



Planning Inspectorate
Arolygiaeth Gynllunio

SCOPING OPINION:

Proposed South Kent Energy Park

Case Reference: EN0110035

Adopted by the Planning Inspectorate (on behalf of the Secretary of State)
pursuant to Regulation 10 of The Infrastructure Planning (Environmental
Impact Assessment) Regulations 2017

16 July 2026

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APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

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1. INTRODUCTION

- 1.0.1 On 05 June 2026, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from South Kent Energy Park Limited (the applicant) under regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) for the proposed South Kent Energy Park (the proposed development). The applicant notified the Secretary of State (SoS) under regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the proposed development and by virtue of regulation 6(2)(a), the proposed development is 'EIA development'.
- 1.0.2 The applicant provided the necessary information to inform a request under EIA regulation 10(3) in the form of a Scoping Report, available from:
- [Documents | South Kent Energy Park](#)
- 1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the proposed development as currently described by the applicant. This Opinion should be read in conjunction with the applicant's Scoping Report.
- 1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in appendix 1 in accordance with EIA regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in appendix 2. These comments have been taken into account in the preparation of this Opinion.
- 1.0.6 The Inspectorate has published a series of advice pages, including '[Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#)'. AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.
- 1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

['Nationally Significant Infrastructure Projects: Advice pages'](#)

- 1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or associated development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.1 Description of the Proposed Development

(Scoping Report Section 3)

ID	Ref	Description	Inspectorate's comments
21.1	Sections 1.1.7 to 1.1.11	Electricity export connection to new National Grid Substation	The Scoping Report states that under the applicant's existing grid connection offer the proposed point of connection is the East Kent Connection Node A (EKCNA) substation, a new facility to be developed by National Grid. The exact location of the EKCNA substation has not yet been confirmed and remains subject to National Grid's ongoing optioneering process. Section 1.1.10 of the Scoping Report states that "it is reasonably foreseeable that the EKCNA substation could be located within the DCO Site Boundary". This Scoping Opinion has therefore been prepared on the assumption that the EKCNA substation will be located within the DCO Site Boundary (i.e. the draft Order Limits). The Scoping Report also states that the EKCNA substation could be situated outside the current draft Order Limits. If the EKCNA substation is ultimately located outside the draft Order Limits, the Applicant should carefully review the scope of the environmental assessment, including any receptors that could be affected and seek to agree any changes to the scope of the Environmental Statement (ES) with appropriate stakeholders, prior to submission. Where the EKCNA substation is consented separately, the ES should identify and assess any likely significant effects arising from interaction between the projects. The applicant's attention is also drawn to the comments from Folkestone and Hythe District Council and Natural England (NE) at Appendix 2 of this Scoping Opinion for further information.
212	Table 3.1	Panels	The Scoping Report states that there are two options for the proposed solar PV panels: fixed or tracking. The Inspectorate recommends that this decision is made prior to submission of the DCO application. If this is not possible, the ES should identify and assess the worst-case scenario for applicable topics (including Landscape and Visual, Cultural Heritage and Glint and Glare) during operation. The ES should consider the

ID	Ref	Description	Inspectorate's comments
			potential for tracker panels to cause noise emissions which could be perceptible to sensitive receptors and should assess these accordingly where significant effects are likely to occur.
213	Section 3.2	Lighting	The Scoping Report states that lighting will be required during construction and operation of the proposed development. The ES should assess potential lighting impacts where there is potential for a likely significant effect. The ES should identify the sensitivity of the area and potential receptors, likely lux levels, hours of use, direction of lighting, spill, glare and mitigation, including the effect of lighting in combination with other NSIP solar schemes in the area.
214	Section 3.2.2	Construction compounds	The Scoping Report states that the proposed development would require temporary construction compounds, however the location and scale is yet to be determined. To ensure a robust assessment of likely significant effects, the ES should provide details regarding the number, locations and dimensions of construction compounds.
215	Section 3.2.30	Horizontal directional drilling (HDD)	The Inspectorate notes that there is potential for trenchless crossing techniques for the cables, including HDD under or in close proximity to watercourses. Where HDD is employed, the ES should be accompanied by a drilling fluid breakout plan which should provide detail on how any accidental spillages would be managed. Any potential significant effects to hydrological or groundwater receptors should be assessed in the ES. The applicant's attention is also drawn to the comments from the Environment Agency (EA) at Appendix 2 of this Scoping Opinion with regard to the potential impacts of drilling fluid breakout on groundwater and surface water quality.
216	Section 3.3.4	Site access	The Scoping Report states that site access points are currently unknown. The ES should identify the proposed site entrances and routes to be used for all vehicular access during construction and operation of the proposed development, and this information should be presented on supporting plans within the ES.

ID	Ref	Description	Inspectorate's comments
21.7	Section 3.6	Maximum design parameters	At this stage of development, the locations of project elements such as Battery Energy Storage Systems (BESS) have not been determined. The Inspectorate notes the applicant's intention to apply a 'Rochdale Envelope' approach to maintain flexibility within the design of the proposed development. The Inspectorate expects that at the point an application is made, the description of the proposed development will be sufficiently detailed to include the design, size, capacity, technology, and locations of the different elements of the proposed development or where details are not yet known, will set out the assumptions applied to the assessment in relation to these aspects. This should include the footprint and heights of the structures (relevant to existing ground levels), as well as land-use requirements for all elements and phases of the development. The description should be supported (as necessary) by figures, cross-sections, and drawings which should be clearly and appropriately referenced. Where flexibility is sought, the ES should clearly set out and justify the maximum design parameters that would apply for each option assessed and how these have been used to inform an adequate assessment in the ES. The Inspectorate advises that each aspect chapter includes a section that outlines the relevant parameters / commitments that have informed the assessment.
21.8	Section 4	Alternatives considered	The Scoping Report does not discuss how alternatives would be addressed in terms of site selection. The Inspectorate considers that the ES should include a full assessment of reasonable alternatives, including alternative site locations and layouts. Given the extent of Best and Most Versatile (BMV) agricultural land within the draft order limits, the ES should explain why this location has been selected and what alternatives have been considered to avoid or reduce the loss of BMV agricultural land. The applicant's attention is drawn to the comments from Folkestone and Hythe District Council at Appendix 2 of this Scoping Opinion for further information.
21.9	Appendix 1-B	Environmental Mitigation and Commitments Register	The Scoping Report refers to environmental commitments such as avoiding laying cabling directly on the channel bed of watercourses to avoid EMF effects on fish and the production of a standalone glint and glare assessment as a technical appendix to the ES. These commitments are not included in the Environmental Mitigation and Commitments Register provided with the Scoping Report. Should a commitments register be provided with the DCO application, all relevant environmental commitments should be included.

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Section 6)

ID	Ref	Description	Inspectorate's comments
221	Section 1.1.10	Decommissioning of the EKCNA substation	Section 1.1.10 of the Scoping Report states that the EKCNA substation could be located within the DCO Site Boundary, however it is not clear whether the proposed substation would be retained as part of the wider grid network by National Grid after the Energy Park is decommissioned. If the EKCNA substation is decommissioned at the same time as the Energy Park, the Inspectorate considers that the ES should assess the potential impacts of decommissioning the EKCNA substation where significant effects are likely.
222	Table 6.5, Section 6.6, Figure 6-1.	Cumulative effects with other developments	The Scoping Report states that a review of developments up to 10km from the draft order limits has been undertaken to inform the assessment of cumulative effects. No justification has been provided for the use of a 10km study area for this assessment. The ES should contain a robust justification to support the study area for the cumulative effects assessment (CEA) and include a figure depicting the locations of other developments in relation to the proposed development. The applicant's attention is drawn to the comments from Ashford Borough Council and Folkestone and Hythe District Council at Appendix 2 of this Scoping Opinion regarding the co-ordination of this scheme with other NSIPs in the region. Effort should be made to agree the specific other developments for inclusion in the CEA with relevant consultation bodies. The applicant's attention is also drawn to the comments from Natural England (NE) at Appendix 2 of this Scoping Opinion regarding inclusion

ID	Ref	Description	Inspectorate's comments
			of the decommissioning of the nuclear power stations at Dungeness in the CEA.
223	Table 19-1	Scope	The Scoping Report states that a summary of technical elements proposed to be scoped in and out of the EIA is presented in Table 19-1. The Inspectorate notes several discrepancies between the information presented in the summary tables of each technical chapter and Table 19-1, for example in the agriculture and soils and ecology chapters. The Inspectorate assumes this to be a drafting error. Care should be taken to ensure that cross-referencing in the ES is accurate and consistent.
224	Section 6.4.11	Operational Lifespan	The Inspectorate notes that the operational life of the proposed development is assumed to be 40 years for the purposes of the Scoping Report and subsequent ES. However, section 6.4.11 of the Scoping Report states that the operational life of the proposed development may extend beyond this timeframe. The ES should explain how the uncertainty around the design life of the proposed development has been accounted for in reaching the assessment conclusions. Any potential impacts that are likely to result in significant effects arising from the proposed development should it operate beyond the 40-year timeframe should be assessed in the relevant ES chapters.
225	n/a	Transboundary	The Inspectorate on behalf of the SoS has considered the proposed development and concludes that the proposed development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the proposed development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts.

ID	Ref	Description	Inspectorate's comments
			The Inspectorate considers that the likelihood of transboundary effects resulting from the proposed development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision. Note: The SoS' duty under regulation 32 of the 2017 EIA Regulations continues throughout the application process. The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the annex to its Advice Page 'Nationally Significant Infrastructure Projects: Advice on Transboundary Impacts and Process', links for which can be found in paragraph 1.0.7 above.

3. ENVIRONMENTAL ASPECT COMMENTS

3.0 Climate Change

(Scoping Report Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
30.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment.

