SECTION C
MINERALS AND WASTE DISPOSAL

Background Documents - the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and also as might be additionally indicated.

Item C1

Proposed installation, operation and decommissioning of ground mounted solar photovoltaic (PV) array with associated infrastructure and biodiversity enhancement at Weatherlees Hill Wastewater Treatment Works, Jutes Lane, Weatherlees Hill, Ramsgate, Kent, CT12 5DJ – TH/24/401 (KCC/TH/0041/2024)

A report by Head of Planning Applications Group to Planning Applications Committee on 13 November 2024.

Application by Southern Water Services Limited for the proposed installation, operation and decommissioning of ground mounted solar photovoltaic (PV) array with associated infrastructure and biodiversity enhancement at Weatherlees Hill Wastewater Treatment Works, Jutes Lane, Weatherlees Hill, Ramsgate, Kent, CT12 5DJ – TH/24/401 (KCC/TH/0041/2024).

Recommendation: Permission be granted, subject to conditions.

Local Member(s): Derek Crow-Brown & Linda Wright Classification: Unrestricted

Site

1. The proposed application site is located in an agricultural area to the northwest of Weatherlees Hill Wastewater Treatment Works (WTW), accessible via Jutes Lane and positioned west of the A256 Richborough Way. It lies approximately 1.8 kilometres southwest of Cliffsend and roughly 4 kilometres north of Sandwich, situated about 1 kilometre west of both the Port of Richborough and Pegwell Bay.

2. To the north of the site, there is agricultural land forming open countryside. Public Right of Way TE39 extends north from Richborough Way, approximately 550 metres north of the site. The northeastern boundary is marked by the Minster Stream, a part of several surface drains leading into the River Stour situated to the south and east. Beyond this stream lie small agricultural fields which have planning permission for the development of an electrical grid stability facility (reference TH/23/0170), connected to the high-voltage substation and energy park located to the south. Further northeast is a cluster of buildings known as Ebbsfleet Farm, which houses various local businesses and Great Oaks Small School. Beyond this is a dual carriageway section of the A256 Richborough Way. To the east of A256, you will find Stonelees Golf Course and Pegwell Bay Country Park. To the southeast lies Weatherlees Hill WTW, incorporating settlement tanks, aeration lanes, kiosks, operational buildings, and hard standing areas. Adjacent to it lies an existing solar farm with Richborough Energy Park (formerly called Richborough Power Station) further beyond, encompassing a 400kV high-voltage substation connected to the National Grid.

3. Immediately to the west, the land is designated as part of the Sandwich Bay to Hacklinge Marches Site of Special Scientific Interest (SSSI). Minster Marshes Local Wildlife Site (LWS) is about 250 metres southwest, with the River Stour and Ash Level

and South Richborough Pasture LWS approximately 330 metres south. Public Rights of Way TE26 and EE42 run along the riverbanks. The mainline railway passes roughly 450 metres west of the site.

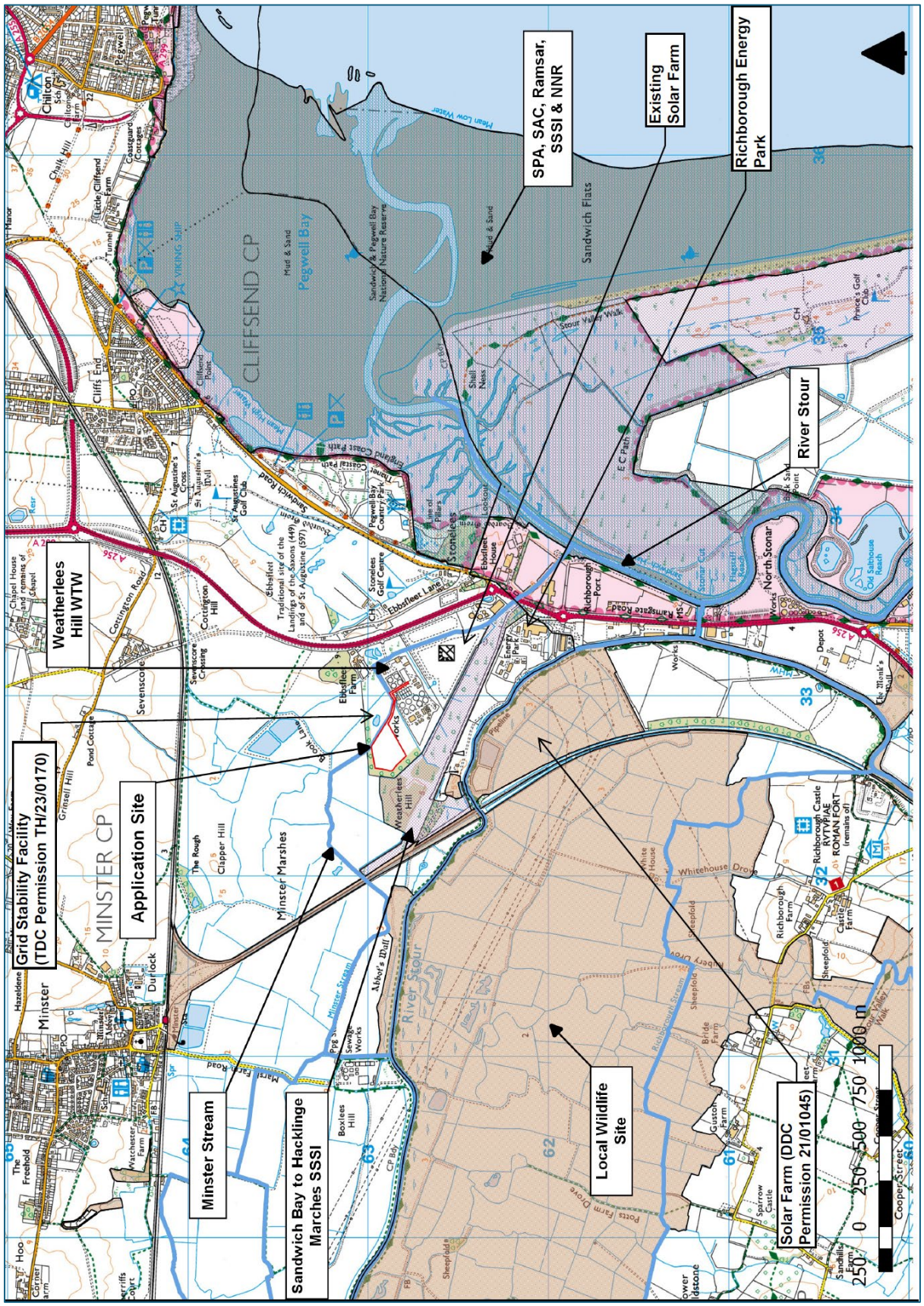
4. The coastline is around 1.5km from the site, with the main section of the Sandwich Bay to Hacklinge Marches SSSI located about 900 metres away, within a coastal area stretching from Pegwell Bay south to Deal. This region is designated due to its sand dunes and supporting habitats. This stretch of coastline, along with the River Stour Estuary as it exits from Sandwich, is also recognised as part of the Thanet Coast & Sandwich Bay Special Protection Area (SPA) and Ramsar site, and Sandwich Bay Special Area of Conservation (SAC). This coastline also includes Sandwich and Pegwell Bay National Nature Reserve (NNR).

5. The application site is situated in open countryside, with the land classified as grade 3a best and most versatile (BMV) agricultural land. The site is with Flood Zone 1, with some sections having a low/medium risk of surface water flooding. The eastern part of the site is recognised for its archaeological potential. The site is part of the Lower Stour Wetlands Biodiversity Opportunity Areas (Policy SP31 of the Thanet Local Plan), which are designated areas where maximum biodiversity benefits can be achieved through habitat enhancement, restoration, and recreation.

6. The area falls within the Stour Marshes Landscape Character Areas (Policy SP26 of the Thanet Local Plan). The Thanet Landscape Character Assessment describes the Stour Marshes as an area comprising medium scale irregular arable fields defined by drainage ditches and small streams draining into the River Stour and River Wantsum to the south and west. Tree cover is largely limited to field boundaries with reeds lining some drainage ditches forming a distinctive pattern. Some small corpses are occasionally found along field boundaries but this is generally a very open, horizontal landscape. Towards the eastern end, sewage works, golf courses and a solar farm are associated with the Sandwich corridor.

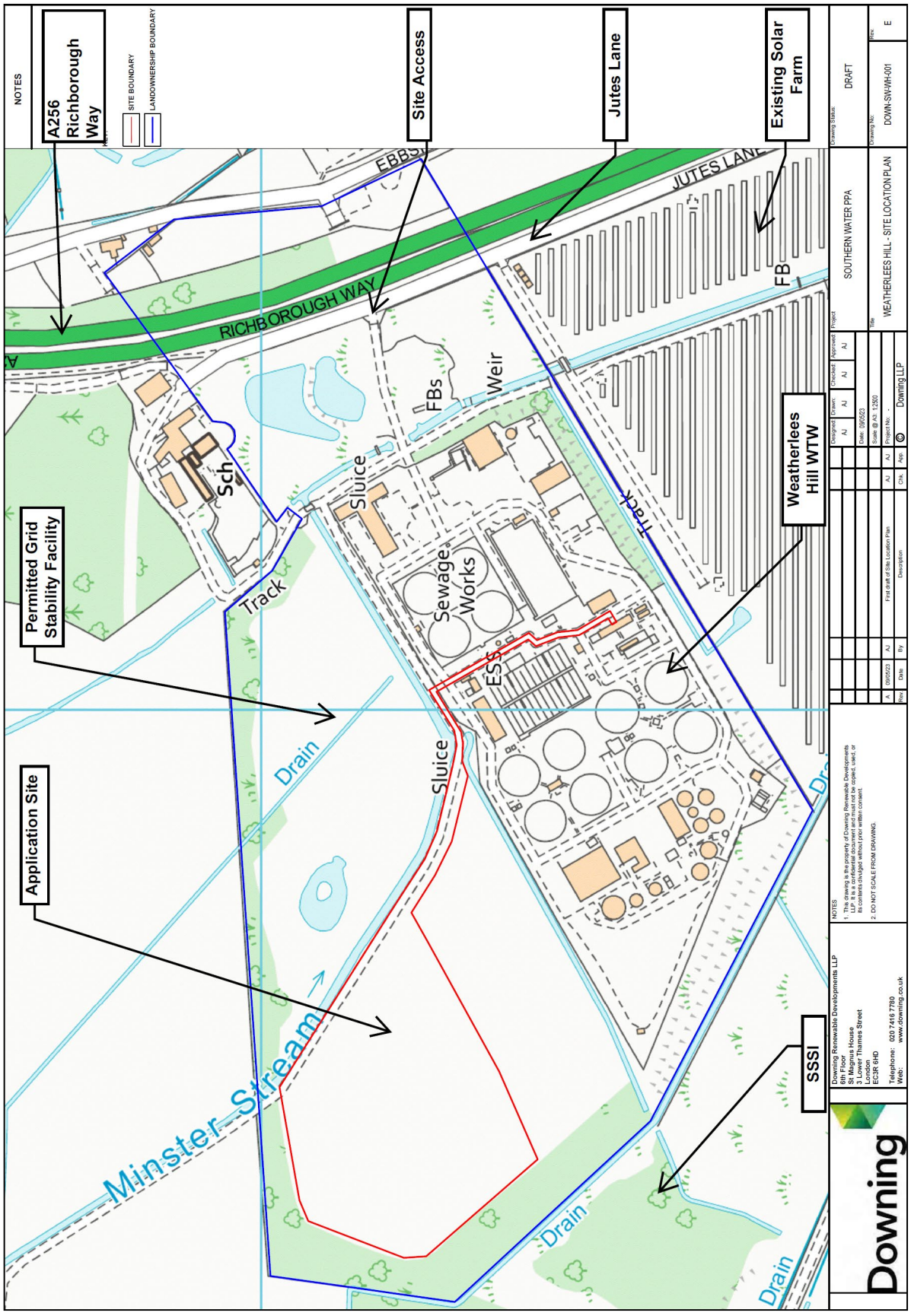
Installation of ground mounted photovoltaic array at Weatherlees Hill WTW, Jutes Lane, Ramsgate - TH/24/401 (KCC/TH/0041/2024)

