graded according to quality, from Grade 1 (excellent) to Grade 5 (poor). The land at North Court Fruit Farm, currently used for growing apples, is Grade 2, considered to be the Best and Most Versatile (BMV) (source:

<https://webapps.kent.gov.uk/KCC.KLIS.Web.Sites.Public/ViewMap.aspx>).

The National Planning Policy Framework (July 2021) states: *Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.* (Footnote 58)

This is echoed in the Ashford Local Plan 2030 (Adopted 2019): *National policy guidance ... highlights the need to focus large scale solar farms on previously developed land and non-agricultural land and as a last resort, low grade agricultural land.* (P. 219)

The latest version of Ashford's Renewable Energy Planning Guidance Note 2 (V2 2013) refers specifically to development of large-scale solar arrays on land of Grades 1 and 2: *1. The Council would not normally support development on the best agricultural land. 2. The best quality land should be used for agricultural purposes.* (P.12)

CPRE The Countryside Charity's Position on Solar Energy statement confirms: *The location of choice for solar developments has become valuable farmland, ignoring the 250,000 hectares of south-facing commercial roof space (enough to meet half the UK's electricity demand).* (P.2)

## **Harm to the landscape**

The development of a large-scale solar farm at North Court will inevitably have an adverse impact on the nature and character of the landscape. In effect, it will be transformed from rural to industrial.

The National Planning Policy Framework (July 2021) states: *Planning policies and decisions should contribute to and enhance the natural and local environment by ... protecting and enhancing valued landscape.* (Para. 174 p.50)

Policy ENV10 - Renewable and Low Carbon Energy – of the Ashford Local Plan 2030 says: *Planning applications for proposals to generate energy from renewable and low carbon sources will be permitted provided that ... the development, either individually or cumulatively does not result in significant adverse impacts on the landscape.* (P.291)

Ashford's Renewable Energy Planning Guidance Note 2 notes: *Solar farms are regarded as a temporary use of land ... and as such the removal of existing vegetated field boundaries, including hedges will not be permitted as this will irrevocably alter the landscape character of the site.* (Pp. 21-22)

## **Inappropriate siting next to an AONB**

The North Downs is an Area of Outstanding Natural Beauty (AONB) and, as such, has protected status. The proposed solar farm will run alongside it, and will be visible from a number of sites around the area due to the nature of the geography of the North Downs.

The National Planning Policy Framework says: *Great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.* (Para. 176 p.50)

The Kent Downs AONB Partnership, which writes the AONB Management Plan on behalf of Ashford Borough Council, says: *Proposals which negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the AONB will be opposed unless they can be satisfactorily mitigated.* (SD8)

The Ashford Local Plan 2030 states: *2.59 There are two Areas of Outstanding Natural Beauty (AONBs) in the Borough – the Kent Downs and High Weald. These are statutory designations of national importance where the conservation of the natural beauty of the landscape and countryside is the primary objective. The Council has a statutory duty to protect the character of the AONBs and major developments will not be permitted in AONBs unless there are exceptional circumstances where a need is proven, no other sites or alternative provision are available and any detrimental impact on the landscape and environment can be moderated. Also, development located outside an AONB but which would have a significant adverse effect on the setting of the AONB will also be resisted.* (Para. 2.59 p.18) Note especially the last sentence.

### **Adverse effect on wildlife**

Were the application to be approved, the land would be degraded with little potential for biodiversity as half of it would be in permanent shadow, and rainwater run-off cannot be properly dispersed. In addition, the reflective nature of solar panels can be dangerous for birds and bats, and deaths are not uncommon.

According to Natural England's Evidence Review of the Impact of Solar Farms on Birds, Bats and General Ecology (NEER012) (2017): *The polarising effect of solar panels may also induce drinking behaviour in some bird taxa, where the birds mistake the panels for water.* (Para. xii p.3)

### **Adverse impacts on heritage settings**

The North Downs Way National Trail broadly follows the historic Pilgrims Way along the North Downs to Canterbury, passing through Old Wives Lees and the proposed site of North Court Solar Farm. The application proposes to erect security fencing 2.4 metres high either side of the footpath. The Trail attracts large numbers of walkers who make a significant contribution to the local economy.

The National Planning Policy Framework says: *Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.* (Para. 189 p.55)

It goes on to say: *Plans should set out a positive strategy for the conservation and enjoyment of the historic environment.* (Para. 190 p.55)

Policy ENV5 – Protecting Important Rural Features – of Ashford's Local Plan 2030 states: *All development in the rural areas of the Borough shall protect and, where possible, enhance the following features ... Public rights of way; and ... Other local historic or landscape features that help to distinguish the character of the local area.* (P.280)

## Lack of statutory consultation

GreenSwitch held two public exhibitions to present their proposal for North Court Farm. The first was held at the village hall in Old Wives Lees, and the second, inexplicably, in Chilham. Neither meeting was well advertised. Indeed, the Chilham event was publicised in the Faversham local press – in a different borough. At neither meeting did any GreenSwitch representative take notes on public comments or concerns. The North Court Solar Farm website set up by GreenSwitch is not searchable on Google, and, even though this has been pointed out to them, they have not changed the settings. At the beginning of May, Liam Kelly of GreenSwitch visited a leading member of SOWLIS (Save Old Wives Lees from Industrial Solar) and promised to fulfil a request for 12 pieces of information. By mid-June, the information had not materialised. This seems to demonstrate a cynical disregard for community engagement.

Policy ENV 10 – Renewable and Low Carbon Energy – of the Ashford Local Plan 2030 stipulates: Evidence is provided to demonstrate effective engagement with the local community and local authority. (P.291)

## Lifetime of the solar farm

Originally, GreenSwitch indicated that the lifetime of the solar farm would be 30 years, after which the land would revert to agriculture. Their website now says that the life will be 40 years. Yet Ashford's own guidance documents stipulates that 25 years will be the maximum duration of the project.

Renewable Energy Planning Guidance Note 2: *Planning applications should specify the length of time being applied for. A 25 year time limit will normally be imposed.* (P.30)

## Finally

Eric Pickles, Secretary of State, Communities and Local Government (March 2015): *'Meeting our energy goals should not be used to justify the wrong development in the wrong location and this includes the use of high quality land. Protecting the global environment is not an excuse to trash the local environment.'* (<https://questions-statements.parliament.uk/written-statements/detail/2015-03-25/HCWS488>)

Eddie Hughes MP, Ministry of Housing, Communities and Local Government (in a letter dated 2 June 2021 to Kemi Badenoch, MP): *'There are strong protections in place within national planning policy which guards against inappropriately sited solar farms... expects local authorities... to take account of the benefits of the best and most versatile farmland, to enhance the biodiversity and recognise the character and beauty of the countryside.... Where a proposal involves Greenfield land, local councils are expected to consider whether the proposed use of any agricultural land has been shown to be necessary. Where high-quality agricultural land is involved, this would need to be justified by the most compelling evidence. We have been clear that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities, and that the views of local communities should be listened to .... Where relevant planning considerations are raised by local residents these must be taken into account by the local council.'*