3.1 Cultural Heritage

(Scoping Report Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.1.2	Sections 8.2.1 to 8.2.5	Study Area	The Scoping Report states that a study area extending 3km from the DCO site boundary is proposed for the assessment of designated heritage assets and their settings. A further 5km study area is proposed to ensure impacts on designated heritage asset settings are considered. For non-designated heritage assets, a study area of 1km from the DCO boundary is proposed. The Inspectorate considers that the ES should contain a robust justification to support the study areas and sensitive receptors selected for the purposes of the cultural heritage assessment, with reference to relevant approaches such as the Zone of Theoretical Visibility (ZTV) developed for the Landscape and Visual Impact Assessment (LVIA). It should be clear how the approach taken ensures that any heritage assets or conservation areas with long views towards or out from the application site have been identified and considered. Effort should be made to agree the approach and sensitive receptors with relevant consultation bodies. The applicant's attention is drawn to the comments from Folkestone and Hythe District Council at Appendix 2 of this Scoping Opinion regarding flexibility of the study area and assessment of wider setting effects in context of the relatively open and flat surrounding landscape.

3.2 Ecology and Biodiversity

(Scoping Report Section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
321	Table 9-8	International Statutory Designated sites more than 10km from the proposed development site with no mobile species as qualifying criteria and all International Statutory Designated Sites more than 30km from the proposed development site— all project phases	The Scoping Report states that impacts to International Statutory Designated sites other than Dungeness, Romney Marsh and Rye Bay Special Protection Area / Ramsar site and Dungeness Special Area of Conservation are scoped out of further assessment. This is on the basis that there are no potential impact pathways during any phase of the proposed development which could interact with these sites. Limited information has been provided in the Scoping Report regarding potential impact pathways to International Designated Sites from the proposed development. Nevertheless, given the nature of the proposed development, the Inspectorate considers that significant effects are unlikely and this matter can be scoped out. The applicant's attention is drawn to the comments from NE at Appendix 2 of this Scoping Opinion regarding the assessment of impacts on Designated Sites if the EKCNA substation is located outside the DCO site boundary.
322	Table 9-8	National Statutory Designated Sites more than 5km from the proposed development site – all project phases	The Scoping Report states that impacts to National Statutory Designated sites other than Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest (SSSI), Romney Warren Local Nature Reserve (LNR) and Dungeness National Nature Reserve (NNR) are scoped out of further assessment. This is on the basis that there are no potential impact pathways during any phase of the proposed development which could interact with these sites. Limited information has been provided in the Scoping Report regarding potential impact pathways to National Statutory Designated Sites from the proposed development. Nevertheless, given the nature of the proposed development, the Inspectorate considers that significant effects are unlikely and this matter can be scoped out.
323	Table 9-8	Non-Statutory Designated sites more than 2km from	The Scoping Report proposes to scope out impacts on Non-Statutory Designated sites more than 2km from the proposed development site on the basis that there are no

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		the proposed development site – all project phases	potential impact pathways during any phase of the proposed development which could interact with these sites. The Inspectorate agrees that significant effects are unlikely and this matter can be scoped out.
324	Table 9-8, Section 9.7.10	Habitats not categorised as Important Ecological Features (IEFs) - all project phases	The Scoping Report proposes to scope out impacts on habitats not categorised as IEFs on the basis that no formal assessment of non-priority habitats is required due to an absence of legal protection or direction from relevant policy, and there will be no direct or indirect impacts to habitats outside of the proposed development site. On the basis that habitats of at least local importance will be considered as IEFs that require assessment for potential significant effects, the Inspectorate agrees that impacts on habitats of less than local importance can be scoped out.
325	Table 9-8	Terrestrial invertebrates and aquatic macroinvertebrates not categorised as IEFs – all project phases	The Scoping Report states that impacts on terrestrial invertebrates and aquatic macroinvertebrates not classified as IEFs are scoped out on the basis that the design of the proposed development will seek to avoid habitats of higher value to these species. The Inspectorate notes that surveys for these species are ongoing. On the basis that “notable” aquatic macroinvertebrates and terrestrial invertebrate species and assemblages have been identified within the study area the Inspectorate does not agree to scope this matter out at this stage. This matter should be assessed in the ES, or evidence provided that these species are absent from the proposed development site. Please also see the Inspectorate's comments at ID 3.2.10 of this Scoping Opinion.
326	Table 9-8	Amphibians not categorised as IEFs – all project phases	The Scoping Report proposes to scope out impacts on amphibians not categorised as IEFs on the basis that observations of these species will be recorded during other ecological surveys and embedded mitigation will minimise the risk of injury or killing of such species. The Inspectorate notes that surveys for amphibians are ongoing. As such, the Inspectorate does not agree to scope this matter out at this stage. This matter should

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			be assessed in the ES, or evidence provided that these species are absent from the proposed development site. Please also see the Inspectorate's comments at ID 3.2.10 of this Scoping Opinion.
327	Table 9-8	Hazel dormouse and Eurasian Beaver	The Scoping Report proposes to scope out impacts on hazel dormouse and Eurasian Beaver on the basis that neither species is known to be present in the study area or has been recorded during surveys undertaken to date. The Inspectorate agrees that impacts to hazel dormouse or Eurasian beaver are unlikely and is content for this matter to be scoped out.

ID	Ref	Description	Inspectorate's comments
328	Section 9.1.2	Preliminary Ecological Appraisal (PEA) report	The Inspectorate notes that a PEA report has informed the Scoping Report but has not been appended. Any information relied upon for the assessments in the ES should be appended to the ES allow the Inspectorate to gain a full understanding of issues.
329	Section 9.6.13	Enhancements	The Scoping Report states that with the incorporation of enhancements into the design of the proposed development there are likely to be beneficial effects following completion. However, no specific enhancement measures are identified or discussed. The Environmental Statement (ES) should clearly explain how the mitigation hierarchy has been applied. It should distinguish between measures that are embedded within the design of the proposed development and any additional mitigation measures proposed to avoid, reduce, or offset potential adverse impacts and effects. In addition, the ES should make a clear distinction between mitigation measures and enhancement measures. With regard to Biodiversity Net Gain (BNG), the applicant should ensure that habitat mitigation measures are not double counted as enhancement measures. The ES should clearly demonstrate how BNG calculations have been undertaken and how the mitigation hierarchy has been followed throughout the design and assessment process. The

ID	Ref	Description	Inspectorate's comments
			applicant's attention is drawn to the comments from Folkestone and Hythe District Council at Appendix 2 of this Scoping Opinion for further information on this matter.
3210	Table 19-1	Important Ecological Features (IEFs)	The Scoping Report does not provide sufficient clarity regarding which ecological receptors are identified as "Important Ecological Features" and will therefore be assessed for likely significant effects in the ES. The Environmental Statement (ES) should provide a clear definition of "Important Ecological Features" and include examples of the types of receptors that would be classified as such.
3211	Table 9-8, Table 19-1	Aquatic macrophytes	Table 19-1 of the Scoping Report states that impacts to aquatic macrophytes not categorised as IEFs are scoped out of further assessment, however Table 9-8 does not specify that this matter is scoped out, meaning the applicant's approach is unclear. For the avoidance of doubt, the Inspectorate considers that this matter should be scoped in where likely significant effects could occur.
3212	n/a	Air quality impacts	The Ecology and Biodiversity section of the Scoping Report does not include potential impacts from changes in air quality. The ES should assess potential significant effects on ecological receptors from air quality changes where significant effects are likely to occur. Please also see the Inspectorate's comments at ID 3.10.1 and 3.10.2 of this Scoping Opinion.
3213	n/a	Sensitive environmental information	Under Regulation 12(5)(g) of the Environmental Information Regulations 2004 (EIR), public bodies have a responsibility to avoid releasing sensitive environmental information that could bring about harm to sensitive or vulnerable ecological features. Sections of the ES containing specific survey and assessment data relating to the location of sensitive species (e.g., badgers, rare birds, and plants) or other vulnerable environmental features should be provided in separate annexes by the applicant. This

ID	Ref	Description	Inspectorate's comments
			approach reduces the sensitive ecological feature's risk of disturbance, damage, persecution, or commercial exploitation arising from publication. The applicant's approach should be proportionate and only use these separate annexes for species where there is a genuine risk of harm. All other assessment information should be included in an ES chapter, as normal, with a placeholder providing a justification as to why annexes have been withheld and that a full version of the ES has been submitted to the Inspectorate.