General Location Plan



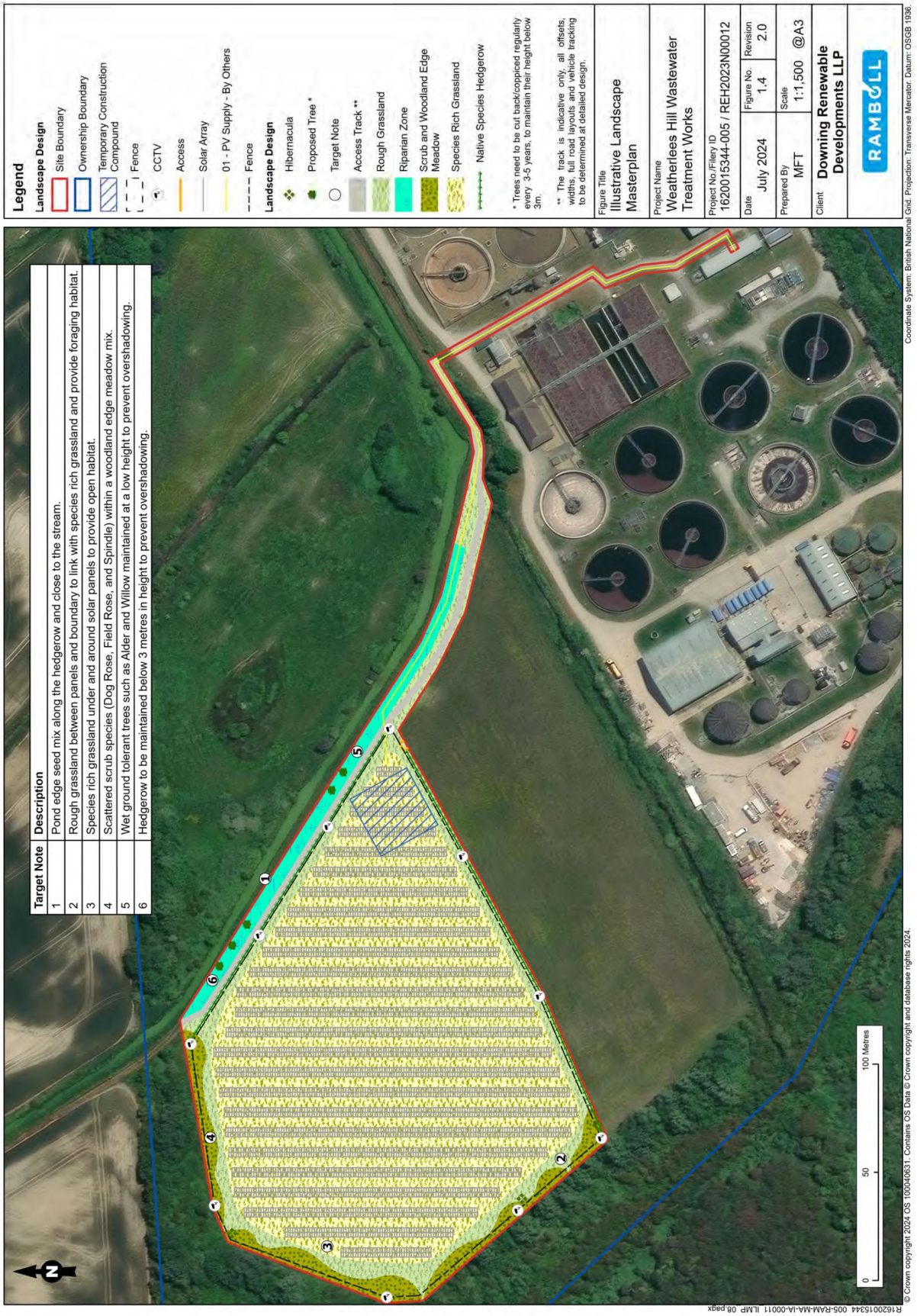
Installation of ground mounted photovoltaic array at Weatherlees Hill WTW, Jutes Lane, Ramsgate - TH/24/401 (KCC/TH/0041/2024)

Site Location Plan



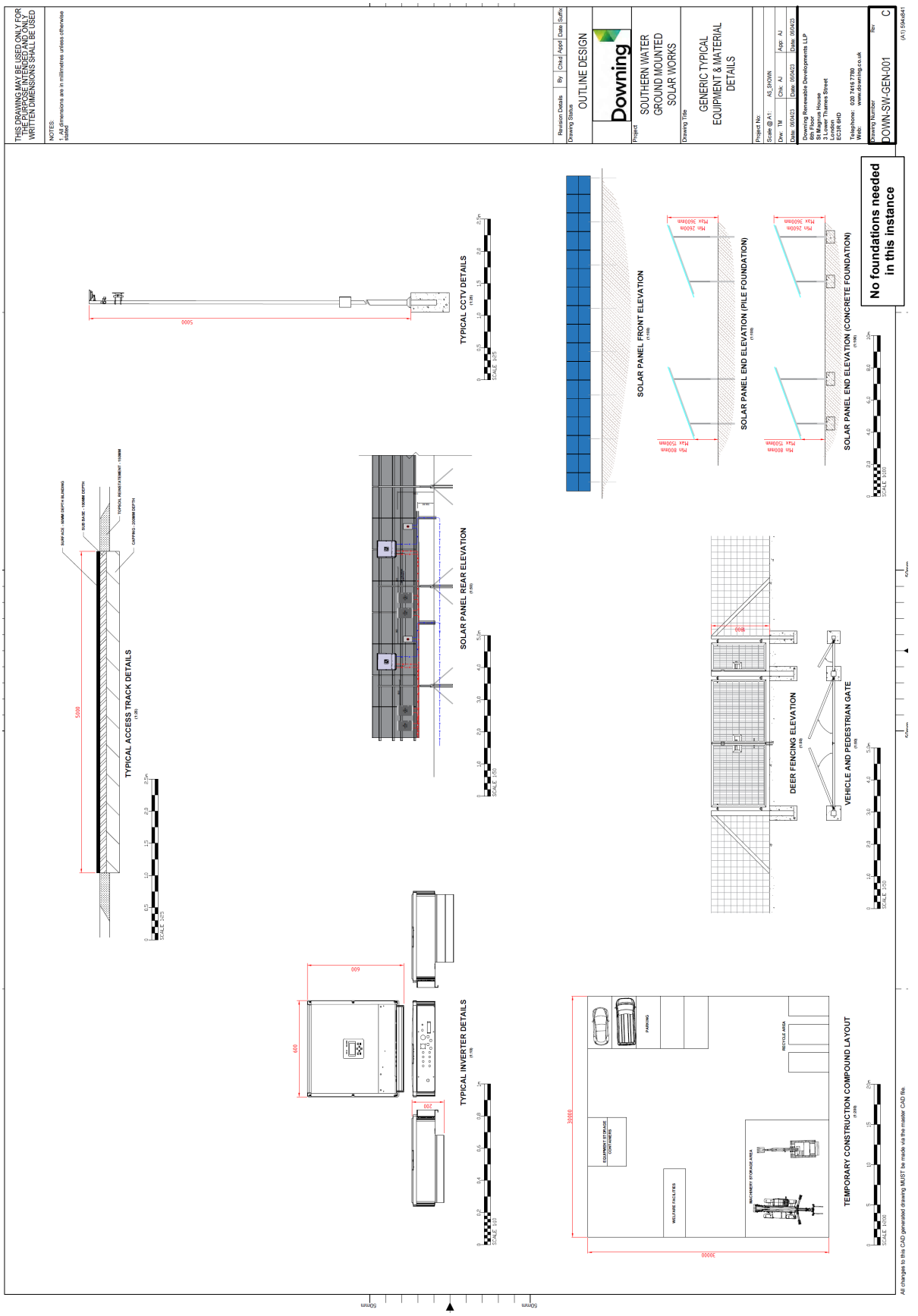
Installation of ground mounted photovoltaic array at Weatherlees Hill WTW, Jutes Lane, Ramsgate - TH/24/401 (KCC/TH/0041/2024)

Illustrative Landscape Masterplan



Installation of ground mounted photovoltaic array at Weatherlees Hill WTW, Jutes Lane, Ramsgate - TH/24/401 (KCC/TH/0041/2024)

Equipment Details



Installation of ground mounted photovoltaic array at Weatherlees Hill WTW, Jutes Lane, Ramsgate - TH/24/401 (KCC/TH/0041/2024)

Background / Recent Site History

7. The site has been in continuous agricultural use in recent history. The land was separated from the larger fields to the north in the 2000s. The application indicates that the arable field has been regularly managed, however the tenant farmer has left the field fallow for some years, "greening" the land to help with the wider farms environmental stewardship subsidy. Following a review of the commercial arrangement between Southern Water (landowner) and the farmer in October 2021, the farmer was not interested in entering into a further lease. The land has been managed by Southern Water since. Beyond the agricultural use, there is no relevant planning history directly relating to the application site.

8. However, a number of existing or proposed projects within the surrounding area should be considered due to the potential for cumulative impacts. These projects include:

9. Planning permission TH/23/0170 granted by Thanet District Council (TDC) on 11 August 2023 for a grid stability facility on approximately 1.7ha of agricultural land, immediately east of the application site. This development has yet to be implemented. This infrastructure will ensure stable voltage in the local electricity grid and help support an increased use of renewable energy sources. The development includes several large buildings, including compensator buildings, cooling systems, main transformers, a control building, a switchgear building, ancillary structures, and two underground 400kV cables connecting to the national grid substation 500m south. It also includes cable routing and a temporary construction compound, located immediately south of the proposed solar farm. On 26 September 2024 TDC granted permission for a Section 73 application (TH/24/0604) to modify the site layout, building sizes, cable routing, and ancillary development.

10. Planning permission TH/11/0029 granted by TDC in March 2011 for the development of a solar park on c.11ha of land, located c.200m southeast of the application site. This solar farm is in place and provides c.4 to 5 megawatts (MW) of electricity to the national grid, via the national grid substation to the south.

11. Planning permissions TH/20/1467 and TH/21/0305 granted by TDC in February 2021 and April 2021 for the phases 1 and 2 of an electrical battery storage facility, electrical plant and equipment, alterations to land levels, landscaping and associated works at Richborough Energy Park, Sandwich Road. This development is located approximately 500m to the southeast.

12. Planning permission 21/01045 granted by Dover District Council (DDC) on 22 May 2022 for the creation of a ground-based photovoltaic solar farm, inverters, substations, security fencing, access, infrastructure, and associated works. Located c.450m south of the application site, this permission allows the redevelopment of 35ha of land south of the River Stour to create a 30MW solar farm. The development has yet to be implemented. DDC is currently considering details pursuant to the permission.

13. Planning permissions 20/01456 and 22/00705 granted by DDC for the installation of an electrical battery storage facility including a UK Power Network connection area and equipment, ground raising, landscaping, and associated works; located immediately south of the Richborough Energy Park. DDC is currently considering an application to

vary the layout and details of the above permissions under application reference 24/00258.

14. DDC is currently considering planning application 23/01363 for a large-scale solar farm at Goshall Valley, East Street, Ash, west of Sandwich (located c.3.3km south of the application site). This application proposes the development of an area of 83.34ha of open countryside and farmland, comprising ground-mounted solar PV arrays, associated infrastructure, and grid connection (exporting up to 49.9MW of electricity), including a nature restoration area. The application was received in December 2023, has attracted objections, and is awaiting a decision.

15. The above solar development is focused around the National Grid substation at Richborough Energy Park, south of the application site, which enables the renewable energy to be fed into the national grid.

16. A Nationally Significant Infrastructure Project (NSIP) for a major National Grid Electricity Transmission project (Sea Link), which would potentially impact land to the north of the application site, is being prepared by the National Grid. The NSIP is not due to be submitted to central government until next year and therefore the project carries very little weight in the decision-making process in this instance.

Proposal

17. The application, submitted on behalf of Southern Water Services Ltd, proposes the installation, operation, and subsequent decommissioning of a ground-mounted solar photovoltaic (PV) array along with associated infrastructure and biodiversity improvements. Southern Water is the local statutory undertaker responsible for public wastewater collection and treatment. Weatherlees WTW forms an essential part of this infrastructure. The solar array is proposed to support the energy requirements of the WTW as an ancillary development to the established treatment works.

18. The application site, owned by Southern Water, covering approximately 3.5 hectares. It is situated to the north of the existing WTW and is surrounded by agricultural land, scrubland, and grassland.

19. The development proposes an array of freestanding solar panels arranged in rows oriented east and west, mounted on aluminium frames supported by upright poles. Each panel would be inclined between 20 and 30 degrees, with the lower part approximately 60-80 cm above ground level and the highest part up to 3 m above ground level. The aluminium frames would be secured by upright poles driven into the ground, requiring minimal excavation and no concrete foundations. The rows of panels would be spaced 4 to 6 metres apart to prevent overshadowing. The development is anticipated to have a 30-year operational life, after which it would be decommissioned and the site restored to grassland / agricultural land. The applicant anticipates that the temporary use and decommissioning would be managed through suitable planning conditions.

20. The panels are expected to generate up to 3.3 Megawatts (MW) of renewable electricity, which would directly supply the WTW, reducing its energy consumption from the grid and lowering its carbon footprint.

21. The development also includes the installation of CCTV cameras (approximately every 100 metres at a height of 5 metres), security fencing, a new access track, a temporary construction compound, and associated landscaping and biodiversity enhancement measures.

22. The temporary construction compound, required for the duration of the works (approximately 24 weeks), would provide office and welfare facilities, vehicle parking, and storage for machinery, plant, and materials. This compound is proposed within the site. The panels and supporting frames would be lightweight fabrications, avoiding the need for heavy plant and machinery, thereby reducing potential disturbances to nearby sensitive receptors. The application anticipates a total of 100 heavy goods vehicle (HGV) movements for the construction period, typically 4 or 5 deliveries per week, with a maximum of 3 deliveries on peak days. Standard working hours would be Monday to Friday from 07:00 to 20:00 and Saturday from 07:00 to 16:00, with no work conducted on Sundays, unless authorised by the planning authority. All deliveries would occur within standard hours.

23. Once operational, the development is expected to require minimal vehicle trips, limited to monthly maintenance visits. Operation and maintenance activities would be conducted during normal daylight working hours.

24. The application is accompanied by an illustrative landscape masterplan and a post-development habitat plan, which propose habitat creation measures, including native hedgerow and tree planting, grassland, and mixed scrub and woodland edge meadow.

25. The planning application is supported by a number of technical reports, including a Landscape and Visual Appraisal (LVA), an Ecological Impact Assessment (EcIA), a Biodiversity Net Gain (BNG) Assessment, a Habitat Management Plan, a Flood Risk Assessment (FRA), a Glint and Glare Assessment, an Agricultural Land Quality and Soil Report, and a Heritage Impact Assessment. A shadow Habitat Regulations Assessment (HRA) has been carried out and submitted with the application to assess the potential for the proposed development to affect the nearby designated sites in accordance with the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (the Habitat Regulations).

Additional Supporting Information Supplied in Response to Consultees

26. An addendum to the LVA was received to address queries about potential cumulative landscape and visual impacts of the proposed development alongside the neighbouring grid stability facility development.

27. An updated BNG Assessment, incorporating a River Condition Assessment and Changes to Landscape Design in response to consultees comments, was also submitted along with a revised Habitat Management Plan.

28. A Wintering Bird Baseline Report in response to consultee recommendations.

29. A Land Use and Agricultural Land Statement has been provided, evaluating site selection and the availability of prime agricultural land, as well as the potential effects of the proposed development.

30. An explanation of the proposed site layout, explaining the separation shown in the drawings between the WTW and the proposed array, which is due to the adjacent development for a grid stability facility (reference TH/23/0170) situated to the east. Land immediately south of the application site would be utilised by this development for cable routing and a construction compound. To prevent overlaps in constructed developments, Southern Water has designated the northern area for the solar scheme. An appropriate standoff distance is essential for both projects to coexist.

31. Additional information on site drainage has been provided in response to consultee comments. The drainage solution proposes a sustainable ecological management over engineering solutions. Measures such as vegetated buffers, species-rich grassland, and woodland margin planting would manage surface water, control runoff rates to greenfield rates, and improve soil infiltration. These are detailed in an updated Habitat Management Plan.

Planning Policy

32. Outlined below are the key Government Policies, Guidance, and Development Plan Policies relevant to the review of this application:

33. National Planning Policies: the most relevant National Planning Policies are set out in – the **National Planning Policy Framework (2023)** (NPPF); the **National Planning Policy for Waste (2014)** (NPPW); the associated **National Planning Practice Guidance (NPPG)**; **Waste Management Plan for England**. These Government policy and guidance documents are all material planning considerations.

34. Government Policy is further reflected in the **British Energy Strategy (2022)**, **Powering Up Britain: Energy Security Plan (2023)** and in more detail in National Planning Policy Statements prepared to support the National Significant Infrastructure Project (NSIP) regime. **Overarching National Policy Statement for Energy (2024) (EN-1)**; and **National Policy Statement for Renewable Energy Infrastructure (2024) (EN-3)**. These documents are also material considerations.

Development Plan Policies:

35. **Kent Minerals and Waste Local Plan 2013-30 as amended by the Early Partial Review (September 2020) (MWLP)** – Policies CSW1 (Sustainable Development); CSW3 (Waste Reduction); CSW6 (Location of built waste management facilities); CSW15 (Wastewater Development); DM1 (Sustainable Design); DM2 (Environmental and Landscape Sites of International, National and Local Importance); DM3 (Ecological Impact Assessment); DM5 (Heritage Assets); DM10 (Water environment); DM11 (Health and amenity); DM12 (Cumulative impact); DM13 (Transportation of Minerals and Waste); DM19 (Restoration, Aftercare and After-use); and DM20 (Ancillary Development).

36. In considering the Development Plan, be advised that the Kent Minerals and Waste Local Plan (as amended by the Early Partial Review) 2020 is the adopted Mineral and Waste Local Plan for Kent. However, the County Council submitted its Draft Kent Minerals and Waste Local Plan 2024-2039 for examination to the Planning Inspectorate in May 2024 following which an updated Main Modifications version of the emerging plan is currently out to consultation. This is therefore a material consideration for the purpose of determining applications. Policies from the existing Plan are pulled through and updated in line with the

latest national policy and guidance as well as reflecting the priorities of the County Council.

37. **Emerging Draft Kent Minerals and Waste Local Plan 2024-2039 – Main Modifications (2024) (Draft MWLP)** – Policies: CSW1 (Sustainable Development); CSW3 (Waste Reduction); CSW6 (Location of built waste management facilities); CSW15 (Wastewater Development); DM1 (Sustainable Design); DM2 (Environmental and Landscape Sites of International, National and Local Importance); DM3 (Ecological Impact Assessment); DM5 (Heritage Assets); DM10 (Water environment); DM11 (Health and amenity); DM12 (Cumulative impact); DM13 (Transportation of Minerals and Waste); DM19 (Restoration, Aftercare and After-use); and DM20 (Ancillary Development).

38. **Thanet District Council Local Plan (2020) (TDLP)** – Policies: SP02 (Implementation); SP24 (Development in the Countryside); SP26 (Landscape Character Areas); SP27 (Green Infrastructure); SP28 (Protection of the International and European Designated Sites); SP30 (Biodiversity and Geodiversity Assets); SP31 (Biodiversity Opportunity Areas); SP35 (Quality Development); SP36 (Conservation and Enhancement of Thanet's Historic Environment); SP37 (Climate Change); SP43 (Safe and Sustainable Travel); E16 (Best and Most Versatile Agricultural Land); GI01 (Protection of Nationally Designated Sites (SSSI) and Marine Conservation Zones (MCZ)); GI02 (Locally Designated Wildlife Sites); QD01 (Sustainable Design); QD02 (General Design Principles); HE01 (Archaeology); CC01 (Fluvial and Tidal Flooding); CC02 (Surface Water Management); CC04 (Renewable Energy); CC06 (Solar Parks); CC07 (Richborough); SE04 (Groundwater Protection); and TP01 (Transport Assessments and Travel Plans).

Other Material Considerations:

39. **The Kent and Medway Energy and Low Emissions Strategy – Meeting the Climate Change Challenge (June 2020)**.

40. **The Thanet Landscape Character Assessment (2017) - Supplementary Planning Document (SPD) (adopted July 2020).**

41. **The Sandwich Bay And Hacklinge Marshes SSSI Citation (1994)** – the SSSI covers an area of 1756ha and is of special interest for its important sand dune systems and sandy coastal grassland, along with various other habitats. such as mudflats, saltmarsh, chalk cliffs, freshwater grazing marsh, scrub and woodland. It supports numerous rare terrestrial and marine plants and invertebrate species, as well as important bird populations, including migratory and wintering birds. The cliffs at Pegwell Bay are also of geological interest. The application site lies adjacent to the SSSI.

42. Whilst some distance from the application regard has been had to **Thanet Coast and Sandwich Bay Special Protection Area Citation (1996), The Sandwich Bay Special Area of Conservation Citation (2005)** and **The Thanet Coast and Sandwich Bay Ramsar (1994)**.

Consultations

43. Several organisations were consulted regarding the application, and where appropriate the additional supporting information received, including the relevant statutory consultees. The responses received to the consultations are summarised below and represent the most recent comments received from each consultee.

44. Where applicable, officers' observations on the responses are included in brackets and italics following each summary.

45. **Thanet District Council (TDC) – no objection,** subject to the matters raised below being fully considered, including conditions securing measures to protect the existing boundary planting, details of any external lighting, and archaeological mitigation measures.

    The Council supports the provision of renewable energy sources and raises no objection given the location and height of the development.

    Attention is also drawn to the following considerations:

    Permission has been granted for a grid stability facility with synchronous compensators and related infrastructure on land to the east. Careful consideration is needed to address the interaction and development of both projects if this application is approved.

    The documents show that the solar array would power the wastewater treatment plant, but there seems to be a significant gap between the array and the WTW. The reason for this arrangement is unclear, and the remaining area would be separated from the wider agricultural areas, limiting its future use.

    Consideration should be given to whether there are other buildings or spaces within the WTW where the solar panels could be installed.

    The development would result in the loss of agricultural land and have a visual impact. Measures to protect the existing surrounding screening should be conditioned to avoid any harm to this visual buffer.

    In addition to the habitat creation plan, details such as a lighting scheme should be conditioned to minimise disturbance to wildlife in the area.

    The site is located within flood zone 1 and is at low risk of flooding. The submitted flood risk assessment indicates that grassland would be retained below the solar panels, limiting any alterations to surface water runoff.

    Thanet is rich in archaeological findings, and the KCC Historic Environment Record notes the presence of palaeochannels on the site. It is recommended that an archaeological work programme is implemented to ensure any significant remains are fully investigated.

    The cumulative impacts of this development and the neighbouring developments should be considered in the determination of this application.

[Officer comment – The applicant has submitted additional information addressing consultees' views. See the Additional Supporting Information section above. They clarified that there is no overlap in built development with the permitted grid stability facility, though shared temporary construction areas may be possible if programs align, managed through a Construction Environmental Management Plan. The gap between the proposed solar farm and the WTW accommodates development for the grid stability facility. There's insufficient space for the required solar farm size on the WTW's roof, and no alternative sites close enough to serve the WTW with lower agricultural land classification. These points are discussed further below.]

46. **Minster Parish Council (MPC) – mixed**, comments as follows:

Minster PC initially raised no objection to the application in response to the initial round of consultations.

In response to further consultations on the additional supporting information received from the applicant, MPC noted that information made available about agricultural land on a national, regional, and local context is based on data dating from 1983. MPC considers that, for this information to be relevant to Thanet District Council's administrative area, it needs to consider the volume of building conducted since 1983 and that allocated for other development in the adopted local plan (on agricultural land).

In response to additional information on the availability of agricultural land, MPC considers the information received does not satisfy the above query and advises that MPC's recommendations remain unchanged.

[Officer comment – The applicant submitted an Agricultural Land Quality and Soil Report with the application. Following consultee comments, additional supporting information, including a Land Use and Agricultural Land Statement, was provided. The use of Best and Most Versatile Agricultural Land is discussed further in the Discussion section.]

47. **Environment Agency** – **no objection**

The Environment Agency has no objection to the proposed development in relation to groundwater and contaminated land.

The response recommends guidance that the applicant should take into account if the site is developed. This advice covers:

- Reviewing the Environment Agency's Approach to Groundwater Protection.
- Following risk management and best practices for land contamination.
- Ensuring only clean water enters the surface water system, using methods to prevent pollution from hydrocarbons.
- Management of sewage effluent.
- Adhering to the CL:AIRE Definition of Waste: Development Industry Code of Practice for classifying excavated material.
- Conducting waste assessment and classification, and ensuring waste is properly taken off-site.

[Officer comment – The EA's guidance has been sent to the applicant. The site, in Flood Zone 1, requires a Flood Risk Assessment (FRA) due to its size over 1ha. The

FRA addresses flood risks, including rivers, surface water drainage, and runoff. If permission is granted, the applicant would provide final details on a SUDS scheme to manage runoff.]

48. **River Stour Internal Drainage Board (IDB) – no objection**

The IDB notes the proposed site is next to Minster Stream, a watercourse it manages. Any work within 8 metres of this stream requires prior written consent from the IDB, as per the Land Drainage Act and IDB Byelaws. Applicants should contact the IDB early to confirm necessary consents for development near the watercourse.

[Officer comment – The applicant has been made aware of the above requirement, which is separate from the planning regime. The proposals do not directly impact the riverbank and include stand-offs from the river and surrounding habitat.]

49. **Natural England (NE) – no comment on the application**.

Natural England confirms it is not able to provide specific advice on this application and therefore has no comment to make on its details. NE advises that although it has not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, it refers to Standing Advice for further guidance.

Natural England has provided Local Planning Authorities (LPAs) with Impact Risk Zones (IRZs), which can be used to determine whether the proposal impacts statutory nature conservation sites. NE recommends that the LPA uses these IRZs to assess potential impacts. If proposals do not trigger an Impact Risk Zone, then Natural England will provide an auto-response email.

[Officer comment – The recommendations provide by the County Council's Ecological Advice Service (EAS), take account of Natural England's standing advice to ensure informed decision-making by officers and Members.]

50. **UK Power Networks – no objection**

UK Power Networks has no objection to the proposed development. It provides standing advice regarding development near substations,. It recommends that the applicant coordinates with UK Power Networks customer connections department regarding any potential impacts.

51. **National Gas Transmission – no objection**, there are no national gas assets in this area.

52. **Network Rail Property –** comments as follows:

Network Rail's Drainage Team requested an exceedance map for the site during a flood event.

[Officer comment – The application is supported by a Flood Risk Assessment. No further comments have been received in response to the additional supporting information made available by the applicant. Flood risk and drainage are covered in the Discussion section below.]

53. **Civil Aviation Authority** – no response received.

54. **Manston Airport** – no response received.

55. **Ministry of Defence – no objection**, the proposed development falls outside of MOD safeguarded areas and does not affect other defence interests.

56. **Kent County Council Ecological Advice Service (EAS)** – no objection subject to conditions as outlined below.

    If planning permission is granted, the EAS recommend conditions securing a Construction Environmental Management Plan (CEMP), including the provision of an Ecological Clerk of Works on site; a pre-commencement survey and review of the ecological mitigation measures; construction work to take place outside the wintering bird season; and prior to operation, approval of an update of the proposed Habitat Management Plan.

    The development proposed is subject to the legal BNG requirement, therefore a Biodiversity Gain Plan showing how the development would achieve 10% BNG would be required prior to commencement of the development if permission is granted.

    Ecological Report
    Suitable habitats for various species, including reptiles, ground nesting birds, wintering birds, water voles, foraging/commuting bats, and invertebrates, have been identified on, or around, the site. There is potential for foraging/commuting badgers and breeding bird habitats within boundary hedgerows.

    The grid stability facility application (TH/23/0170) noted water voles in the wider area, so their presence cannot be dismissed. No evidence of otters or beavers was found, but their presence cannot be ruled out. The development would include a buffer to protect habitats, including the river bank, and an Ecological Clerk of Works on site during construction. The proposed fencing would enable terrestrial species movement.

    The EAS recommends a pre-commencement condition survey and review of ecological mitigation to ensure effectiveness. Apart from ground nesting and wintering birds, the EAS recommend that the species interest of the site can be retained post construction as the proposed development would retain and enhance most of the habitats. The EAS confirm that any impacts can be addressed through the implementation of the ecological mitigation detailed within the ecological impact assessment and through the habitat creation/enhancement works proposed as part of the BNG.

    The EAS advise that if ground nesting birds are present the proposal would result in the loss of some suitable habitat. However, due to the size of the site is unlikely that large numbers of birds would use the location. The proposed habitat enhancements would benefit foraging breeding birds within the wider area. Considerations around winter birds are addressed within the habitat regulations recommendations below.

    The EAS acknowledges Kent Wildlife Trust's recommendations to reduce impacts on freshwater aquatic invertebrates that could be drawn to solar panels. It notes that the SSSI designation doesn’t mention freshwater aquatic invertebrates within the reasons

for its designation. The site is adjacent to the Minster stream and therefore it is likely that aquatic invertebrates are found within this area. It advises that the impacted areas of site (managed farmland) lack the habitat diversity found elsewhere, so a specific invertebrate survey would not be justified. It recommends that the size of the solar farm is likely to mean that any impact would be minor and the enhancement of the vegetation within the site is likely to benefit the wider invertebrate population. The EAS is satisfied that the design of the solar panels would not adversely impact on the reasons for designating the adjacent SSSI.