3.3 Water Environment

(Scoping Report Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
33.1	Table 10-10	Impacts on potable water supplies – all project phases	The Scoping Report proposes to scope out impacts on local potable water supplies on the basis that suitable sources of water not involving a new abstraction will be used. Given that the applicant is yet to confirm the availability of non-domestic water supply from the relevant water undertakers, the Inspectorate does not consider that sufficient information has been provided to scope this matter out at this stage. The ES should provide a strategy for water supply which includes water sources and estimates for quantity of demand. The applicant's attention is also drawn to the Environment Agency's consultation response at Appendix 2 of this Scoping Opinion for further information.
33.2	Table 10-10	Impacts from foul drainage – all project phases	The Scoping Report proposes to scope out impacts from foul drainage to groundwater and surface water quality on the basis that these are regulated industries. It is not clear what is meant by this. The Inspectorate does not consider sufficient information has been provided to scope this matter out at this stage. As such, the ES should include an assessment of potential water quality impacts from foul drainage associated with the proposed development, or a clear explanation of how alternative regulatory mechanisms would control risks.
33.3	Table 10-10	Groundwater – impacts from heat emissions from buried cables – all project phases	The Scoping Report propose to scope this matter out on the basis that cables will be placed an appropriate distance apart to avoid heating effects and thermal effects from the cables would remain confined to the immediate area. The Inspectorate notes that a groundwater dependent terrestrial ecosystem (GWDTE) – the Dungeness, Romney Marsh and Rye Bay SSSI is located 670 metres from the proposed development site boundary. The Inspectorate does not consider that sufficient information has been provided to scope

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			this matter out at this stage. The ES should assess potential impacts to groundwater from heat emissions from buried cables associated with the proposed development. The applicant's attention is also drawn to the Environment Agency's consultation response at Appendix 2 of this Scoping Opinion regarding risks to groundwater quality and groundwater dependent receptors from the proposed development.
334	Table 10-1, Table 10-10, Section 10.2.2.	Surface water - impacts to the Kent South and Sussex East coastal WFD waterbody – all project phases	The Scoping Report proposes to scope this matter out on the basis of the WFD waterbodies distance downstream and large scale, which offers dilution and dispersal potential. The Inspectorate considers that there are potential impact pathways between the proposed development and the Kent South and Sussex East coastal WFD waterbody, and as such does not agree to scope this matter out at this stage. The applicant's attention is drawn to the Environment Agency's consultation response at Appendix 2 of this Scoping Opinion for further information on this matter.
335	Table 10-10	Nature conservation sites as individual receptors	The Scoping Report seeks to scope out impacts to designated sites (SSSI, SPA, SAC and Ramsar) on the basis that "<i>they will not be assessed as individual receptors, however, will be included as attributes of water features</i>". It is not clear what is meant by this. The ES should clarify the approach to identifying designated sites and seek agreement on the approach to assessment with relevant consultation bodies.
336	Table 10-10, Section 10.5.37, Section 10.5.45	Nature conservation sites: Nitrate Vulnerable Zones (NVZs) and chalk rivers	The Scoping Report seeks to scope out these matters as neither of these site types are located within the vicinity of the proposed development and the closest NVZ is located 7.3 km northwest of the study area. On the basis of the information presented in the Scoping Report, the Inspectorate is content to scope this matter out of further assessment.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
337	Table 10-10 Section 10.7.27	Nutrient neutrality assessment – all project phases	The Scoping Report states that the proposed development is not located within a nutrient neutrality catchment. On the basis of the information presented in the Scoping Report, the Inspectorate is content to scope this matter out of further assessment.

ID	Ref	Description	Inspectorate's comments
338	Table 10-10	Firewater contamination from BESS	The Inspectorate notes that Table 10-10 does not explicitly scope in risks to water quality resulting from a BESS fire. The Inspectorate considers that an assessment of this matter should be scoped into the water environment chapter of the ES in addition to the outline Battery Safety Management Plan (BSMP). The applicant's attention is also drawn to the Environment Agency's consultation response at Appendix 2 of this Scoping Opinion regarding the need for the BESS and substations to incorporate a sealed firewater containment system to capture and manage any contaminated firewater.
339	Section 10.7.20 Table 10-10	Flood Risk Assessment (FRA)	Scoping Report section 10.7.20 states that a Flood Risk Assessment will be prepared for the proposed development and included as a technical appendix to the ES. The Inspectorate notes that Table 10-10 of the Scoping Report does not scope in risk to flooding upstream of the proposed development site. Assessment of flood risk both upstream and downstream of the proposed development should be scoped into the water environment chapter of the ES. The applicant's attention is drawn to the Environment Agency's consultation response at Appendix 2 of this Scoping Opinion for further information.

ID	Ref	Description	Inspectorate's comments
33.10	Table 10-10	Impacts to flood defences	The Inspectorate notes that Table 10-10 of the Scoping Report does not scope in impacts to flood defences from the proposed development. Assessment of this issue should be scoped into the water environment chapter of the ES. The applicant's attention is also drawn to the Environment Agency's consultation response at Appendix 2 of this Scoping Opinion.
33.11	n/a	Public Sewer	The applicant's attention is drawn to the comments from Southern Water at Appendix 2 of this Scoping Opinion regarding the potential presence of a public sewer within the proposed development site.

3.4 Landscape and Visual Amenity

(Scoping Report Section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
34.1	Table 11-12	Impacts to the character of the night sky – construction and operation	The Scoping Report proposes to scope out impacts to the character of the night sky on the basis that lighting during construction would be temporary and there will be no permanent lighting during operation. The Inspectorate does not consider that sufficient information has been provided and therefore does not agree to scope this matter out at this stage. The ES should provide a description of the lighting design and the measures taken to avoid or minimise lighting impacts from the proposed development. Cumulative effects of construction and operational lighting with other proposed solar developments in the area should also be assessed. Please also see the Inspectorate's comments regarding the assessment of lighting impacts at ID 2.1.3 of this Scoping Opinion.
34.2	Table 11-2	Impacts to seascape character and marine receptors	The Scoping Report states that the proposed development would not be visible from the sea and to marine receptors due to the generally low height of the proposed development and intervening distance. The Inspectorate agrees that significant impacts to seascape character and marine receptors are unlikely and is content for this matter to be scoped out, subject to the LVIA including an assessment of the taller elements of the proposed development such as the EKCNA substation and BESS.
34.3	Table 11-2	Visuals impacts to aircraft users of Lydd airport	The Scoping Report proposes to scope this matter out due to the intervening distance and will assess any relevant visual impacts to aircraft in the glint and glare assessment.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The Inspectorate is content with this approach. Where the glint and glare assessment informs other ES technical chapters such as Landscape and Visual Amenity, this should be clearly cross-referenced.

ID	Ref	Description	Inspectorate's comments
344	Section 11.2.5 Figures 11-2 and 11-3	Zone of Theoretical Visibility (ZTV)	The Scoping Report states that no ZTVs have been produced for the tallest equipment associated with the proposed development (including the on-site substations and BESS) as the locations of these facilities has not yet been confirmed. Table 3-1 of the Scoping Report states that the maximum height of the on-site substations and EKCNA National Grid substations are 13m and 25m respectively. Consequently, the ZTV may not be representative of the full extent of visibility. The ES should clearly evidence and justify the final extent of the ZTV used and ensure that any assessment of significance is based on the worst-case scenario. The cumulative visual and landscape effects with other developments in the area should also be assessed where relevant.
345	Section 11.7.5	Representative Viewpoints and visualisations	The Scoping Report states that the Landscape and Visual Impact Assessment (LVIA) will only be undertaken during winter and does not include any reference to the inclusion of visualisations in the ES. The Inspectorate considers that the LVIA should include both summer and winter visualisations to fully illustrate the effects of the proposed development.

3.5 Noise and Vibration

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
35.1	Table 12-5	Operational road traffic noise	The Scoping Report proposes to scope out operational road traffic noise on the basis that the proposed development is unlikely to generate significant traffic movements during operation. The Inspectorate is content that minimal road traffic movements would occur during operation and significant effects are unlikely. On this basis, this matter can be scoped out of further assessment. However, the ES should confirm operational vehicle types and numbers (with reference to thresholds within guidance) to justify this position.
35.2	Table 12-5, Section 12.6.4, Section 15.6.12	Construction and decommissioning traffic vibration	The Scoping Report proposes to scope out construction and decommissioning traffic vibration on the basis that significant vibration effects would only be generated by traffic movements on roads with an irregular surface, and it is assumed that Kent County Council (KCC) maintain good quality conditions for highways within the proposed development boundary. It is not clear whether the applicant has undertaken a road condition assessment to justify this position. Section 15.6.12 of the Scoping Report states that there will be approximately 128 two-way daily HGV movements during peak construction periods, and the location of site access points have not yet been determined. The Inspectorate considers not enough information has been provided to scope this matter out at this stage. The ES should clarify the routing of construction and decommissioning road traffic, identify any sensitive receptors along these routes and assess significant effects where these are likely to occur.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
353	Table 12-5	Vibration from operation of the proposed development	The Scoping Report states that no plant will generate perceptible levels of vibration during operation. The Inspectorate agrees that significant effects are not likely and is content that this matter can be scoped out. However, the detailed description of the proposed development within the ES should demonstrate that operation plant and equipment is of a type and to be used in locations that would be unlikely to result in significant vibration effects on sensitive receptors.

ID	Ref	Description	Inspectorate's comments
354	Figure 12-1, Section 12.5.5	Noise monitoring locations	Figure 12-1 sets out noise monitoring locations for the proposed development. The ES should explain the basis on which monitoring locations are determined to be representative, and effort should be made to agree the locations for the baseline noise survey with relevant consultation bodies.
355	Section 12.5	Baseline	For ease of understanding, the Inspectorate recommends that any roads and sensitive receptors identified in section 12.5 of the Scoping Report are mapped on figures within the ES.

3.6 Socio-Economics

(Scoping Report Section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
36.1	Table 13-2	Development land	The Scoping Report seeks to scope out this matter on the basis that there are no development land allocations (including mineral safeguarding areas, mineral consultation areas, waste safeguarding areas or transport safeguarding areas) within or adjacent to the proposed development. On the basis of the information presented in the Scoping Report, the Inspectorate is content to scope this matter out of further assessment.

ID	Ref	Description	Inspectorate's comments
362	Section 13.2	Study Area	The Scoping Report states that a 2km study area will be used to assess impacts to community, recreation and tourism receptors. The applicant's attention is drawn to the comments from Folkestone and Hythe District Council at Appendix 2 of this Scoping Opinion regarding tourist receptors outside of the 2km radius which should be considered in the socio-economic assessment, including the Romney, Hythe and Dymchurch Railway stations.