Habitat Regulations Assessment

The submitted information details there is potential for impacts upon wintering bird populations, for which Thanet Coast and Sandwich Bay SPA, Thanet Coast and Sandwich Bay Ramsar site and Sandwich and Pegwell Bay NNR are designated, through habitat loss and disturbance. The conclusion on habitat loss contradicts the information which was submitted and accepted as part of permission for the adjacent grid stability facility (TH/23/0170). The HRA submitted with that application detailed the following regarding the impact on the SPA and a similar view was given for the impact on the Ramsar site:

An update habitat suitability assessment and detailed desk study have been undertaken in May 2023 to inform the assessment on whether the Site could be considered to qualify as Functionally Linked Land (FLL) to the SPA. FLL describes areas of land occurring outside a designated site which is considered to be critical to, or necessary for, the ecological or behavioural functions in a relevant season of a qualifying feature for which a site has been designated. These habitats are frequently used by SPA species and supports the functionality and integrity of the designated sites for these features (Natural England, 2014). The update habitat suitability assessment has assessed the Site as not qualifying as FLL for the Thanet Coast and Sandwich Bay SPA species. The habitats were not considered suitable for both breeding little turn and wintering turnstone due to the Site's presence inland, away from the coast and intertidal areas of which is the preferred habitat type of both species. This is supported by the British Trust for Ornithology (BTO) desk study data which have recorded these species within the Pegwell Bay recording area but not the inland Ash levels area. It is acknowledged that wintering golden plover may inhabit inland areas, as supported by their presence within the Ash Levels BTO recording area. However, the habitat suitability assessment identified the Site as supporting unmanaged semi-improved grassland surrounded by dense woodland with some scrub encroaching into the grassland. This habitat is not considered typical of the lowland farmland habitat types for which wintering golden plover would typically use (BTO, 2023b); these would be larger open lowland fields where larger flocks can accumulate. The Site, being relatively small in size, with dense edge habitat which gives the Site a relatively enclosed feel, in the context of much larger open lowland fields across the Ash Levels and surrounding areas, would make the Site largely unsuitable for flocks of wintering golden plover and so they are unlikely to be encountered here and use it as supporting habitat. As the habitats were not considered to be suitable key species of the SPA, the land was not considered to be critical or necessary for the ecological or behavioural functions in the relevant season of a qualifying feature for which the SPA has been designated. These habitats are not frequently used by SPA species or support the functionality and integrity of the designated sites for these features. Therefore, the Site is not considered to be Functionally Liked Land for Thanet Coast and Sandwich Bay SPA.

The redline boundary for TH/23/0170 included most of the redline boundary for this application, so the site for this development was considered within the HRA. The EAS is satisfied with the HRA's conclusions that the proposed development land is unlikely to provide functionally linked land and considers these conclusions valid for this application.

This view is further supported by the Wintering Bird survey conducted by the applicant during the 2023/24 wintering bird season, which recorded no birds associated with the SPA or Ramsar sites.

Birds from the designated sites are known to use habitats within the broader area. Thus, the EAS believes that construction could disturb any wintering birds in the wider area. Therefore, it agrees that impacts can be avoided by carrying out works outside the wintering bird season. This requirement must be included in the construction management plan condition.

Ecological Mitigation
The ecological impact assessment outlines mitigation measures to protect Minster stream and bank during construction, mitigate reptile impacts, and avoid work during the wintering bird season.

The EAS recommends that prior to beginning development, a preliminary ecological appraisal be submitted to the County Planning Authority. If additional measures are needed, an updated mitigation plan must be approved in writing by the Authority and implemented during construction and operation. It further recommends a condition securing a construction environmental management plan.

Biodiversity Net Gain
The EAS is now satisfied with the baseline habitat assessment's accuracy. An updated BNG metric indicates over 10% net gain in both habitat and watercourse. The EAS confirms that the proposed enhancements are feasible given the development and available land, recommending a site-wide management plan if planning permission is approved.

Proposed Habitats
Reptile species were found on-site, so any habitat created for reptile mitigation cannot be included in the Biodiversity Net Gain (BNG) calculation. Given the low number of reptiles, no specific habitat creation or enhancement measures are necessary, and the EAS agrees that the metric does not need adjusting.

The EAS recommends careful grassland management on-site to accommodate reptiles, including keeping some areas uncut each year. This could be secured by condition as part of the management plan review recommended below.

The BNG report states that neutral grassland shaded by panels would be in poor condition, while unshaded grassland would be in moderate condition. The EAS suggests that the Biodiversity Gain Plan required if permission is granted includes a drawing showing panel shading to ensure correct metric calculations.

While the received management plan outlines how proposed habitat conditions would be achieved, the EAS has reservations about its methodology. If planning permission is granted, it recommends reviewing and updating the management plan to ensure that

proposed management is achievable and delivers the Biodiversity Net Gain detailed in the Biodiversity Gain Plan for the project's lifetime.

[Officer comment – In responding to considerations raised by both the EAS and Kent Wildlife Trust (set out below), the applicant has provided additional supporting information and carried out further survey work to enable the informed consideration of this application.]

57. **Kent County Council County Archaeological Officer** – no response received.

58. **Kent County Council Flood and Water Management (FWM) – no objection**, subject to conditions securing a surface water management scheme.

FWM acknowledges that adding grassland, hedgerows, and vegetated buffers around the solar panels, along with flat topography, would help distribute surface water. Since the panels also follow the land's contours, it has no objections to the proposals in principle.

Although these actions can lessen the impacts, it's crucial to maintain the vegetated buffer strips and plantings around the panels for the entire duration of the operation. Neglecting maintenance or removing these measures in the future could lead to heightened runoff and erosion. Therefore, an appropriate maintenance schedule is necessary to manage erosion and runoff effectively.

If planning permission is granted, FWM recommends requiring a detailed sustainable surface water drainage plan based on the submitted Flood Risk Assessment and a verification report confirming its implementation.

[Officers comment – The applicant responded to initial comments from FWM providing additional supporting information on measures to manage and control surface water runoff. Officers are content that a condition securing final details of the surface water management scheme could be secured if permission is granted.]

59. **Kent County Council Highways and Transportation (H&T) – no objection**, subject to a condition securing a Construction Management Plan.

H&T note that access is proposed via Jutes Lane, which joins the A256 Ebbsfleet roundabout to the south, with access on site via a tracked access through the existing treatment works.

The main highway impacts would be related to the construction phase. Once operational, vehicle trips would be limited to monthly maintenance visits. The construction period is anticipated to generate approximately 99 HGV movements (total), equating to about 4-5 deliveries per week. Approximately 15 operatives are expected on site during the construction period, where parking should be available within the site boundary to prevent on-street parking.

H&T recommend that a construction management plan be secured by condition prior to the commencement of development. The plan should include:

- Routing of construction and delivery vehicles to/from site
- Parking and turning areas for construction and delivery vehicles and site personnel, including vehicle tracking

- Timing of deliveries
- Provision of wheel washing facilities
- Temporary traffic management/signage

H&T also recommend an informative relating to the need for separate permissions for any works affecting the public highway.

Local Member

60. The local County Members for Birchington & Rural, Mr Derek Crow-Brown and Mrs Linda Wright, were notified of the application on 8 April 2024.

Publicity

61. The application was publicised by the posting of a site notice and an advertisement in a local newspaper.

Representations

62. In response to the publicity, 28 letters objecting to the application, a letter commenting on the proposals, and a representation from Kent Wildlife Trust have been received.

63. The material points raised can be summarised as follows:

- Objections due to unacceptable cumulative impact from the development in the context of other proposed developments in the area.
- Objections on landscape and visual amenity grounds; including a detrimental and urbanising impact on open countryside.
- Concerns about negative impacts on the local community's well-being.
- Concerns about potential pollution from the development and construction phases.
- Objections on nature conversation and biodiversity grounds, including: loss of habitat; impacts of adjacent SSSI and functionally linked land supporting nearby designated habitats; impacts of protected and endangered species; impacts on migrating birds.
- Considers that Biodiversity Net Gain being used to justify the loss of habitat.
- Loss of green open space.
- Objections to the loss of Best and Most Versatile agricultural land (Grade 3a).
- Concerns that the development could compromise the necessary expansion and improvement of the Wastewater Treatment Works.
- Flood risk, including surface water flooding.
- Pollution and impacts on surface watercourses, including the river Stour.
- Concerns about potential for impacts on important archaeological remains.
- Considers that the development would have no economic benefits or create any new jobs.
- Considers that the applicant should be required to install solar panels on the roofs of the buildings within the existing treatment works and any unused brownfield land instead of developing the proposed greenfield location.
- Arguments that the project would have no impact on global temperatures or climate change, considering the development as eco-vandalism.

64. **Kent Wildlife Trust – concerns raised**

Kent Wildlife Trust (KWT) highlights several concerns regarding the proposed development. A primary issue is the lack of sufficient surveys for protected species, including breeding and wintering birds linked to the Thanet Coast and Sandwich Bay Special Protection Area (SPA). KWT stresses the need for compensation if the site is functionally linked to the SPA.

Additionally, KWT calls for riparian mammal and invertebrate surveys to inform mitigation measures and avoid legal issues if species like water voles, otters or beavers are disturbed. The absence of wintering bird surveys is a concern due to potential impacts on species using the site as Functionally Linked Land (FLL). The applicant's claim of no suitable habitat for breeding birds is contested, and KWT recommends surveys to identify and mitigate risks from noise, lighting, and habitat loss. No specific invertebrate surveys have been conducted despite the site's proximity to important areas, which is necessary for developing mitigation strategies.

The Biodiversity Net Gain (BNG) report is noted for a 93.04% net gain in habitat units, however KWT maintains that Minster Stream should be included in the BNG metric and that mitigation for protected species should prevent net loss only, not count as net gain.

KWT urges completion of all missing surveys to determine the site's ecological value, allowing for appropriate mitigation or compensation and ensuring necessary licences are obtained from Natural England.

[Officer comment – The applicant provided additional information to address comments from both the County Council's EAS and Kent Wildlife Trust. This included a wintering bird survey, updated Biodiversity Net Gain, Habitat Management Plan, and further details on ecological considerations and mitigation measures.]

Discussion

65. In considering this proposal, regard must be given to the Development Plan Policies as outlined in the Planning Policy section above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore, the proposal needs to be considered in the context of the Development Plan Policies, Government Policy and guidance, and any other material planning considerations.

66. The County Planning Authority is the determining body for this solar development, as it would directly support the energy needs of the Weatherlees Hill WTW and is therefore considered as ancillary development under the existing wastewater development.

67. This application is being reported to the Planning Applications Committee due to objections and concerns raised by Minster Parish Council, Kent Wildlife Trust, and local community members. No objections have been received from the statutory or technical consultees.

68. Officers consider that the key material planning considerations in this case can be summarised by the following headings:

- Principle of development;
- Agricultural land;
- Landscape and visual impacts (including glint and glare);
- Nature conservation and ecology (including Habitat Regulations Assessment);
- Heritage;
- Water resources and flood risk;
- Highways and access; and
- Local Amenity.

Principle of Development

69. The national policy on climate change sets a legally binding target to reduce the UK's greenhouse gas emissions by 100% by 2050, compared with 1990 levels (the 'net zero' target). To meet this target, the government aims for "a fully decarbonised, reliable and low-cost power system by 2035." The government has confirmed that this system would be "composed predominantly of wind and solar" and aims to achieve 70 gigawatts (GW) of solar power by 2035, up from 15.8 GW as of March 2024.

70. Government policy as set out in the NPPF establishes a presumption in favour of sustainable development, balancing economic, social, and environmental objectives. It supports the transition to a low-carbon future by promoting renewable and low-carbon energy projects. It encourages local planning authorities to provide a positive strategy for renewable and low-carbon energy sources, ensuring any adverse impacts are appropriately addressed, including potential impacts on the local environment, landscape, and visual impacts, including cumulative impacts. Notably, applicants do not need to demonstrate the overall need for renewable or low-carbon energy, acknowledging that even small-scale projects contribute significantly to cutting greenhouse gas emissions.

71. The NPPG on renewable and low-carbon energy identifies that increasing energy from these technologies ensures the UK has a secure energy supply, reduces greenhouse gas emissions to slow climate change, and stimulates investment in new jobs and businesses. Regarding solar farms, the guidance confirms that large-scale solar farms can impact rural areas, especially in rolling terrains. Nonetheless, if well-planned and appropriately screened, their visual impact on the landscape can be adequately managed. In determining proposals, local planning authorities should consider several key factors: promoting the efficient use of land by focusing large solar farms on previously developed or non-agricultural land, provided it is not of high environmental value; if greenfield land is proposed, assessing whether the necessity for using agricultural land has been demonstrated, with preference given to lower-quality land over higher-quality land, and ensuring the proposal facilitates continued agricultural use where applicable and/or promotes biodiversity enhancements. Recognising that solar farms are generally temporary structures, planning conditions should ensure their removal once they are no longer in use, and the land is restored to its previous state. Considerations also include the visual impact of the proposal, reflections and glare, implications for neighbouring uses and aircraft safety, the requirement for and impact of security measures like lighting and fencing, and the preservation of heritage assets.

72. Also material to any decision are the detailed policies set out in The Overarching National Policy Statement for Energy (2024) (EN-1) and National Policy Statement for Renewable Energy Infrastructure (2024) (EN-3). While these are primarily aimed at supporting the Nationally Significant Infrastructure Project (NSIP) process, they reflect the Government position on large-scale solar development and are material to the decision process. These policy statements place significant weight on the importance of sustainable energy supplies, including the vital role of energy to economic prosperity and social well-being, and the importance that supplies of energy remain secure, reliable and affordable. The policies state that there is a critical national priority (CNP) for the provision of new low-carbon infrastructure, including renewable generation, anaerobic digestion and other plants that convert residual waste into energy, provided they meet existing definitions of low carbon. EN3 recommends that applications demonstrate how any likely significant negative effects would be avoided, reduced, mitigated, or compensated for.

73. The County Council recognised the UK climate emergency at its meeting on 23 May 2019. Following this, the Council, in collaboration with Medway, produced the Kent and Medway Energy and Low Emissions Strategy (June 2020), which outlines how Kent and Medway will respond to the UK climate emergency and drive clean, resilient economic recovery. Priority 3 of the Strategy: Planning And Development seeks to ensure climate change, energy, air quality, and environmental considerations are integrated into Local Plans, policies, and developments by developing a clean growth strategic planning policy and guidance framework for Kent and Medway, to drive down emissions and incorporate climate resilience.

74. Policies CSW 1 and CSW 3 of the Kent Minerals and Waste Local Plan (MWLP) collectively promote sustainable development in waste management. Policy CSW 1 requires the integration of sustainable practices in all stages of development to reduce environmental impact. Policy CSW 3 requires new developments to follow circular economy principles to minimise waste, reuse existing structures, and adopt sustainable construction methods.

75. Policy CSW 6 outlines criteria for locating built waste management facilities. It supports facilities that do not harm designated sites, wildlife, air quality, or groundwater, and are well-located near major transport routes to limit road impact. Facilities should avoid Groundwater Source Protection and high risk Flood Risk Zones and consider their landscape impact. Criteria for approval include locations on existing mineral or waste management sites, new major developments, industrial estates, previously developed land, or redundant agricultural/forestry buildings. Greenfield proposals are allowed only if no suitable sites exist within the intended catchment area of the waste arisings.

76. Policy DM 1 outlines sustainable design requirements for minerals and waste development, emphasising the minimisation of greenhouse gas and other pollutant emissions, the reduction of energy and water consumption, and the promotion of recycling and renewable energy. It also focuses on minimising waste while maximising reuse or recycling, incorporating climate change adaptation measures, and protecting and enhancing the site's character, quality, and biodiversity. Additionally, it aims to contribute to green and blue infrastructure, achieve biodiversity net gain, and provide community benefits. The policy seeks to minimise the loss of agricultural land, protect soils, and efficiently reuse existing buildings and land where possible.

77. Policy DM20 supports planning permission for ancillary development near mineral and waste sites, provided that the development is necessary for the main project to succeed and offers environmental benefits that outweigh any negative impacts. Permissions granted for such ancillary developments are tied to the lifespan of the main project and must be dismantled once the main project concludes to allow for site restoration.

78. The Thanet District Local Plan supports development addressing climate change. Policy SP37 requires new projects to be resilient to climate impacts through modern technology, efficient design, and proper siting of buildings. It also aims to reduce emissions and energy demands with advanced technologies while protecting biodiversity. Policy CC04 requires major developments to maximise renewable energy use, assess feasibility based on location and viability, and avoid significant adverse effects on the surroundings, including visual, noise, and residential impacts, while protecting heritage and biodiversity.

79. Policy CC06 specifically relates to Solar Park development. It states that applications for solar parks will only be permitted if there is no significantly detrimental impact on Thanet's historic landscapes, visual and local amenity, including cumulative effects, and heritage assets and views important to their setting. Proposals on agricultural land must cause minimal disturbance, be temporary and reversible, and provide biodiversity enhancements. Additionally, the need for renewable energy does not automatically override environmental considerations, and solar park proposals will be assessed for their impact on the Thanet Coast SPA and Ramsar site to ensure no loss of functionally linked land while providing mitigation if required.

80. The application states that Southern Water aims to achieve net zero emissions by 2050. A key component of its strategy involves utilising renewable electricity to power its sites directly, thereby lessening the demand on local electrical grids in the communities it serves. This approach aligns with both Government and Local Plan policies and guidance regarding renewable energy and climate change response. As a 'Statutory Undertaker' for planning purposes, the Applicant owns the site and the proposals address the operational needs of the WTW. The proposed development is viewed as essential for the overall sustainability of the broader facility, and its acceptability in planning terms should be assessed within this larger context.

81. Government and Development Plan Policies are clear that in considering the principle of solar development, it is essential to take into account other land uses and environmental factors as set out later within this report. Notwithstanding this, there is strong policy support for the delivery of sources of renewable energy that seek to meet current and future energy demands and improve energy security in a sustainable way. This aligns with both existing and emerging government policies. The NPPF clearly states that applications for renewable energy supply do not need to establish a specific need for development. However, in this instance, the development is proposed to support essential facilities that form a critical part of the local infrastructure serving the wider community. The provision of a renewable energy supply to the WTW would significantly contribute to the energy demands required to operate the treatment works, approximately covering 28% of the annual supply. The application confirms that the annual power requirement for the WTW is equivalent to the demand of around 2,800 homes each year.

82. The development would contribute to measures to help tackle climate change, help reduce dependence on fossil fuels, and benefit energy security. These benefits would align with the NPPF's renewable energy provisions, which indicate that the delivery of renewable, low-carbon energy is central to the economic, social, and environmental dimensions of sustainable development. This should be afforded significant weight in balancing the potential impacts of the development and the acceptability of the application. Accordingly, and subject to consideration of specific impacts of the proposed development below, the principle of the development accords with both Government and Development Plan policies.

Agricultural land

83. The NPPF seeks development that contributes to and enhances the natural and local environment, including recognising the intrinsic character of the countryside, and the wider benefits from natural capital and ecosystems – including the economic and other benefits of the best and most versatile agricultural land. The NPPF states that 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. The availability of agricultural land used for food production should be considered.

84. NPPG emphasises considering the economic and other benefits of the best and most versatile (BMV) agricultural land (Grades 1, 2, and 3a) in decision-making, seeking to protect such land from significant, inappropriate or unsustainable development, including soil management. Grade 3a land is defined as good quality, consistently returning moderate to high yields of a narrow range of arable crops, like cereals, grass, oilseed rape, potatoes, or less demanding horticultural crops. The guidance recommends redirecting development to previously used land or lower-quality agricultural areas (grades 3b, 4, and 5).

85. Government policy and guidance, including within National Policy Statement for Renewable Energy Infrastructure (EN-3), states that where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land where possible. It confirms that whilst the development of ground mounted solar arrays is not prohibited on Best and Most Versatile agricultural land, or sites designated for their natural beauty, or recognised for ecological or archaeological importance, the impacts of such are expected to be considered. Where sited on agricultural land, consideration may be given as to whether the proposal allows for continued agricultural use and/or can be co-located with other functions to maximise the efficiency of land use.

86. Policies CSW 6 and DM1 of the MWLP focuses on the location of built waste management facilities, sustainable design requirements and minimise the loss of agricultural land and protect soils. As noted within paragraphs 75 and 76 of the section above.

87. Policy E16 of the TDLP states that except for allocated sites, planning permission will not be granted for significant developments that cause the irreversible loss of best and most versatile agricultural land unless it is clearly established that: 1) the benefits of the proposed development outweigh the harm, 2) there are no suitable alternative sites of lower agricultural quality, and 3) the development does not render the remaining agricultural holding unviable or result in significant cumulative losses of high-quality agricultural land. As indicated above, Policy CC06 specifically states that applications

for solar parks must cause minimal disturbance to agricultural land, be temporary, capable of removal and reversible, allow for continued agricultural use on undeveloped areas, and provide for biodiversity enhancements. The policy states that the need for renewable energy does not automatically override environmental considerations.

88. Natural England's standing advice confirms that local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification information to apply NPPF policies. It recommends the use of Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites to manage and protect soil, including any planning conditions.

89. The application is accompanied by an Agricultural Land Quality and Soil Report and a Land Use and Agricultural Land Statement that considers the potential impact of the proposed use on the existing agricultural use. The applicant argues that the use of agricultural land for the proposed solar farm is justified in this instance due to several factors. These include that: BMV land is particularly abundant within the Thanet area, resulting in non-BMV sites being scarce; there are no viable alternatives around the grid connection that are of lower agricultural quality; the temporary use of the land proposed (30 years) would not result in a loss of BMV land in terms of extent or quality; a sustained fallow period would help soil health recovery, benefiting both the agricultural land and the wider environment, ultimately enhancing soil quality for future agricultural production; agricultural activities could continue through grazing, aligning with national policy that supports the co-location of solar and agriculture, thus ensuring that agricultural use of the land remains viable throughout the life of the solar development.

90. The application site is classified by DEFRA as grade 3a, BMV agricultural land. This classification indicates that although the land holds value, it is on the lower end of the productivity scale within the BMV category. Much of the surrounding agricultural land is classified as Grade 2, so the development would be positioned on lower value land in agricultural terms. Additionally, the field itself is relatively small and is surrounded by several constraining factors on its agricultural use, including the Weatherlees Hill Water Treatment Works (WTW) site, the Minster Stream, other drainage channels, woodland planting, and a Site of Special Scientific Interest (SSSI). Because of these constraints, the field's agricultural productivity is already limited. There is also evidence of surface water drainage issues across the site with surface water pooling and increased moisture retention in the soil.

91. For several years, the field has not been used for arable farming and has remained fallow. This underutilisation further supports the argument for its temporary use. The Development Plan and Government Policy generally aims to direct development away from BMV agricultural land, but does not entirely preclude its use should specific circumstances and an established need for the development exist. Surrounding the WTW site, all agricultural land falls within the BMV classification. The application has demonstrated that no other suitable options are available that would allow the development to be located on lower quality or non-agricultural land and still support the WTW. This includes potential sites within the WTW boundaries or on its buildings. Due to the scale of the solar farm required to make a significant contribution to the WTW energy requirements, placing panels on the small number of appropriate buildings within the works would not suffice. In this case, the need for the development in sustainability terms and the lack of alternative locations weigh in favour of the use of this particular parcel of land.

92. The development of the solar farm is proposed as a temporary measure, with a 30-year permission period and provisions to restore the site to its former use at the end of this period. This temporary nature ensures that the land can eventually be returned to an agricultural use. The construction method proposed involves mounting solar panels on metal frames secured by metal posts driven into the ground. This technique requires no substantial groundworks or permanent foundations, no soil stripping or removal of the surface vegetation (grass) would be necessary across the wider site. This would ensure that the soils classified as BMV remain protected and preserved. Furthermore, the extended period during which the land would not be used for agriculture (fallow period) is anticipated to benefit soil health, allowing time for regeneration. The development is considered reversible and guarantees that the site can be restored for agricultural use in the future, thus protecting these valuable soils for subsequent generations. The application acknowledges the temporary nature of the development and the need to decommission and restore the site appropriately. Officers are content that this could be secured by condition if permission were to be granted. The application also makes provision for meaningful biodiversity gains on site, while allowing for the redevelopment of the land. This is discussed in more detail in the sections below. The applicant also confirms that the development of the site would not preclude its use for grazing animals should the opportunity / need become apparent during the operational phase.

93. After weighing the considerations carefully I am content that the proposed solar farm on Grade 3a BMV agricultural land is justified due to the lack of suitable alternatives, its proximity to the WWT works, its temporary nature, and soil health benefits. The construction method proposed would minimise soil disruption, allowing future agricultural use. Subject to conditions limit the use to a maximum of 30 years and the submission and implementation of the full restoration plan, it is recommended that that the development would be acceptable in the context of Government and Development Plan policies relating to the use of agricultural land.

Landscape and visual impacts (including development in the countryside and glint and glare)

94. The NPPF stresses the importance of protecting and enhancing valued landscapes through planning. It aims for developments to be effective and aesthetically pleasing with good design, layout, and landscaping, being sympathetic to local character and history. Decisions should conserve and improve the natural environment by safeguarding valued landscapes, biodiversity sites, and soils, recognising the beauty and benefits of the countryside, including high-quality farmland and woodland.

95. The NPPG recommends local planning authorities consider both the technological requirements and potential environmental impacts when identifying suitable areas for renewable energy projects, including solar farms. Key considerations include cumulative landscape impacts, which refer to how a proposed solar farm might affect the overall character and quality of the landscape, potentially making the development a defining feature. Cumulative visual impacts involve the extent to which the solar farm becomes a prominent feature in specific views, affecting the experience of those views for people. This can occur when multiple renewable energy sites are visible from the same point or along a journey. In assessing landscape impacts, authorities should consider the sensitivity of the landscape, as different landscapes may respond differently to the same type of development. Additionally, the magnitude of change, or

the scale of the predicted change, is crucial in determining the significance of the impact. Other important points include the energy potential of the solar farms, which varies with factors like latitude and aspect. Visual impact is another consideration, as a well-planned and screened solar farm can minimise negative visual impacts, especially in rural areas. In the case of ground-mounted solar panels, the guidance advises that with effective screening and appropriate land topography, the area of a zone of visual influence could be zero. The temporary nature of solar farms is also highlighted; these installations are usually temporary structures, and planning conditions can ensure their removal and land restoration once they are no longer in use.

96. Policy CSW 6 of the MWLP specifies that waste management facilities should preferably be located on existing mineral or waste sites, industrial estates, previously developed land, or disused agricultural buildings, with greenfield sites being a last resort to minimise environmental impact. Policy DM 1 requires developments to protect and enhance the site's character, quality, and biodiversity, promoting efficient reuse of land and buildings. Policies DM 2 and DM 19 focus on preventing harmful impacts on landscapes and biodiversity, protecting important sites, and ensuring high restoration standards for mineral extraction and temporary waste projects. These policies aim for sustainable after-uses and at least 10% biodiversity net gain. Policy DM 20 allows essential ancillary developments near mineral and waste sites if they provide significant environmental benefits and are tied to the main project's duration.

97. The Thanet District Local Plan (TDLP) includes policies to protect the countryside and enhance the region's landscape. Policy QD02 focuses on promoting local character in new developments with high-quality, inclusive, and sustainable designs. Policy SP24 permits development on non-allocated countryside sites if it supports rural businesses, agricultural diversification, rural tourism, local services, or redevelops brownfield sites, ensuring compatibility with the local character and minimal environmental impact.

98. Policy SP26 focuses on conserving and enhancing the landscape character and local distinctiveness of Thanet by protecting features such as the island quality, openness, long chalk cliffs, gaps between settlements, and long-distance views. Coastal development proposals should respect seafront architecture and maintain open spaces, preserving the town-countryside distinction. Special attention is given to avoiding development in areas like the Stour Marshes, Wade Marshes, and Pegwell Bay to retain the island character of Thanet. Policy SP27 aims to safeguard and enhance the Green Infrastructure network by creating new wildlife and biodiversity habitats, integrating Sustainable Drainage Systems (SuDs), planting hedgerows and trees, and planning new green assets to improve air quality, manage natural floods, and adapt to climate change. Together, these policies seek to balance sustainable development with the protection of Thanet's landscape and countryside.

99. The Thanet Landscape Character Assessment describes the Stour Marshes as an open, horizontal landscape with medium-sized irregular arable fields bordered by drainage ditches and small streams feeding the River Stour and River Wantsum. The area has minimal tree cover, mostly along field boundaries, with reeds lining some ditches. Small copses appear at the field edges, but openness prevails. To conserve this landscape, the guidelines suggest preserving its rural character, enhancing the drainage network, reinstating floodplain grazing, and expanding fen and reedbeds.