3.7 Agriculture and Soils

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
37.1	Section 14.6.14 - 14.6.16 and 14.6.20 - 14.6.23	Best and Most Versatile (BMV) Agricultural Land – Operation and Maintenance	The Scoping Report proposes to scope this matter out on the basis that impacts to BMV agricultural land during operation and maintenance will be less than those occurring at construction and decommissioning, and no further development of the land will take place during this time. On the basis of the information presented in the Scoping Report, the Inspectorate is content that this matter may be scoped out of further assessment.
37.2	Section 14.6.17 and 14.7.18 - 14.7.20	Crop Selection and Agricultural Production	The Scoping Report proposes to scope this matter out on the basis that this topic is considered by the UK Government at a national scale, and food production levels can be maintained or moderately increased alongside land use change to meet Net Zero and Environment Act 2021 targets and commitments. On the basis of the information presented in the Scoping Report, the Inspectorate is content that this matter may be scoped out of further assessment.
37.3	Section 14.7.13 - 14.7.17 and 14.8.1 - 14.8.3	Soil Resources Within the DCO Site Boundary – Operation and Maintenance	The Scoping Report proposes to scope this matter out on the basis that resting the soil from cultivation and agricultural production will result in benefits to soil resources and is unlikely to result in a significant effect. The Inspectorate notes that the approach to the management of land under and around the solar PV panels during operation has not yet been confirmed. Impacts on soil resources, including the retention of soil resources onsite and improvements to soil structure and carbon sequestration are assumed to be beneficial and not significant however these matters have not been subject to assessment.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			On this basis and having regard to the outstanding uncertainty regarding soil management practices during operation of the proposed development, the Inspectorate cannot agree to scope this matter out. The ES should assess potential impacts on soil resources from the operation and maintenance of the proposed development where significant effects are likely to occur.

ID	Ref	Description	Inspectorate's comments
374	Section 14.5.5 Table 14-1	Agricultural Land	In addition to a clear tabulation of the areas of land in each BMV classification to be temporarily or permanently lost as a result of the proposed development, the ES should include reference to accompanying map(s) depicting the grades. Specific justification for the use of the land by grade should be provided. Consideration should be given to the use of BMV land in the applicant's discussion of alternatives. Please also see the Inspectorate's comments at ID 2.1.8 of this Scoping Opinion.
375	Section 14.6.7	Piling	The Inspectorate notes that potential impacts during construction do not include consideration of impacts on soil from piling the PV mounting structures. The ES should include an assessment of potential significant effects on soil from piling during construction and removal of piles during decommissioning where significant effects are likely to occur.
376	Section 14.7.5	Agricultural Land Classification (ALC) Soil Survey	The Scoping Report proposes an ALC soil survey to determine the quality of the land, with sampling to be undertaken at an appropriate sampling density. The Inspectorate considers that the ALC soil survey should be undertaken at a detailed level (e.g. one auger boring per hectare) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource. The survey should include an assessment of the extent of Grade 1, Grade 2 and Grade 3a land affected temporarily and permanently. The applicant should also seek to agree the approach to the assessment with the relevant consultation bodies prior to completion of ALC soil surveys.

ID	Ref	Description	Inspectorate's comments
			The applicant's attention is drawn to the comments from Natural England and Folkestone and Hythe District Council at Appendix 2 of this Scoping Opinion for further information.

3.8 Transport and Access

(Scoping Report Section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
38.1	Table 15-10	Transport and access impacts - operation	The Scoping Report proposes to scope out transport and access impacts during operation on the basis that trips associated with operation and maintenance of the proposed development are expected to be minimal. The Inspectorate agrees that significant effects are unlikely and this matter can be scoped out of the ES. However, the ES should confirm the operational vehicle types and numbers (with reference to thresholds within guidance) to justify this position.

ID	Ref	Description	Inspectorate's comments
382	Section 15.4.1	Transport Assessment	The Inspectorate notes that a Transport Assessment Note will be provided and appended to the ES instead of a full Transport Assessment. The applicant is advised to further discuss this approach with the relevant consultation bodies, including National Highways and the relevant local planning authority.
383	Section 15.5	Baseline	For ease of understanding, the Inspectorate recommends that any roads identified in section 15.5 are mapped on figures within the ES.
384	Tables 15-10 and 19-1.	Scope of assessment	The Inspectorate notes that Table 15-10 of the Scoping Report states that the impact of traffic during decommissioning of the proposed development is scoped into the assessment. This contradicts Table 19-1, which states that this matter is scoped out, meaning the applicant's proposed approach is unclear. Accordingly, the ES should include an assessment of effects from traffic during decommissioning where significant effects are likely to occur. Please also see the Inspectorate's comments at ID 2.2.3 of this Scoping Opinion.

3.9 Materials and Waste

(Scoping Report Section 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
39.1	Table 16-13, Section 16.6.7	Changes to safeguarded mineral and waste sites	The Scoping Report proposes to scope this matter out on the basis that there are no safeguarded mineral and waste sites located within the DCO site boundary. On the basis of the information presented in the Scoping Report, the Inspectorate is content that this matter may be scoped out of further assessment.
39.2	Table 16-13, Section 16.8.11	Environmental impacts associated with the operation of offsite waste management facilities used by the proposed development – all phases	The Scoping Report proposes to scope this matter out on the basis that environmental impacts associated with the operation of offsite waste management facilities utilised by the proposed development are considered as part of the planning and permitting processes for the facilities themselves. On the basis of the information presented in the Scoping Report, the Inspectorate is content that this matter may be scoped out of further assessment.
39.3	Table 16-13, Section 16.10.1	Waste arising from extraction, processing, and manufacture of construction components and products	The Scoping Report proposes to scope this matter out on the basis that these matters cannot be predicted/assessed as they relate to external procurement decisions that cannot be assured. On this basis, the Inspectorate is content that waste arising from extraction, processing, and manufacture of construction components and products can be scoped out of further assessment.
39.4	Table 16-13, Section 16.10.1	Environmental impacts associated with the management of waste from the proposed development – all phases	The Scoping Report proposes to scope out environmental impacts associated with the management of waste from the proposed development on the basis that they will be assessed in other relevant aspect chapters of the ES. The Inspectorate agrees that this matter can be scoped out of assessment in the materials and waste chapter, provided that any likely significant effects associated with the management of waste from the proposed development are identified and assessed as required within other relevant chapters.

ID	Ref	Description	Inspectorate's comments
395	16.6.2 to 16.6.6; 16.8.4 to 16.8.5; 16.9.1	Consumption of key construction materials and impacts upon market availability	The Scoping Report states that the quantities of construction materials required for the proposed development are unknown at this stage, and an estimate of the required quantities and the impact thereof upon market availability is not provided. The applicant's attention is drawn to the Institute for Sustainability and Environmental Professionals (ISEP) guidance document, Materials and Waste in Environmental Impact Assessment (2025), for guidance and thresholds regarding assessing the potential for significant effects arising as a result of construction material consumption. The ES should either incorporate a suitable assessment or provide further justification to scope out the potential for significant effects arising as a result of the consumption of key construction materials and the impact thereof upon market availability.

3.10 Air Quality

(Scoping Report Section 17.1)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Section 17.1 and Table 17-2 Appendix 1-B	Dust emissions - all project phases	The Scoping Report states that subject to the implementation of suitable mitigation measures significant effects from dust emissions are unlikely. A construction dust risk assessment is proposed to support the DCO application and to identify site-specific mitigation measures to mitigate and suppress construction dust. The Environmental Mitigation and Commitments Register appended to the Scoping Report states that the CEMP, DEMP and OEMP will adopt specific control measures from the IAQM 'Guidance on the Assessment of Dust from Demolition and Construction' to manage dust emissions. The Inspectorate agrees that this matter can be scoped out, subject to the provision of the construction dust risk assessment being undertaken in line with relevant IAQM guidance and confirming that there is no potential for significant effects on sensitive human and ecological receptors. The impact of dust emissions on designated conservation sites that are sensitive to changes in air quality should also be considered once construction routes and the final location of the EKCNA National Grid substation are determined.
3.10.2	Table 17-2	Traffic emissions – all project phases	The Scoping Report states that there will be a maximum of approximately 128 two-way daily HGV movements during construction, and approximately 400 construction workers are expected to travel to the proposed development area each day during the construction period. The Scoping Report states that site access points and routes have not yet been determined. With regards to construction and decommissioning, the Inspectorate considers not enough information has been provided to scope this matter out at this stage. The ES should either provide an assessment of this matter or demonstrate why the number of vehicle movements would not lead to LSE from changes to air quality on sensitive human and ecological receptors.

			The impacts of construction vehicle emissions on designated conservation sites that are sensitive to changes in air quality should be considered once construction routes and the final location of the proposed EKCNA National Grid substation are determined. Confirmation should be provided that traffic movements would not exceed the screening thresholds provided within 'Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations' (NEA001). Should these thresholds be breached, an assessment of effects should be included in the ES. With regards to operation, the Inspectorate is content that this matter can be scoped out of further assessment. However, the ES should confirm the operational vehicle types and numbers (with reference to thresholds within relevant IAQM guidance) to justify this position.
3.103	Section 17.1.33, Table 17-2	Non-road mobile machinery (NRMM) – all project phases	The Scoping Report proposes to scope out an assessment of impacts from NRMM emissions on the basis that suitable control measures based on IAQM guidance will be incorporated into the Outline CEMP and DEMP. On the basis that control measures are not yet specified and the location and duration of onsite NRMM activities in relation to sensitive receptors are unknown, the Inspectorate does not agree to scope this matter out at this stage. The ES should either provide an assessment of this matter or demonstrate why NRMM emissions would not lead to LSE from changes to air quality.

ID	Ref	Description	Inspectorate's comments
3.104	Table 17-6	Impacts to air quality from a BESS fire event	The Inspectorate notes that an outline Battery Safety Management Plan (BSMP) will be submitted with the DCO application. The BSMP should assess potential impacts to air quality from a BESS fire event. The applicant's attention is drawn to the consultation response received from the UK Health and Security Agency at Appendix 2 of this Scoping Opinion for further information.