100. The application is accompanied by a Landscape and Visual Appraisal. This document concludes with a thorough assessment across various receptors, highlighting

predominantly low to medium sensitivity with negligible to minor adverse impacts. Notably, the retention and enhancement of the existing planting on-site is anticipated to limit the site's visual impact. Visual impacts during both construction and operational phases are generally minor, with temporary moderate adverse effects expected to the north at specific viewpoints such as Footpath TE39 north of Ebbsfleet Farm and Footpath TE37 near Cottlington Hill. These impacts, characterised by noticeable but not significantly detrimental changes, which would be mitigated over time through strategic vegetation growth and considered design measures. Overall, the approach ensures a minimal long-term impact on the landscape character and visual amenity.

Glint and Glare

101. The application is also supported by an assessment of glint and glare. 'Glint' and 'Glare' refer to the effects caused by the reflection of sunlight from reflective surfaces such as glazing or solar photovoltaic (PV) panels. It should be noted that solar PV uses glass panels designed to enhance absorption and reduce reflection to boost electricity generation efficiency. To minimise reflection, solar PV panels consist of dark, light-absorbing materials and are coated with an anti-reflective layer. The assessment considers residential properties within 200m, and roads and railways within 500m, providing a cautious review. Additionally, the report notes that the currently inactive Manston Airport (previously Kent International) is situated approximately 2.5 km north of the nearest panel array in the development. Although it is not currently operational, a Development Consent Order (DCO) was granted for the site's reinstatement as an airport (DCO ref: S.I. 2022/922). Consequently, runway paths, approaches, and the control tower have been included in the assessment. The report details that the assessment has been undertaken in accordance with best practice guidance, and it concludes that the potential effects are calculated to be acceptable at all receptors.

102. Consultations on the application included the Civil Aviation Authority, Manston Airport, the Ministry of Defence and the District Council. No objections or concerns were received regarding glint and glare. On this basis, considering that there are already solar farms permitted in the area, and the scope of the sensitive receptors considered in the glint and glare report and its findings, I am content that the development would be acceptable in terms of glint and glare.

Landscape and visual impacts

103. The landscape around the site is mostly flat, reducing the site's visibility at a distance. However, there is scope for limited views of the development from elevated areas to the north. The site is well-contained by a woodland copse around the western and northern edges, and the wastewater treatment works to the south.

104. The proposed development consists of low-level installations, with ground-mounted solar panels reaching up to 3 metres in height. These panels, positioned in rows facing east and west, would be spaced 4 to 6 metres apart to avoid shadowing. Security cameras, standing 5 metres tall, would be placed at regular intervals of approximately 100 metres. Additionally, 1.8-metre-high security fencing would be installed along the existing boundaries

105. An illustrative masterplan has been included with the application to help mitigate any visual considerations and to meet biodiversity net gain requirements. The scheme

proposed features tree and hedgerow planting along the eastern boundary, hedgerow planting on the southern edge, and native scrub planting around the northern and western borders.

106. Existing landscape elements would be retained and supplemented with new plantings to help obscure direct views of the proposed development. The current copse of trees restricts long-distance views of the project from the north, significantly limiting the zone of visual influence of any low-level development on site. Localised views from public areas are minimal and would blend into the context of other developments in the area, including the WTW and other solar installations.

107. Whilst there is an acknowledged need to ensure solar installations are adequately secured, necessary security measures should seek to minimise the impact on the landscape and visual impacts. The application proposes appropriate lower-level 1.8m deer fencing for the site, supported by CCTV cameras. The additional security provided by the proposed camera system and the site's proximity to the staffed WTW allow for the less visually impactful fencing solution proposed. The boundary treatment includes the planting of native hedgerows that would provide visual, landscape, security, and biodiversity benefits.

108. In landscape and visual terms, whilst the development would have some localised impacts, these impacts would not be significant and can be reasonably mitigated by existing and proposed planting, ensuring that the proposals do not detract from the landscape character. Additionally, the development proposed would be temporary and reversible, with provisions in place to restore the land at the end of the proposed period.

Cumulative Impact with Other Development

109. As outlined in the background section above and referenced by objections received from members of the local community, there are a number of new and existing developments and pending projects in the area. These are largely energy-related infrastructure projects focused around the Richborough Energy Park (the Former Richborough Power Station Site), seeking to benefit from or strengthen the capacity or connections to the power grid. These developments include several permitted solar parks. The closest permitted development is the redevelopment of the fields to the east to create a grid stabilisation facility (see the Background section above). In determining this application, Thanet District Council concluded that:

"Whilst the proposed development would be large in scale, given the location of the site, adjacent to the existing wastewater treatment, the proposed mitigation planting and the existing soft landscaping that surrounds the site, the visual impacts of the development are not considered to be significantly harmful and would need to be weighed against the benefits of the scheme."

110. It is recognised that several developments are planned, permitted, or already implemented in the area. The application site would be just a small part of this broader development, however it is appropriate to consider cumulative effects. The site is generally well-contained, resulting in localised landscape and visual impacts. The proposed solar array's location is constrained by the necessity for proximity to the Water Treatment Works (WTW) it would serve. The design of the proposed development ensures that all adverse effects would be reversible upon

decommissioning. While visual effects are inherent to any proposed energy infrastructure, the cumulative impact is deemed manageable within the context of existing and planned developments.

111. These considerations underscore the importance of balancing the need for renewable energy infrastructure with the preservation of landscape character and visual amenity. The proposed solar farm is designed to integrate with the existing environment, ensuring that its benefits for energy production and sustainability do not come at an undue cost to the natural and visual landscape. Subject to conditions securing the development to be carried out as proposed, the implementation of landscape planting and biodiversity enhancement measures proposed, the temporary use for 30 years, and the future submission and implementation of a restoration plan, I am satisfied that the development would not have an unacceptable impact on landscape or visual considerations and would accord with the relevant Government and Development Plan policies in this regard.

Nature Conservation and Ecology (including Habitat Regulations Assessment)

112. The NPPF emphasises the importance of planning policies and decisions that contribute to and enhance the natural and local environment. This includes protecting and enhancing valued landscapes, biodiversity sites, and soils, while minimising impacts and providing net gains for biodiversity. Development should prevent unacceptable levels of soil, air, water, or noise pollution and aim to improve local environmental conditions such as air and water quality.

113. The NPPF states that in determining planning applications, local authorities should refuse permission if significant harm to biodiversity cannot be avoided (through locating on an alternative site with less harmful impacts), mitigated, or compensated (as a last resort). Development on or near Sites of Special Scientific Interest (SSSI) likely to have adverse effects should normally be refused unless the benefits clearly outweigh the impacts.

114. The National Policy Statement for Renewable Energy Infrastructure (EN-3) is clear that solar farms have the potential to increase the biodiversity value of a site, especially if the land was previously intensively managed. In some instances, this can result in significant benefits and enhancements beyond Biodiversity Net Gain, which result in wider environmental gains.

115. The MWLP incorporates several policies to protect conservation, ecology, and biodiversity. Policy DM 1 highlights sustainable design by minimising greenhouse gas emissions, promoting recycling and renewable energy, and integrating climate change adaptation, while preserving the site's character and biodiversity. It also encourages contributions to green infrastructure, achieving biodiversity net gain, and providing community benefits. Policy DM 2 ensures developments do not significantly affect environmentally significant sites, requiring evaluations for proposals near internationally designated sites (including SPAs, SACs and Ramsar sites) and nationally designated sites (including SSSIs). Policy DM 3 requires that projects avoid adverse effects on biodiversity, necessitating ecological assessments and demonstrating biodiversity enhancement. Policy DM 19 focuses on restoration and aftercare, ensuring high standards for restoration plans, aligning with best practices, supporting sustainable after-uses, and achieving at least a 10% biodiversity net gain.

116. The TDLP includes several policies that seek to protect and enhance nature conservation interests. Policy SP28 requires that proposals likely to impact SPAs, SACs, or Ramsar sites must undergo appropriate assessment and incorporate measures to mitigate adverse impacts. Policies SP30 and GI01 stress the importance of making positive contributions to biodiversity and geodiversity, requiring development proposals to enhance existing habitats, create new ones, and link ecological networks, protect and enhance valued soils, mitigate against the loss of farmland bird habitats, while also protecting sites of national importance, such as SSSIs. Policy GI02 similarly protects locally designated wildlife sites, only allowing development if suitable mitigation can be provided. Planning permission will not be granted for development if it results in significant harm to biodiversity and geodiversity assets, which cannot be adequately mitigated or as a last resort compensated for. Collectively, these policies ensure that development projects prioritise the conservation and enhancement of biodiversity across various types of designated sites.

117. The application has attracted concerns and objections from Kent Wildlife Trust (KWT) and members of the local community regarding the potential for the development, alone or in combination with other developments, to have unacceptable impacts on protected species, local habitats, and natural conservation interests. KWT highlights concerns over insufficient protected species surveys, particularly for breeding and wintering birds, including golden plover and turnstone at the Thanet Coast and Sandwich Bay Special Protection Area. KWT believes the site may be functionally linked to the SPA and such considerations have been overlooked, along with compensation for lost linked land. They also recommend riparian mammal and invertebrate surveys to inform mitigation. If otters or beavers are present, the works could disturb their habitat, possibly requiring licenses under existing conservation laws. KWT urges these surveys be conducted before deciding to ensure proper mitigation or compensation.

118. Objections from local community members also raise concerns about the loss of habitat supporting endangered species in the Sandwich Bay to Hacklinge Marshes SSSI; a negative impact on habitats for migrating birds and waders; loss of foraging grounds for birds during high tide; the effects on local mammals, snakes, and lizards; the loss of scarce green space in Thanet and the need for more wildlife space to prevent species decline and protect marshland habitats; and questioning the justification of habitat loss using the Biodiversity Net Gain metric, amongst other matters.

119. Natural England has responded to the application confirming it will not provide specific advice on this application. NE advise that although it has not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, it references its Standing Advice.

Habitat Regulations Assessment

120. Under the Conservation of Habitats and Species Regulations 2017 (as amended) ('the Habitats Regulations') the County Council becomes a 'competent authority' when the exercise of its functions will or may affect designated sites (for example SPAs or SACs). In accordance with the Habitats Regulations, all competent authorities must undertake a formal assessment of the implications of any new plans or projects that may be capable of affecting the interest features of Designated Sites before deciding whether to undertake, permit or authorise a plan, project (or application). Where the

effects of a development cannot be ruled out, an assessment is required to ascertain that any adverse effect on the integrity of the site can be ruled out.

121. The NPPF is clear that the presumption in favour of sustainable development does not apply where a development is likely to have a significant effect on a designated habitat site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

122. The application site is within 1km of the Thanet Coast and Sandwich Bay SPA and Ramsar site and the Sandwich Bay SAC. These designated sites support internationally important numbers of wintering birds, nationally important numbers of a breeding seabird, and waders. Large numbers of migratory birds use the designated sites for staging and a number of nationally scarce and rare invertebrate and plant species occur across the designation.

123. The application is supported by a shadow Habitat Regulations Assessment (sHRA), which considers the potential implications of the proposed development on these designations due to their proximity to the site and the potential existence of impact pathways. The assessment screens out likely significant effects on the Sandwich SAC and Thanet Coast and Sandwich Bay Ramsar site due to the site not providing suitable habitat for the qualifying species and that the size and distance of the site is sufficient to avoid impacts on habitat features. It identifies that the Thanet Coast and Sandwich Bay SPA requires further consideration as the site potentially offers suitable foraging habitat for European golden plover and that the construction of the development could potentially impact on wintering birds. The report concludes that due to the small size of the field and its enclosed nature with surrounding woodland and the adjacent WTW, the site is unlikely to be used by the SPA species. This is due to being both inland and an unsuitable breeding habitat for coastal birds. The report does identify that whilst the operation phase is considered unlikely to impact the SPA (due to low magnitude and low frequency of management), the construction phase has potential to increase disturbance through activity on site. On a precautionary basis, to avoid disturbance impacts to wintering populations that may use adjacent fields, it recommends that the construction phase should take place outside the winter bird season (October to March inclusive).

124. Following comments received from KWT, the applicant undertook a Wintering Bird Survey and Baseline Report to support the conclusions of the sHRA. The survey identified that several Red and Amber Listed bird species of conservation concern were observed on site; these species would not nest on site. The survey concludes that the site does not support wintering bird species from the SPA and there are no significant concentrations of important wintering birds, such as farmland bird species and winter visitors. The site also has no significant concentrations of common birds. It acknowledges the Habitat Management Plan submitted with the application which would provide suitable habitat for a variety of species, including those recorded at the site.

125. Advice from the EAS supports the position that the site is not considered as Functionally Linked Land (FLL) to the SPA. FLL refers to areas outside a designated site that are critical for the ecological or behavioural functions of qualifying features of the SPA. As set in the EAS recommendations included in the Consultations section, while qualifying species may inhabit inland areas, unmanaged semi-improved

grassland surrounded by dense woodland is not typical of their usual lowland farmland habitats and as such would not support SPA species or the functionality and integrity of the designated sites. The EAS confirms that the Winter Bird Survey supports this case, however it agrees that birds associated with the designated sites are known to utilise habitat within the wider area and that impacts can be avoided through construction work being undertaken outside the wintering bird season.

126. Taking account of the size and nature of the site, the recommendations of the EAS, and the supporting information made available, I am content to adopt the conclusions of the shadow Habitat Regulations Assessment that, subject to implementation of the proposed mitigation measures, the proposed development (alone or in combination with any other plans or project) would have no adverse effects on the integrity of the designated sites (or any FLL).

Ecological Considerations

127. In terms of the wider ecological considerations, the Ecological Advisory Service (EAS) has reviewed the application on three occasions, including considering updated supporting information in the context of NE Standing Advice and the comments received from KWT. It has provided a detailed assessment of the potential ecological impacts and proposed mitigation measures. The EAS highlighted the presence of reptiles within the site, suitable habitats for ground nesting and wintering birds, water voles, foraging and commuting bats, and badgers. Additionally, it acknowledges the importance of preserving habitats for invertebrates and breeding birds within the boundary hedgerows. The EAS noted that water voles were recorded in the wider area but acknowledge that the construction would not impact the stream banks directly, as a proposed buffer zone would ensure the habitat is preserved. Although no evidence of otters or beavers was found, their presence cannot be completely ruled out. The stream wouldn't be directly affected by the construction, and gaps under the fence would allow movement of terrestrial species. In terms of reptile mitigation it notes that the numbers are low, however there presence requires careful grassland management, including retaining uncut areas each year. This should be reflected in the management plan, which, if planning permission is approved, should be reviewed and updated prior to the development becoming operational. It recommends that an Ecological Clerk of Works should be present during construction to ensure habitats are not disturbed.

128. In addition, the EAS note the ecological mitigation measures proposed by the ecological impact assessment, which include the protection of Minster stream and bank during construction, implementation of precautionary mitigation for the reptile and avoidance of works during the wintering bird season. To ensure that this mitigation remains valid at the time of construction, the EAS recommend a preliminary ecological appraisal carried out in advance and that the mitigation measures are reviewed and updated (where necessary). It also recommends that a construction environmental management plan (CEMP) is submitted for approval, including timings of works – avoiding the wintering bird season, details of protection measures for the Minster stream and bank and implementation of the ecological mitigation outlined above. Post-construction, the EAS advise that the site's species interest can be maintained, given that most habitats would be retained and enhanced around the boundaries, with only the managed farmland directly impacted during construction.

129. KWT has suggested measures to minimise impacts on freshwater aquatic invertebrates, given the site's proximity to an important invertebrate area. The EAS note that the adjacent SSSI designation does not specifically reference freshwater aquatic invertebrates, and The Kent Downs and South Valley Important Invertebrate Area, which covers a large area (and includes land immediate east of the site within the SSSI) does not have a profile. It notes that the land directly impacted by the development does not have the range of habitat found in the wider area and as such it is satisfied that a specific invertebrate survey is not justified. The site is adjacent to the Minster stream and therefore it is likely that aquatic invertebrates are found within this area. However, the EAS acknowledge that the size of the solar farm is likely to mean that any impact would be minor and the enhancement of the vegetation within the site would be likely to benefit invertebrate populations.

130. The EAS confirms that impacts on species can be addressed through the ecological mitigation detailed in the ecological impact assessment and habitat creation/enhancement works proposed as part of the Biodiversity Net Gain (BNG).

Biodiversity Net Gain

131. Biodiversity Net Gain (BNG) is a mandatory requirement that requires habitats for wildlife to be left in a measurably better state than they were before the development. BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990. The objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits. The developer / land owner is legally responsible for creating or enhancing habitat, and managing that habitat for at least 30 years to achieve the target condition.

132. In submitting an application that is not exempt to BNG, an application must be accompanied by enough evidence to establish the pre-development biodiversity value of the site (using a statutory biodiversity metric calculation tool to establish the value). Once the value of the site is established, the statutory framework indicates that any permission is automatically subject to a biodiversity gain condition, which requires the submission of a biodiversity gain plan for approval before any development is commenced on site. This plan must demonstrate the increase in biodiversity value.

133. The applicant has submitted an updated statutory BNG metric, which establishes the pre-commencement value of the site. This is split between habitat units and watercourse units, due the site's proximity to Minster Stream. Along with hedgerows, these habitat types are considered separately within the statutory metric. The habitats recorded on site are cropland, grassland and watercourse. The habitats associated with the adjacent SSSI fall outside the site. The application is also accompanied by an updated BNG Assessment and detailed Habitat Management Plan that seek to demonstrate that onsite BNG would be feasible in this instance. Technically this information is not required to determine an application, however its submission prior to determination is strongly encouraged. The onsite improvements proposed would include additional grassland, scrub, individual trees, additional hedgerows and watercourse enhancements. Despite the submission of this information, any permission would still need to be subject to the statutory BNG condition, requiring the submission of a final Biodiversity Gain Plan, which could reasonably be based on the information received to date.

134. The EAS has reviewed the updated BNG metric and assessment and has confirmed the accuracy of the baseline habitat assessment and that the proposed improvements are feasible as part of the planned development within the land available. It recommends implementation of a site-wide management plan if permission is granted.

Summary

135. Considering the views and representations received from consultees and the community regarding ecological considerations, including recommendations made by NE, KWT, and KCC EAS, I am confident that the updated information and ecological reports prepared by the applicant provide the necessary details to make a determination. The shadow HRA, informed by the response from the EAS, establishes that, provided construction takes place outside the wintering bird season, the proposed development (alone or in combination with any other plans or projects) would have no effects on the qualifying features of the designated sites (or any functionally linked land). I am satisfied that the adoption of the shadow HRA and recommended mitigation measures would satisfy the County Council's obligations under Habitats Regulations.

136. The EAS has recommended that the application would be acceptable subject to suitable mitigation measures, including those outlined in the application. The proposed mitigation measures include: a preliminary ecological appraisal ensuring the appropriateness of the proposed mitigation measures; the implementation of a CEMP, with an Ecological Clerk of Works during construction; no construction activities during the wintering bird season (October to March); the establishment of buffer zones to protect surrounding habitats, including the Minster stream; habitat creation/enhancement works as part of the Biodiversity Net Gain; and the review and update of the Habitat Management Plan proposed prior to operation.

137. Subject to the imposition of conditions securing the above requirements, the development would not have significant or unacceptable impacts on habitats or protected species, including nearby designated sites, and that any residual impacts could be reasonably managed and mitigated by the recommended conditions. On this basis, I recommend that the application would comply with the relevant legislation, Government and Development Plan policies relating to natural conservation, ecology, and biodiversity.

Heritage

138. The NPPF aims to safeguard heritage assets, including archaeological remains. Applicants should detail the significance of any affected assets with enough information to assess the development's impact. For non-designated heritage assets, a balanced judgement on the harm or loss and the asset's significance is necessary. Developers must document and enhance the understanding of impacted heritage assets proportionately. The NPPW demands consideration of effects on all heritage assets, designated or not, including their settings.

139. The National Policy Statement for Renewable Energy Infrastructure (EN-3) states that below-ground impacts for solar farms, although generally limited, may include direct impacts on archaeological deposits through ground disturbance associated with trenching, cabling, foundations, fencing, temporary haul routes, etc. Equally, it notes

that solar PV developments may have a positive effect; for example, archaeological assets may be protected by a solar PV farm as the site is removed from regular ploughing and other disturbance.

140. Policies DM5 and DM6 of the KMWLP and Policies SP36 and HE01 of the TDLP aim to protect Kent's heritage assets in a manner appropriate to their significance, including archaeological assets, by requiring adequate assessment of potential impacts, preserving remains in situ when possible, and ensuring proper investigation and recording when preservation is not feasible.

141. In accordance with NPPF, a Heritage Impact Assessment was submitted as part of the planning application. The assessment found a low potential for archaeological remains, except for post-medieval and modern remains of negligible importance. The site is situated on low-lying land near the River Stour and the former Wantsum Channel, which was intensively occupied from the Neolithic period onwards. Although much of the site was likely submerged and marshy until the 20th century, one non-designated WWII heritage asset has been identified within the site, but it no longer survives. The proposed cable route crosses an area with potential prehistoric remains; however, prior excavation is unlikely to impact these. It recommends that further archaeological investigation may be necessary, which should include archaeological monitoring during groundbreaking works (a 'watching brief') to determine the nature and extent of any surviving archaeological remains on the site.

142. Comments received from Thanet DC note the concentration of archaeological remains in the area, including Historic Environment Record relating to palaeochannels on the site. It recommends that an archaeological work programme is implemented to ensure any significant remains are investigated. No response has been received from KCC Archaeology following consultation requests.

143. There are no designated heritage assets within the site and no direct physical impacts on any designated heritage assets. However, proposals have the potential to affect non-designated below-ground archaeology assets albeit in a limited way due to the nature of the development and the limited extent of any groundwork required. Given the undeveloped nature of the site and the available information, a condition requiring an archaeological watching brief is considered appropriate to ensure that any significant archaeological remains on the site are fully investigated. This could be secured by an appropriate condition. Subject to the inclusion of the recommended condition, the development would accord with Government and Development Plan policies relating to heritage assets and archaeological considerations.

Water resources and flood risk

144. The site is enclosed by a number of streams, including the Minster Stream a main river that flows along the eastern boundary. Notwithstanding the proximity of these waterways, the site falls within a Flood Risk Zone 1 and therefore has a low probability of flooding from rivers and the sea. Central northern areas of the site are identified as having a low to medium risk of surface water flooding.

145. The NPPF seeks to manage the risks associated with flooding by guiding development away from areas at highest risk. It requires development that does not increase flood risk elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding

where development; places vulnerable uses in the safest areas; is flood-resistant and resilient; includes sustainable drainage systems; manages any residual risks and provides safe access and escape routes (where relevant).

146. The NPPF also requires development that contributes to and enhances the natural and local environment, including preventing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air, water quality and where appropriate remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land. The framework indicates that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions, risks arising from contamination and any proposals for mitigation.

147. National Policy Statement (EN-3) states that water management is a critical component of site design for ground mount solar plants. Where previous management of the site has involved intensive agricultural practice, solar sites can deliver significant ecosystem services value in the form of drainage, flood attenuation, natural wetland habitat, and water quality management.

148. Policies CSW6 and DM10 of the KMWLP seek waste development that: avoids Flood Risk Zone 3b (functional floodplain); Groundwater Source Protection Zone 1; does not result in the deterioration of physical state, water quality or ecological status; does not have an unacceptable impact on groundwater or exacerbate flood risk in areas prone to flooding and elsewhere, both now and in the future. Policy DM1 seeks the use of sustainable drainage systems wherever practicable. Policy CC02 of the TDLP requires new development to manage surface water resulting from the development using sustainable drainage systems (SuDs) wherever possible.

149. As set out above comments received from local community members raise concerns that the site regularly floods, which would compromise the proposed use, and the potential for pollution of surrounding surface watercourses from the development and construction phases.

150. The application is accompanied by a site-specific flood risk assessment (FRA) which has informed the design of the development, and drainage scheme. Following the submission of additional supporting information, no objections have been received from the statutory consultees regarding water resources or flood risk grounds. As set out in the Consultation section above, the EA raise no objection. The River Stour IDB raise no objection, noting that any works within 8 metres of the Minster Stream would require separate consents. KCC FWM raise no objection subject to a condition securing a detailed sustainable surface water drainage plan based on the submitted Flood Risk Assessment and a verification report confirming its implementation.

151. Annex 3 of the NPPF (Flood Risk Vulnerability Classification) categorises solar farms as Essential Infrastructure, allowing their development in Flood Zone 1. An evaluation of the Proposed Development site revealed an overall low risk of surface water flooding. The solar farm would use panels elevated 0.6 metres above ground on integrated stands and feature waterproof underground cabling to reduce flood vulnerability. These elevated panels would help mitigate any residual flood risk if the surrounding drainage network becomes overwhelmed. The panel design is also weatherproof to endure all weather conditions.

152. Given that the site area is more than 1 hectare, the NPPF mandates a Surface Water Management Strategy to ensure the development does not affect flood risk outside the site. The project would include PV panels, fencing, and an underground grid connection without additional infrastructure or hardstanding areas. The mounting of the panels would allow runoff to reach the ground below, supplemented by grassland planting underneath and vegetated buffer zones around the site. A temporary construction compound, smaller than 0.25 hectares, would be surfaced with permeable materials and removed after the construction phase. During the short and relatively low impact construction period required, the management of the any potential to introduce or mobilise polluting material into ground and surface water resource could reasonably be managed through an suitable Construction and Environmental Management Plan (CEMP). As outlined above, a CEMP could reasonably be secured by condition prior to the implementation of construction on site.

153. In response to initial concerns from the KCC FWM regarding potential soil erosion and increased surface water flows due to runoff from the solar arrays, the application was revised to incorporate several recommended measures to mitigate these risks. These measures include filter strips downstream from the solar arrays, vegetated strips of wildflowers and grasses around the field edges, and a habitat management plan for Biodiversity Net Gain. Key sustainable management practice proposed involve maintaining a vegetated buffer around the solar panel array, using traditional meadow management practices, and introducing a mix of scrub and woodland margin planting at specific site boundaries to enhance water infiltration rates, manage surface water flows, and prevent soil erosion. These efforts would improve soil structure, ensure no increase in surface water runoff rates, and maintain greenfield runoff rates with year-round groundcover; potentially reducing sediment mobilisation compared to current conditions. The updated Habitat Management Plan outlines the proposed planting scheme and shows that the measures taken would control surface water flows and achieve the desired runoff rates.

154. The Proposed Development would not increase flood risks elsewhere. With these mitigation measures in place, no residual flood risks are identified. The design ensures the development would be both sustainable and safe in the long term.

155. Given the above considerations and the responses received from the EA, IDB and KCC FWM, subject to conditions set out below, the proposed development would be acceptable in flood and surface water drainage terms and would accord with Government and Development Plan policies relating to water resources and flood risk.

Highways and access

156. Government (NPPF) policies regarding highways and access, as outlined in the policy section above, aim to encourage development that advances sustainable transport modes by considering the type and location of developments; ensures safe and appropriate access; and requires that significant impacts on the transport network, in terms of capacity, congestion, or highway safety, can be mitigated to an acceptable level. These policies state that development should only be prohibited or refused on highway grounds if there would be an unacceptable impact on highway safety or if the residual cumulative impacts on the road network would be severe. The NPPW advises waste planning authorities to assess local environment and amenity impacts based on the road network's suitability, reliance on local roads, and preference for non-road transport modes when feasible.

157. Policies CSW6, DM13, and DM15 of the KMWLP advocate for waste development that is strategically located in relation to Kent's Key Arterial Routes, does not have unacceptable adverse impacts on highway safety or capacity, avoids significant increases in lorry movements through villages or on unsuitable stretches of road, and reduces emissions by deploying low emission vehicles and scheduling vehicle movements to avoid peak hours. Policies SP43 AND TP01 of the TDLP require development proposals that would have significant transport implications to be supported by Transport Assessment and where applicable a Travel Plan; encouraging developers encourage sustainable methods of travel.