3.105	Figure 17-1	Air Quality receptors	The Inspectorate notes that several air quality receptors are shown in Figure 17-1. However, there is no explanation within the air quality section of the Scoping Report as to what these receptors are and how they have been identified. The applicant should justify the selection of air quality receptors, ensuring that these capture a worst-case scenario of impacts from the proposed development. Effort should be made to agree the number and location of receptors with relevant consultation bodies.
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3.11 Electromagnetic Fields

(Scoping Report Section 17.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Sections 6.7.2, 17.10.2, 17.2.12, 17.2.16	Electro-magnetic fields (EMF) assessment	The Scoping Report states that a standalone EMF assessment will be submitted as an appendix to the ES. The Inspectorate is content with this approach. The EMF assessment should include the location, routing and voltage of any cables over 132kV and a risk assessment to any human and ecological sensitive receptors within the zone of influence.

3.12 Glint and Glare

(Scoping Report Section 17.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.121	Section 17.3.10	Glint and Glare	The Scoping Report states that a glint and glare assessment will be included in a separate technical appendix in the ES with a summary presented in the Other Environmental Topics chapter. The Inspectorate is content with this approach. The standalone glint and glare assessment should assess the worst-case scenario and provide a description of any relevant mitigation measures. If glint and glare effects are identified the assessment should be used to inform the relevant ES chapters, in particular the landscape and visual amenity and transport and access chapters.

3.13 Ground Conditions

(Scoping Report Section 17.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.13.1	17.4.39 to 17.4.41, 17.4.45	Standalone Ground Conditions ES Chapter	The Scoping Report proposes to scope out a standalone Ground Conditions ES Chapter on the basis that a Preliminary Risk Assessment (PRA) will be prepared covering land within the proposed development area. The Scoping Report further states that environmental design and management measures to minimise impacts to human health and controlled waters during construction of the proposed development will be incorporated into the Outline CEMP based upon the findings of the PRA. The Inspectorate considers that this approach aligns with the Solar Scoping Advice Page and is content to scope out ground conditions as a standalone ES chapter provided that any likely significant effects pertaining to ground conditions and contaminated land as a result of the proposed development are assessed in the ES.

ID	Ref	Description	Inspectorate's comments
3.13.2	17.4.4 to 17.4.7	Study Area Buffer	The Scoping Report identifies the study area as extending 250m from the boundary of the proposed development and extending to 1km for hydrogeology. The ES should justify the extent of the study area with reference to any likely significant effects that may arise as a result of the proposed development. The applicant should also seek to agree the approach to the PRA with the relevant consultation bodies.

3.14 Health

(Scoping Report Section 17.5)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.14.1	Section 17.5.14	Assessment of human health effects as a standalone chapter	The Inspectorate agrees that a standalone ES chapter is not required, provided that effects on human health are considered within other technical aspect chapters where relevant. The EIA methodology chapter should provide clear cross-referencing to where the relevant direct and indirect impacts on human health receptors are considered in the ES. Where human health impacts are assessed in the ES, consideration should be given to relevant guidance such as the Institute of Environmental Management and Assessment (IEMA) 2022 guidance 'Determining Significance for Human Health in Environmental Impact Assessment'.

3.15 Major Accidents and Disasters

(Scoping Report Section 17.6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.15.1	Table 17-5, Sections 17.6.29-17.6.30	Major Accidents & Disasters Aspect Chapter	The Scoping Report proposes to scope out a standalone major accidents and disasters (MADs) ES chapter. This is on the basis that MADs risks will be assessed in other relevant technical aspect chapters as summarised at table 17-5, with a MADs signposting section to be included in the ES. On this basis, and provided that all relevant assessments are adequately signposted in the ES, the Inspectorate is content to scope this matter out.

ID	Ref	Description	Inspectorate's comments
3.152	Appendix 17-A	Long list of Major Accidents and Disasters - Fire Emissions Modelling	Appendix 17-A of the Scoping Report states that unplanned fire emissions modelling is not required given that the BESS will be located over 30m from residential receptors. The Inspectorate considers that detailed modelling for a fire incident is required to assess other potential impacts such as emissions plumes, water run-off and public health risks. The applicant's attention is drawn to the comments from the UK Health Security Agency at Appendix 2 of this Scoping Opinion for further information.
3.153	Section 17.4.21	Unexploded Ordnance	The Scoping Report states that the proposed development is indicated to be entirely within an area of low risk from unexploded ordnance (UXO). It is unclear in the Scoping Report whether UXO surveys have been undertaken to determine the potential for undetected UXO to be present on-site. The applicant's attention is drawn to the comments from Lydd Town Council at Appendix 2 of this Scoping Opinion regarding the potential for UXO to be present within the proposed development boundary.

3.16 Telecommunications and Utilities

(Scoping Report Section 17.6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.16.1	Section 17.7	Telecommunications and Utilities ES Chapter	The Scoping Report proposes to scope out a standalone telecommunications and utilities ES chapter on the basis that the findings of the desk-based assessment will be included in an 'Other Environmental Topics' chapter of the ES. The Inspectorate is content with this approach.

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES

Bodies prescribed in schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations (as amended)')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Secretary of State for Defence	Ministry of Defence
The relevant parish council or, where the application relates to land in Wales or Scotland, the relevant community council	Camber Parish Council
	Lydd Town Council
	Ivychurch Parish Council
	Brookland Parish Council
	Brenzett Parish Council
	Newchurch Parish Council
	St. Mary in the Marsh Parish Council
	Dymchurch Parish Council
	New Romney Town Council
The Environment Agency	The Environment Agency
Natural England	Natural England
The Forestry Commission	Forestry Commission South East & London
Relevant AONB Conservation Boards	Potential Future Boards
The Historic Buildings and Monuments Commission for England (known as Historic England)	Historic England
The Maritime and Coastguard Agency	Maritime & Coastguard Agency
The Maritime and Coastguard Agency - Regional Office	The Maritime and Coastguard Agency - Dover Satellite Office
The relevant internal drainage board	Romney Marshes Area Internal Drainage Board
Trinity House	Trinity House
The relevant Highways Authority	Kent County Council
The relevant Highways Authority	National Highways
The Civil Aviation Authority	Civil Aviation Authority
The Health and Safety Executive	Health and Safety Executive
United Kingdom Health Security	United Kingdom Health Security

SCHEDULE 1 DESCRIPTION	ORGANISATION
Agency, an executive agency of the Department of Health and Social Care	Agency
NHS England	NHS England
Relevant statutory undertakers	See Table 2 below
The Crown Estate Commissioners	The Crown Estate
The relevant police authority	Kent Police and Crime Commissioner
The relevant ambulance service	South East Coast Ambulance Service
The relevant fire and rescue authority	Kent Fire and Rescue Authority

TABLE A2: RELEVANT STATUTORY UNDERTAKERS

‘Statutory undertaker’ is defined in The APFP Regulations (as amended) as having the same meaning as in section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The relevant Integrated Care Board	NHS Kent and Medway Integrated Care Board
NHS England	NHS England
The relevant NHS Foundation Trust	South East Coast Ambulance Service NHS Foundation Trust
Railways	Network Rail Infrastructure Ltd
	National Highways Historical Railways Estate
Lighthouse	Trinity House
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant water and sewage undertaker	South East Water
	Southern Water
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	Wales and West Utilities Ltd
	CNG Services Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited

	Inovyn Enterprises Ltd
	Last Mile Gas Ltd
	Leep Gas Networks Limited
	Mua Gas Limited
	Quadrant Pipelines Limited
	Stark Infra-Gas Limited
	National Gas
The relevant electricity generator with CPO Powers	EDF Energy Nuclear Generation Limited - Dungeness Nuclear Power Station
	SSE Renewables - Shepway Energy Park
	Rwe Renewables UK Onshore Wind Limited - Little Cheyne Court Wind Farm
The relevant electricity distributor with CPO Powers	South Eastern Power Networks Plc
	Advanced Electricity Networks Ltd
	AGR Networks Ltd
	Aidien Ltd
	Aurora Utilities Ltd
	Edge Utility Networks Ltd
	Eclipse Power Distribution Limited
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Green Generation Energy Networks Cymru Ltd
	Grid Line Power Networks
	Harlaxton Energy Networks Limited
	Independent Distribution Connection Specialists Ltd
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	Sphere Energy Connect Ltd
	Stark Infra-Electricity Ltd
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Energy System Operator (NESO)

TABLE A3: LOCAL AUTHORITIES AS DEFINED IN SECTION 43(3) OF THE PA2008

LOCAL AUTHORITY
Folkestone and Hythe District Council
Rother District Council
Ashford Borough Council
Canterbury City Council
Dover District Council
Kent County Council
East Sussex County Council
Surrey County Council
Medway Council
Thurrock Council
London Borough of Bromley Council
London Borough of Bexley Council

TABLE A4: THE MARINE MANAGEMENT ORGANISATION

Section 42(1)(a) of the PA2008 requires consultation with the Marine Management Organisation in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in subsection 42(2).

ORGANISATION
The Marine Management Organisation

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Ashford Borough Council
Camber Parish Council
Canterbury City Council
Dover District Council
Environment Agency
Folkestone & Hythe District Council
Fulcrum Pipelines Limited
Health and Safety Executive
Historic England
London Borough of Bexley Council
London Borough of Bromley Council
Lydd Town Council
Maritime and Coastguard Agency
Ministry of Defence
National Gas
National Grid Electricity Transmission
National Highways
NATS Safeguarding
Natural England
New Romney Town Council
Northern Gas Networks Ltd
Rother District Council

Southern Water
Sphere Energy Connect Ltd
Thurrock Parish Council
UK Civil Aviation Authority
UK Health Security Agency

Planning and Development

Ask for: [REDACTED]

Direct line: 01233 330288

[REDACTED]
Environmental Advisor
Environmental Services
Infrastructure Decisions and Applications Service
Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

Your Ref: EN0110035

Date: 6 July 2026

Dear [REDACTED]

Scoping consultation in respect of application by South Kent Energy Park Limited for an Order granting Development Consent for the South Kent Energy Park

I refer to your letter dated 8 June 2026 consulting the Council on South Kent Energy Park Limited's request for an EIA scoping opinion in relation to the construction, operation (and maintenance) and decommissioning of solar photovoltaic (PV) generating panels, interconnecting cables, associated Battery Energy Storage System(s) (BESS), a 'National Grid Substation', a 'South Kent Energy Park (SKEP) Main On Site Substation' and 'Additional On-Site Substations' and other supporting infrastructure including fencing, access tracks, drainage, and biodiversity and landscape enhancements.

The Borough Council makes the following comments in relation to the South Kent Energy Park Environmental Impact Assessment Scoping Report dated June 2026.

Chapter 6: EIA Methodology

- Cumulative Effects

The Scoping Report does not include a list of 'Other Developments' to be considered in the assessment of cumulative effects though welcomes confirmation in paragraph 6.6.11 that the list will be reviewed and developed in consultation with the Local Planning Authorities, statutory consultees and other relevant organisations. The Council requests that in response to the consultation the ES should include a figure depicting the locations and extent of cumulative developments in relation to the proposed development.

Chapter 11: Landscape and Visual Amenity

- Representative viewpoints

The Council welcomes confirmation that the locations of the representative viewpoints will be reviewed during the iterative design process and agreed with the Local Planning Authorities (paragraph 11.5.48). We recommend that the representative viewpoints should also be determined in consultation with Natural England and the Kent Downs AONB Unit.

There is no commitment in the Scoping Report to include both winter and summer views in the final ES or any reference to the provision of visualisations. The Council recommends that the final ES should include a sequence of visualisations from at least one longer distance viewpoint (48-51) to include baseline, wireline, year 1 and year 15 of operation to illustrate the effects of the proposed development and to facilitate an assessment of the effectiveness of any proposed mitigation. The Council requests that the visualisations should also include summer and winter visualisations.

The Council welcomes that impacts to the Kent Downs National Landscape (including its setting) is proposed to be scoped into the ES (Table 11-12).

The Council looks forward to working with the applicant and the Planning Inspectorate as the project progresses through the DCO process.

Yours sincerely,


Deputy Team Leader
Strategic Applications Team, Strategic Development & Delivery
Planning & Development Service

Response to the Low Carbon South Kent Energy Park Scoping report

Whilst Camber Parish Council supports the need for renewable energy it does not support the scheme for the South Kent Energy Park on the Romney Marsh.

The Romney Marsh is and has been for many generations arable marsh farming land supporting both 'horn and corn' suitable for growing food and for grazing. Kent is known as the garden of England and the Romney Marsh would cease to be arable countryside and become an industrial landscape should the project proceed.

There is also the potential that the construction using a great deal of concrete will impact on the water table which as the people who live on Romney Marsh understand is a delicate mechanism.

When the time comes to remove the panels, batteries and their foundation in around 40 years then would the land then be classed as contaminated by concrete and unsuitable for growing food and so may not be able to return to working agricultural land which means that the Romney Marsh will not be able to recover.

The areas selected for the construction are not brown field sites and the application were it to be decided at a local level would no doubt be refused due to the loss of quality agricultural land and therefore we request that detailed survey comparisons should be carried out across the Country to establish suitable brown field or scrub land sites rather than sacrificing prime agricultural land on Romney Marsh.

The Romney Marsh is a flood plain and the construction of a solar farm here could create long term future issues for the residents of the marsh being in flood zones 2 and 3.

The Environment Agency are key to determining the flood risk over a long-term period and how the use of huge amount of concrete will affect the Romney Marsh which is mainly shingle based and any detriment its aquifers. The tide comes in and out and the water table fluctuates. The rivers, ditches and land drains are the speciality of the Romney Marsh Drainage Board who will need to be involved in the detail before decisions are made. Their local knowledge as to how these delicate mechanisms work is vital.

There has been limited consultation with local residents for this particular project. There was a period of consultation end 2024 until beginning 2025 but no real feedback given to the public as to the outcome. There should have been a greater level of gathering local knowledge and opinion prior to the scoping report being submitted and with this knowledge the scheme would have benefitted and then modifications made to reflect local input.

Fresh water has been scarce in the local area in recent years, and it is understood that there will need to be water stored on site in case of battery fires and also keeping equipment clean. The infrastructure for supply of water and also dealing with surface water needs more investment in repairs and renewals before a solar farm scheme of this size could proceed.

The construction phase which would take over two years will also impact local residents as the road network is built for residents and farming movements and cannot sustain the daily movements of many large vehicles and deliveries of huge components for the construction.

The area is home to many retired people and the potential obstruction to emergency service access could be life-threatening if the roads were blocked by the construction work deliveries.

The location of the grid connection may well cause further difficulties.

The size and scale of the scheme is huge and will turn the Romney Marsh which has an open and rural character into an industrial energy farm with panels up to 4.5 metres high with large battery storage containers. Landscaping mitigation by planting a perimeter of trees is not a solution to the problem and even in the short term local wildlife will be affected by the construction phase.

This project will impact on the value of residents homes and their quality of life and affect the local economy which relies on tourism. It is doubtful that visitors will want to come to look at solar farms and so unemployment will rise in the area due to a drop off in the hospitality sector. Will there be a compensation package for local people affected by this?

How many jobs will be created for local people by the solar farms? The area has benefitted from the nuclear power at Dungeness for many years being the largest local employer in the area. This will stop due to the decommissioning of A and B sites, but investment will be needed to replace those jobs for local people. Will the solar farms invest in that scale of provision of training and employment for local people for their future on Romney Marsh?

The cumulative damage of more than one solar farm (as there are three being put together) would be on an unprecedented scale and the quality of life, way of life for local communities would be changed for most of their lifetime. With a less attractive landscape homes will be difficult to sell and people will be trapped in an area with less employment prospects.

The impact on the landscape in general, the loss of prime agricultural land, risk to flooding, biodiversity, the use of our roads, and the impact on our fragile infrastructure need to be carefully examined. Details surveys need to be carried out before any approval is considered.

CANTERBURY CITY COUNCIL

PLANNING CORRESPONDENCE

Pre-Application Number: PRE/26/00075
Location: South Kent Energy Park
Proposal: Scoping Opinion - Environmental Impact Assessment

Thank you for your notification to inform Canterbury City Council about the pre-application ref. EN0110035 for an Environmental Impact Assessment Scoping Opinion for a ground mounted solar photovoltaic (PV) electricity generating station with a generating capacity in excess of 100MW and associated development comprising Battery Energy Storage System (BESS), on site grid connection infrastructure and other infrastructure integral to the construction, operation, maintenance and decommissioning phases in addition to landscaping and biodiversity enhancements.

The proposed development is a Nationally Significant Infrastructure Project (NSIP).

The site consists of land on either side of the A259 at Old Romney within Romney Marsh, situated within the administrative areas of Kent County Council and Folkestone and Hythe District Council. A distance of approximately 20.5km separates the proposed development from the south-western boundary of Canterbury City Council district.

Given the significant separation distance and as the site would be accessed via the M20 from the A259 and the A2070, Canterbury City Council have no comments to make on the submission at this stage.

The advice contained in this letter is based upon the information that you have provided and the matters that you have drawn to my attention and is given without prejudice to the Council's normal decision-making process.

Yours sincerely,

Charlotte Meynell
Case Manager



Planning, Regeneration
and Development Service
Council Offices
White Cliffs Business Park
Dover
Kent
CT16 3PJ

Telephone: (01304)821199
Website: www.dover.gov.uk

Contact: [REDACTED]
E-mail: [REDACTED]
Our ref: 26/00259
Date: 06/07/2026

Dear Planning Inspectorate,

Town and Country Planning Act 1990 (As Amended)

Proposal: Scoping Opinion from the Planning Inspectorate (prepared on behalf of the Secretary of State) for the proposed South Kent Energy Park

Location: Agricultural Land On Either Side Of The A259, Near Old Romney

I can confirm that Dover District Council has no comments to make on the EIA Scoping Opinion for this project, but we may wish to review our position at application stage.

We therefore raise no comment on the EIA Scoping Opinion.

Yours faithfully

[REDACTED]
Principal Planning Officer

Planning Inspectorate
BUCKINGHAM AVENUE, SLOUGH, SL1
4PN

Reference: OR-0005756/01
Customer reference: EN0110035

06 July 2026

South Kent Energy Park - EIA Scoping Opinion
South Kent Energy Park

Dear Planning Inspectorate

Thank you for your consultation on the Scoping Report, submitted under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, in support of the Application by Low Carbpn (the Applicant) for an Order granting Development Consent (DCO) for the South Kent Energy Park. This consultation was received on 08 June 2026.

We have reviewed the Main Text and accompanying figures and appendices, and can provide the following advice in relation to matters within our remit.

We must take issue with the scope of the Environmental Impact Assessment (EIA) as currently defined and would recommend further issues are scoped in to meet the requirements of the EIA regulations. These are as follows:

- For the protection of groundwater
 - Heat as a pollutant to groundwater
- For the protection of groundwater and water resources
 - Impacts to potable water supplies
- For the protection of groundwater and surface water quality
 - Foul drainage
 - Fire water
- Flood risk
 - Downstream flooding
 - Impacts to flood defences
- For the protection of marine water quality
 - Impacts to the Kent South and Sussex East Coastal Water Framework Directive waterbody

Please note this review is on the EIA process only. Other assessments required such as Flood Risk Assessment (FRA), Habit Regulations Assessment (HRA) and Water Framework Directive (WFD) have not been included. We would recommend the Applicant consult us on the scopes of these studies in due course.