158. The application sets out that the construction of the Development is expected to generate approximately 100 Heavy Goods Vehicle (HGV) movements over the 24-week construction period, averaging eight to nine deliveries per week and peaking at three deliveries on a single day. Public transport accessibility is reasonable, with the nearest bus stop 800 metres away, however most construction and operational staff are likely to use private cars due to the lack of pedestrian walkways. During peak construction, no more than 15 staff would be on-site daily, resulting in up to 30 staff vehicle movements per day. Standard working hours are Monday to Friday, 07:00 to 20:00, and Saturday, 07:00 to 16:00, with no Sunday work unless approved by the local authority. Deliveries will occur within these hours, and staff arrivals and departures will generally fall outside peak traffic times. Once operational, the development would be mostly autonomous, requiring only monthly maintenance visits during daylight hours, generating minimal traffic. Therefore, no further mitigation for transport and access is proposed during the operational phase.

159. Officers note that the development of adjacent land, as part of the grid stabilisation facility has yet to be implemented. The construction for the adjacent development would be far more significant potentially extending over 2 years, therefore increasing the potential for the two construction periods to coincide, if permission is granted. The application for the solar development proposes the implementation of a Construction Traffic Management Plan (CTMP) if permission is granted. This plan would seek to minimise and manage traffic impacts, including a travel plan to reduce the number of construction vehicles, consolidating deliveries, managing deliveries through an appointed contractor, and installing a wheel washing facility to prevent debris on local roads. The CTMP could also reasonably seek address the manage and mitigation of any highway implications if the two construction period were to coincide.

160. KCC H&T raise no objection, subject to a condition securing a Construction Management Plan. It notes that the access is acceptable and the construction period would only have a limited impact in transport terms. H&T recommend that a construction management plan be secured by condition and include information on routing, parking, deliveries, wheel washing and temporary traffic management and signage.

161. The site is well-located in relation to the strategic road network, ensuring suitable HGV access via a short section of local roads that does not accommodate significant traffic levels and already accommodates HGV traffic in association with the nearby commercial development, including the WTW. The Development is not expected to significantly impact congestion or delays on the local or strategic road network during construction. Once operational, the development would have a small highway impact. Subject to a condition securing a Construction Traffic Management Plan, I am satisfied

that that no significant traffic or transportation effects are likely to arise from the proposed development either alone or in combination with other developments. On that basis, the development would accord with relevant Government and Development Plan policies in relation to highways matters.

Local Amenity Considerations

162. Government and Development plan policies relating to local amenity set out in the policy section above require development that is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. The NPPF states that planning decisions should contribute to and enhance the natural environment by (amongst other things) preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution and that development should, wherever possible, help to improve local environmental conditions such as air and water quality. It further states that planning decisions should ensure that new development is appropriate for its location considering the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

163. Policy DM 11 of the KMWLP specifies that minerals and waste developments will only be permitted if they do not generate unacceptable adverse impacts on local communities and the environment, including noise, dust, litter, vermin, vibration, odour, emissions, illumination, visual intrusion, traffic, or health risks. Developments must not adversely impact other permitted land uses on surrounding land and waterbodies. Policy DM 12 states that developments should not result in an unacceptable adverse, cumulative impact on the environment or communities.

164. Policy QD1 and QD3 of the TDLP require development to be well-designed, respecting and enhancing the area's character with attention to context, identity, scale, massing, rhythm, density, layout, and appropriate materials. Developments must also be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure.

165. The proposed development has attracted objections on from members of the local community concerning potential negative impacts on the well-being, loss of open green space and the cumulative impact when considered in the context of other forthcoming development in the area. Concerns were also raised regarding odour generated by the treatment works, however on the basis that the development does not directly impact the treatment of wastewater these concerns are not material to the current proposal. The treatment works is subject to controls under the site's environmental permit.

166. There are few residential or community receptors located near the site, the nearest of which is the Great Oaks Small School, located c.250m east. There are a couple of residential properties east of the A265 Richborough Way over 400m from the site. The majority of the surrounding land uses are agricultural, commercial, infrastructure or open countryside.

167. The development proposed would have the potential to result in some temporary amenity impacts during the construction phase (approximately 24 weeks). These

would include the normal impacts including noise, dust and air quality considerations from construction and any associated vehicle movements. The application set outs an access through the treatment works, using its access out onto Jute Lane leading direct to the A256. Due to the nature of the development and the lightweight construction methods, the application anticipates typically 4 or 5 deliveries per week with a maximum of 3 deliveries on peak days. It proposes that construction hours 07:00 to 20:00 Monday to Friday and 07:00 to 16:00 Saturdays, with all deliveries within standard hours. The construction method proposed involves the solar panels mounted on lightweight metal frames secured into the ground by metal stakes with no need for foundations. This limits the impact on the ground conditions and the need for heavy plant and equipment. The application proves the implementation of a Construction Environmental Management Plan (CEMP) to control operations during the construction phase to limit the impacts on the surrounding environment, ecology and local amenity. As indicated above the details of which could be secured by condition.

168. The development would involve the temporary redevelopment of an agricultural land, whilst this is open space, the site is privately owned and has no lawful public access. The use of the land is consider in more detail above. The operational phase of the development is unlikely to have any significant impacts on its surroundings, beyond the visual considerations outlined in the landscape section above. This section also considers the matter of potential for glint and glare resulting from the panels. The application confirms that activity on site would be limited to occasional visits to monitor and maintain the equipment.

169. It is recognised that there are a number of permitted and planned energy projects surrounding the Richborough Energy Park. The concentration of these is due to the grid connections and the essential infrastructure that supports the power grid in east Kent. The majority of the projects have wider community benefits or help with the transition to a more sustainable future. As outlined above, the grid stabilisation facility permitted by Thanet DC (TH/23/0170) has yet to be implemented. This development is far more significant that the proposed solar farm, involving a 2 year construction period. Planning permission TH/23/0170 includes a number of conditions that seek to limit the impact of the construction period on the surrounding land uses and the environment. If the construction periods for the two schemes were to overlap, given the short and relatively low impact of the solar development I am content that the conditions recommended would serve to limit the impacts on local amenities to acceptable levels.

170. In terms of amenity impacts from the operations, both developments are relatively remote for significant residential areas. The solar project is temporary in nature (with 30 year life) and reversible. It is unlikely to make a significant contribution to any cumulative impacts. In light of the above, the development would not result in any significant or unacceptable amenity impacts either during construction or operation and that any residual impacts could reasonably be minimised and controlled through the imposition of conditions as set out below.

Conclusion

171. The proposed development comprises the installation, operation, and eventual decommissioning of a ground-mounted solar photovoltaic (PV) array to support the Weatherlees Wastewater Treatment Works (WTW). The solar array is projected to produce up to 3.3 MW of renewable energy, reducing the WTW's reliance on the national grid and decreasing its carbon emissions. The development also includes related infrastructure such as CCTV cameras, security fencing, and an access. The proposal covers a 30-year period, after which the site would be returned to its original state and function. A temporary construction compound, operational for roughly 24 weeks, would provide office and welfare facilities, vehicle parking, and storage for machinery, equipment, and materials. Construction would involve approximately 100 heavy goods vehicle (HGV) deliveries over the 24-week span, with standard working hours from Monday to Friday, 07:00 to 20:00, and Saturday, 07:00 to 16:00. Once operational, the facility would be automated, requiring occasional on-site visits for routine monthly maintenance during regular daylight hours. Habitat enhancement measures would include the planting of native hedgerows and trees, grassland, and mixed scrub and woodland edge meadow.

172. The proposed development has attracted objections from the local community on environmental and community grounds, including combined impacts with other projects, impacts on habitat and biodiversity, visual and landscape effects, pollution, and health concerns. Kent Wildlife Trust has expressed concerns regarding the potential for impacts on protected species, local habitats and nearby designated sites. Minster Parish Council has raised concerns regarding the implications of the development on Best and Most Versatile agricultural land.

173. Based on the detailed considerations outlined above, the proposed development of the solar farm aligns with both Government and Development Plan policies in terms of sustainable development. The principle of development is supported by strong national and local policies aimed at increasing renewable energy sources to meet the UK's ambitious climate targets. Officers recommend that significant weight should be given to this policy support in balancing the potential impacts of the development and the acceptability of the application.

174. The proposed development of the solar farm on grade 3a BMV agricultural land is justified in this instance due to the temporary nature of the development, the existing constraints on agricultural productivity of the site, and the lack of alternative sites on previously developed land or on land with a lower agricultural value and the proximity to the Wastewater Treatment Works. The approach to construction and land use proposed would ensure that the valuable soils would be preserved and that the site can ultimately be returned to agricultural use. This project aligns with national policy supporting sustainable development, offering both environmental and agricultural benefits over the long term.

175. The proposed steps to mitigate landscape and visual impacts, such as additional planting and strategic placement of the solar panels, are considered sufficient to maintain the area's landscape character and visual appearance. The low-level development would be effectively screened in the broader landscape by the existing vegetation and surrounding development. The matter of glint and glare has been evaluated, showing that the project would not negatively impact nearby receptors, including residential properties and transport routes.

176. The ecological and conservation considerations associated with the development have also been carefully assessed. The updated surveys and assessments provided by the applicant, informed by recommendations from KWT and the EAS, offer a good understanding of the potential impacts and the recommended mitigation measures. The Habitat Regulations Assessment completed establishes that subject to implementation of the proposed mitigation measures, the proposed development (alone or in combination with any other plans or project) would have no adverse effects on the integrity of the designated sites (or any Functional Linked Land). Provided the mitigation measures outlined are adhered to, particularly regarding the construction timetable and habitat management, the development could proceed without significant detriment to the local biodiversity, habitats and designated sites. The application documents received fully addressed the BNG requirements establishing that onsite gains in excess of 10% could be achieved. If permission is granted the development would automatically be subject to the statutory BNG condition requiring the submission of a final Biodiversity Gain Plan prior to commencement. In respect of heritage and the impact upon water resources and flood risk, the development would accord with Development Plan policies and guidance.

177. Highways and access considerations associated with the development are largely limited to the temporary construction period. Even during this period, the level of vehicle movements associated with the development proposed would not be significant. A condition securing a Construction Traffic Management Plan would ensure that any impacts are adequately mitigated during the construction phase.

178. Local amenity impacts have been assessed, with measures proposed to minimise any temporary disruptions during construction. The operational phase is expected to have negligible impacts on the local community, given the remote location and the low-intensity of the use proposed.

179. In summary, the proposed solar farm offers significant benefits in terms of renewable energy production, sustainability, and ecological enhancements, in connection with an important component of the local waste water infrastructure that benefits the wider community. Therefore, I recommend that the proposed development constitutes sustainable development that would secure net gains across economic, social and environmental objectives. The assessment of the application has shown that any significant or unacceptable negative impacts could be effectively mitigated by the suggested design and conditions listed below. The project complies with Government and Development Plan policies and there are no material considerations that indicate that the decision should be made otherwise. This includes satisfying the criteria outlined in policy CC06 of the TDLP concerning solar projects. Consequently, I recommend that the proposals would not cause substantial harm to Thanet's historic landscapes, visual and local amenities, heritage sites, biodiversity or nature conservation interests. Additionally, the impact on agricultural land would be minimised, resulting in a temporary and reversible development that would enhance biodiversity. I am also convinced that the benefits of the project outweigh any residual impacts following the recommended mitigation measures. The suggested mitigation measures can reasonably be secured by the recommended conditions below. I therefore recommend that planning permission is granted.

Installation of ground mounted photovoltaic array at Weatherlees Hill WTW, Jutes Lane, Ramsgate - TH/24/401 (KCC/TH/0041/2024)

Recommendation

180. I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

Statutory Biodiversity Net Gain Condition

- BNG – the statutory condition requiring a Biodiversity Gain Plan demonstrating a minimum of 10% net gain to be approved prior to commencement.

Timescales

- Commencement of development within 3 years;
- The use shall cease no later than 30 years from the 'date of energisation' and the development restored thereafter within 6 months;
- Date of energisation' to be provided to the Local Planning Authority in writing within 28 days of energisation;

Approved Plans

- Development to be carried out in accordance with approved drawings;

Prior to commencement

- Submission of an archaeological watching brief for approved and its implementation during construction;
- Submission of a pre commencement survey and review of the ecological mitigation measurers;
- Submission of a Construction Environmental Management Plan (CEMP), including provision of an Ecological Clerk of Works for the construction period;
- Submission of a Construction Traffic Management Plan;
- Submmission of a detailed sustainable surface water drainage plan based on the submitted Flood Risk Assessment;

Construction controls

- No construction shall take place during the wintering bird season (October to March inclusive);
- Construction shall take place between 07:00 and 20:00 hours Monday to Friday band between 07:00 and 16:00 hours on Saturdays;
- The development shall be carried out in such a manner to avoid damage to any existing trees/hedges, including the provision of proposed buffer zones;

Prior to energisation / first operation

- Prior to energisation an updated final version of the Habitat Management Plan shall be submitted for approval and implemented thereafter;
- Submission of a verification report confirming implementation of SUDS;
- Unless updated by the Biodiversity Gain Plan, completion of the landscape planting set out in the application within the first planting season following energisation;

Operational controls

- Removal of permitted development rights;
- No external lighting shall be erected without the prior written approval;
- Repairs and maintenance shall take place between 07:00 and 18:00 hours Monday to Saturday;

- The landscape planting implemented shall be maintained and any plants/trees which die, are removed or become seriously damaged or diseased shall be replaced within the next planting season;

Decommissioning and restoration

- 6 months prior to the completion of the 30 year energisation period a Decommissioning and Restoration Method Statement shall be submitted for written approval;
- No decommissioning work to take place until a method statement for the protection of biodiversity during the decommissioning works has been approved;
- If electricity generation ceases for 6 months, or if construction works commence then cease for a period in excess of 6 months prior to being completed, all development and fixtures shall be removed and the site restored in accordance with a scheme to be agreed in written with the County Planning Authority; and
- Following decommissioning the site shall be restored to the agricultural use and condition prior to the development commencing;

I FURTHER RECOMMEND that MEMBERS ENDORSE the decision that the County Planning Authority adopts the shadow Habitat Regulations Assessment dated 11 January 2024 in satisfying the County Council's obligations under The Conservation of Habitats and Species Regulations (2017).

Case Officer: Mr James Bickle	Tel. no: 03000 413334

Background Documents: see section heading