The structure of our response is as follows:

- [Appendix A](#) –Detailed Comments on the EIA Scope
- [Appendix B](#) – Additional advice to the Applicant
- [Appendix C](#) - Informatives

We have provided our commentary on issues that have been scoped in or scoped out for assessment under Appendix A. Under Appendix B, we have sought to identify key issues early and provide proactive advice on the mitigation measures and commitments we would expect to see later in the process. We recognise that the level of detail available at this stage is limited.

Please note this response does not represent our final view in relation to any future Development Consent Order (DCO), or any environmental permit applications made to us. Our final views will be based on all relevant information including applications and guidance available at the time of submission.

If you have any questions regarding our response, please contact Nlteam@environment-agency.gov.uk.

Yours sincerely,

,

National Contact Centre: 03708 506 506
Nlteam@environment-agency.gov.uk
2 Marsham Street, London, SW1P 4DF

APPENDIX A – Comments on the EIA Scope

Groundwater and Contaminated Land

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report Chapter Water Environment 10 6.5	
Issue	Heat as a pollutant has been scoped out.
Impact	Risks to of deterioration in groundwater quality and groundwater dependent receptors.
Solution	Heat as a pollutant to groundwater should be scoped in.
Additional narrative/ explanation (if necessary): The Applicant proposes to scope out impacts of heat despite noting shallow groundwater and a hydrologically connected groundwater-dependent terrestrial ecosystem. No assessment has been referenced to justify this. Heat as a groundwater pollutant was introduced in 2023 via the Environmental Permitting (England and Wales) (Amendment) (England) Regulations 2023 SI No.2023/651: “pollutant”, in relation to England, means any— 1. substance, 2. heat, or 3. biological entity or micro-organism, which is liable to cause pollution;” We are mindful that work is being carried out in this area in relation to heating of groundwater from ground source heating and cooling systems but there is currently no guidance relating to the potential thermal implications of high voltage buried electricity cables. The Environment Agency’s Chief Scientist’s Group has published a report for Ground Source Heating and Cooling (GSHC) systems (Environmental Impacts of Temperature Changes from Ground Source Heating and Cooling Systems). In this study, a ‘thermal plume’ was defined as the region around a GSHC system that experiences a 1 degree C temperature change or greater. While the study is not directly applicable to thermal emission from underground cables, an equivalent benchmark could be considered when assessing heat pollution from underground HV cables. The Chief Scientist’s Group states that the environmental factors with the greatest influence on thermal plume development include groundwater flow and bulk thermal conductivity. It identifies that impacts may occur by direct (temperature change) and indirect (e.g. changes in water chemistry) means.	

At this stage we require the potential thermal implications of buried cables, in relation to risks to groundwater, to be considered further via desk-based assessment. This should also include risks relating to damage and release of contaminants from soil in the screening area.

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report Chapter 10 Water Environment Table 10-10

Issue	Impacts to potable water supplies have been scoped out.
Impact	Potable water supplies could be put at risk, through either derogation or reduced water quality via turbidity or mobilization of contamination.
Solution	Scope in impacts on potable water supplies.

Additional narrative/ explanation (if necessary):

Impacts on potable water supplies should not be scoped out at this stage. There are multiple reasons for this:

- due to the shallow groundwater, it is possible that dewatering abstraction will be necessary for excavation or construction and the risk of derogating any existing abstractions has not been considered.
- Horizontal Directional Drilling (HDD) is proposed and the risk of breakout, even mitigated by a fluid breakout plan with shallow groundwater and connected surface waters could also risk impacting any abstractors.
- due to the rural character of the area, it is plausible that there are <20m3 abstractions nearby that will not be registered with the Environment Agency this is in addition to those in the area licenced for agricultural use. Given the hydrological connection as proven by the designated areas of groundwater dependant terrestrial ecosystems, it is possible that activities affecting groundwater could also affect surface water abstractors.

The Overarching National Policy Statement for Energy (EN-1) states that “the Applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources...” (section 5.16.3). The Environmental Statement in particular should describe “Existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance” (Section 5.16.7).

Water Resources

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report Chapter 10 Water Environment Table 10-10	
Issue	Water supply to meet demands during construction has not been established. We do not agree that impacts to “local potable water supplies” should be scoped out from further assessment at this time.
Impact	There have been instances where water undertakers in this region have refuse supply for non-domestic purposes. There is a risk that water supply applied for from local potable water supplies will be refused. Other sources of supply may need to be appraised in order to have confidence in the viability of the scheme.
Solution	The Applicant should confirm the availability of non-domestic water supply from water undertakers (Affinity Water and South East Water) before scoping out any further assessment of water demands and potential impact to the viability of the scheme.
Additional narrative/ explanation (if necessary): The Environment Agency seeks confidence that there is a sustainable and practical source of supply of water to meet all demands of the project in order for it to be viable. The report states that impacts to “local potable water supplies” has been scoped out from further assessment on the basis that these are regulated industries. Whilst this is true, the water companies do not have a statutory requirement to supply non-domestic water demands and are required to manage their available deployable output to meet new development within limited and finite quantities which may be stretched during peak demand in the summer, for example. This may result in applications for water company supply for construction water demands being refused. The Overarching National Policy Statement for Energy (EN-1) states that the Environmental Statement should in particular describe “Existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance” (Section 5.16.7). The location of this development is partly within Affinity Water’s Dour supply zone and South East Water’s Ashford zone. These are areas of serious water stress (as identified in our report Water stressed areas – 2021 classification: https://www.gov.uk/government/publications/water-stressed-areas-2021-classification). Developments have the potential to increase demand for water and result in increased public water supply abstraction. All growth from new	

developments must be able to be supplied with water from sustainable abstractions and water companies may need to put new strategic plans in place to accommodate further growth.

Water Quality

Document Reference(s): Scoping Report, Chapter 10 Water Environment, Table 10-10, and section 10.6.8 and 10.8.8.	
Issue	Foul drainage is proposed to be scoped out for all phases on the basis that it is a regulated industry. However, the foul drainage strategy is inconsistent between section 10.6.8 and 10.8.8.
Impact	Foul water could pose a risk to the water environment receptors during all phases, and will deteriorate water quality unless it is managed and contained.
Solution	Foul drainage should be scoped in for all phases until a containment and disposal method is finalised. The Applicant should provide justification why it would not be possible to connect to a public sewer, and explain the final choice of using a sealed cesspit in the context of a foul water disposal hierarchy assessment.
Additional narrative/ explanation: Section 10.6.8 suggests “foul drainage from temporary compounds would be connected to the Public Sewer or otherwise captured by a sealed cesspit or tank for offsite disposal. No new abstractions or discharges of foul wastewater to surface or groundwater are proposed”. We support this option. However, section 10.8.8 says “Options may include connecting to the nearest available public sewer or a self-contained independent non-mains domestic storage and/or treatment system”. If a treatment system is proposed, the Applicant should be aware of the following guidance: Septic tanks and sewage treatment plants: what you need to do: Overview - GOV.UK An application for a water discharge activity permit may be required if there are discharges into the water environment. Further guidance can be found at: Discharges to surface water and groundwater: environmental permits - GOV.UK	

Document Reference(s): Scoping Report, Chapter 17 Other Environmental Topics, Table 17-6 and section 17.6.33
Scoping Report, Appendix 1-B: Environmental Mitigation and Commitments Register

Issue	Fire risk is not clearly scoped in for the water environment.
Impact	Firewater (from fire suppression or contaminated surface runoff) could pose an unacceptable risk to the water environment receptors during operation. It will deteriorate groundwater and surface water quality unless it is managed and contained.
Solution	The Applicant should specifically scope in the risk from firewater from BESS and Substations to the Water Environment.
Additional narrative/ explanation: Section 17.6.33 scopes out fires on the basis that it will be adequately covered elsewhere in the assessment. However, Table 17-6 only states it will be considered in the outline Battery Safety Management Plan (o-BSMP), and does not refer to Chapter 10 Water Environment. Given that the oBSMP has not yet been prepared, and therefore any mitigation measures have not been able to be reviewed, the risks of a fire to water quality are unassessed. Table 17-6 says that BESS will include cooling systems and suppression systems, but the BESS and substations will require a sealed firewater containment system so that firewater can be captured, and either treated prior to release, or tankered offsite for disposal. We note that MAD-1 does not recognise any impact to water quality, despite a possible fire risk. The Overarching National Policy Statement for Energy (EN-1) states that “the Applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality...” (section 5.16.3).	

Marine water quality

Document Reference(s): Scoping Report, Chapter 10 Water Environment, Table 10-10	
Issue	The Kent South and Sussex East Coastal WFD waterbodies are scoped out.
Impact	Deterioration in WFD waterbody status if impacts are not properly assessed.
Solution	Scope in the Kent South and Sussex East Coastal WFD waterbodies for assessment of impacts.
Additional narrative/ explanation: A pathway exists due to main rivers running through the site boundary, and their downstream hydrological links to the coastal WFD waterbodies.	

Under WFD methodology, the presence of a pathway requires scoping in, with scale-of-effect arguments reserved for the impact assessment stage. Scoping out prematurely avoids the Applicant having to evidence on likely volumes or concentrations, meaning it cannot currently be demonstrated whether the waterbody will suffer a deterioration in WFD water quality.

Consideration for potential impacts on bathing water quality should also be considered.

Flood Risk

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report. June 2026, Chapter 10	
Issue	The Applicant has scoped in the risk of flooding downstream during all phases of the development. However, the Applicant has not included the wider floodplain.
Impact	This may mean that off-site increases upstream in flood risk are not assessed and compensated for.
Solution	The Applicant should scope in an assessment of all off-site flood risk both upstream and downstream of the site. This may need to include an assessment of flow routes, and possible blockages that the development may cause, which could cause backup of flow.
Additional narrative/ explanation: The Overarching National Policy Statement for Energy (EN-1) states that development should be designed so that there “should be no net loss of floodplain storage” (section 5.8.12).	

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report. June 2026, Chapter 10	
Issue	Impacts on flood defences are not scoped in.
Impact	Flood defences impacted by the project may increase flood risk on site and elsewhere.
Solution	The Applicant should scope in impacts to flood defences.
Additional narrative/ explanation: The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:	

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

Disapplication of FRAPs

If any of the works are likely to require a FRAP, we recommend that you inform the Environment Agency at the earliest opportunity as to whether you are seeking to disapply the Environmental Permitting Regulations (England & Wales) 2016 for flood risk activities as part of the DCO (minimum 6 months before submission). Please note that the DCO will need to include protective provisions for our benefit if the disapplication of FRAPs is sought.

APPENDIX B - Additional advice to the Applicant

We have sought to identify key issues early and provide proactive advice on the mitigation measures and commitments we would expect to see later in the process. We recognise that the level of detail available at this stage is limited. The issues and recommendations set out below are not intended to be exhaustive and should not be taken as representing all matters that may be relevant to the Environment Agency's future consideration of the proposal. As further information becomes available, additional issues, requirements and recommendations may be identified.

Groundwater and contaminated land

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report Chapter 3 The Proposed Development Section 2	
Issue	The proposed drainage design at the Battery Energy Storage System (BESS) and substations do not identify a sealed, impermeably lined solution.
Impact	Insufficient controls on firewater drainage could impact controlled water receptors and result in a deterioration of water quality.
Solution	Commit to ensuring firewater drainage from the BESS and substations units will be contained within a sealed, impermeable drainage solution, unless an alternative method which provides sufficient mitigation can be demonstrated.
Additional Comments: There are no indications within the report as to whether the BESS and the three substations will have fully sealed drainage, but not necessarily sealed hard standing. We will expect the drainage design to be produced following an adequate assessment of risks to groundwater, including a conceptual site model, and to include suitable provisions to contain water in the event of a fire. We require all BESS sites have fully sealed drainage systems, with penstock valves which activate automatically when a fire breaks out and isolate any contaminated water. Where BESS sites are designed with fire extinguishing systems that do not rely on water, fire crews may still use water for boundary cooling, and this can contain pollutants from the burning units, including any associated chemical leakage, and dust and ash from the air. As such, we expect firewater capture to be included in any design. Operation and activation of penstocks should be included within any	

maintenance schedule. Firewater must be tested for relevant contaminants to determine if it can be released, or if it needs to be removed from the site for disposal elsewhere. If any discharge at the site is required, the applicant should consider any potential impacts of this discharge and confirm that a water discharge activity permit will be sought from the Environment Agency.

Where gravel is proposed to be used within an impermeable drainage basin, the operator must demonstrate how they will manage accumulation of silt and pollutants within the base of the gravel. Contaminants from a fire event may accumulate in the gravel even if firewater runoff is identified as being suitable for release. These contaminants would then be released into the natural environment over longer periods of time. Foundation, penetrative works and works programming should be designed to maintain the integrity of this impermeability.

The National Fire Chief's Council has published detailed guidance on recommended fire protection measures for BESS sites. We recommend the Applicant refers to this when designing the scheme: [Grid Scale Battery Energy Storage System planning – Guidance for FRS \(nfcc.org.uk\)](https://www.nfcc.org.uk/grid-scale-battery-energy-storage-system-planning-guidance-for-frs)

Any Penstock valves should have a manual back up as well as automatic trigger. These should be regularly maintained and tested as part of the Operational Environmental Management Plan (OEMP). Where runoff may be discharged to sensitive receptor, sentinel monitoring should also be implemented to detect any pollution incidents.

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report Chapter 3 The Proposed Development Section 2

Issue	Installation of Ducting and Joint Bays for cabling.
Impact	Introduction of preferential pathways for pollutants at all stages, which will cause a deterioration in water quality.
Solution	Include these as pathways in future assessments.

Additional Comments:

Preferential pathways can allow for the rapid and less predictable spread of any pollutants that reach them. This can lead to a higher risk of receptors at greater distances being affected, or of pollutants reaching receptors faster than would be expected. As such, we believe all preferential pathways identified should be included in any assessments of risk and hazard.

Design phase should assess methods such as Clay Stanks, other barriers, or methods to limit the migration of potential contaminants.

The practicality of future removal of these assets at demolition and decommissioning should be included at the design phase.

The Decommissioning Environmental Management Plan (DEMP) should set out the methodology and decision-making process for determining which assets should remain in-situ, or be removed, taking into account guidance issued in the intervening years from the approval of the DEMP.

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report Chapter 3 The Proposed Development Section 2

Issue	Only vague information has been supplied about the expected maximum depths of works.
Impact	Without clarity on maximum depths for trench, trenchless, and piled/foundation works, it is not possible to assess the potential for construction activities to intercept groundwater, penetrate or breach protective layers above contaminated land, or create new pathways between previously unconnected aquifers or water-bearing strata. This may lead to a deterioration in WFD groundwater quality.
Solution	The Applicant should commit to providing Maximum Design Scenario indicative depths for trench and trenchless installation methods, and pile and other foundation design, and supply a foundation works risk assessment for any penetrative works.

Additional Comments:

We recognise that at this stage more detailed information is not available.

The supplied report indicates wide ranges of depths for both foundations and cable installation. Cable depths should be included in assessment for the CEMP, and a foundation works risk assessment should risk assess foundation design.

Deep foundation, piling and ground improvement methods may create preferential pathways or otherwise result in the mobilisation of contamination or alter groundwater flow paths if not adequately mitigated.

Piling and penetrative ground improvement methods should be designed in accordance with CL:AIRE guidance '[Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention](#)', published March 2025.

A Foundation works risk assessment (including for the Photovoltaic arrays) should be produced in areas of sensitive groundwater such as in Secondary A aquifers, source protections zones or where other receptors may be linked.

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report Chapter 10 Water Environment 3.2 and Chapter 17 Other Environmental Topics, 17.4	
Issue	Missing references to relevant legislation and guidance.
Impact	Compliance with relevant laws may be missed and best available practice may not be used, increasing risk of deterioration to water quality.
Solution	Refer to and follow all relevant guidance and legislation in further assessments and plans.
Additional Comments: The report either does not include or does not consistently include: • The Water Supply (Water Quality) (Amendment) Regulations 2018 • Groundwater (England and Wales) Regulations 2009 • EA Land Contamination Risk Management, July 2023 • Hazardous Waste Regulations 2005 (as amended) • Waste (England and Wales) Regulations 2011 • Planning Inspectorate Technical Advice for Scoping Solar Development • National Fire Chiefs Council BESS guidance • EA Pollution Prevention Guidelines (esp. PPG1, PPG5, PPG6, PPG21) • EA Land Contamination Risk Management, July 2023	

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report Chapter 10 Water Environment Table 10-1, Chapter 17 Other Environmental Topics 17.4.20	
Issue	The Bedrock Geology is referred to only at the group scale.
Impact	Incorrect parameters may be used to assess risks to controlled waters.
Solution	In further reports and assessments, either use: • the parameters from the geological members and formations that would lead to the Rochdale Envelope worst case scenario for receptors; • or specify the formations and members likely to be present in the scoping area.
Additional Comments: Given the highly variable permeability and porosity of the Wealden group, it may be more accurate and useful to utilise the relevant formations within the unit expected to be encountered, rather than units, such as Tunbridge Wells Sand Formation, Wadhurst Clay formation, and Ashdown Formation. The permeability	

and porosity of the geology will affect how contamination may mobilise or attenuate and determine where and how perched groundwater may be found.

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report Chapter 10 Water Environment 10 6.8

Issue	The report states “there would be limited disturbance of groundwater”.
Impact	This assertion if held through the Environmental Statement could lead to pathway and receptor linkages not being identified, thereby putting controlled waters at risk of deterioration in water quality.
Solution	Determine the level of disturbance and impact on the aquifer once the foundation design has been outlined.

Additional Comments:

The statement in Chapter 10 6.8 directly contradicts earlier discussion within the report of shallow groundwater and penetration of the ground for 3-4.5 m piles on the arrays with unknown foundation design for BESS and substation areas. As such we believe that the statement “The nature of the Proposed Development means there would be limited physical disturbance of aquifers and groundwater.” is inaccurate and premature.

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report Chapter 17 Other Environmental Topics Section 4

Issue	There is no mention of an unexpected contamination procedure to be included in the outline CEMP or DEMP.
Impact	If a protocol for how to manage unexpected contamination in accordance with Land Contamination Risk Management guidance is not established prior to the DCO, risks to controlled waters may not be adequately assessed and mitigated, thereby causing a decrease in water quality.
Solution	An unexpected contamination plan should be developed as part of the outline CEMP and DEMP.

Additional Comments:

The process we request to be input into outline CEMPs and DEMP is as follows:

1. In the event that contaminated land, including groundwater, is found at any time when carrying out the authorised development, which was not previously identified in the environmental statement, then no further development (unless otherwise approved in writing by the relevant authorities) shall be carried out within the identifiable perimeters of the area in which the suspected contamination is located. It must be reported as soon as reasonably practicable to the local planning authority, and where necessary, the Environment Agency, and the undertaker must complete a

risk assessment of the contamination in consultation with the local planning authority, and where necessary, the Environment Agency.

2. Where the undertaker determines that remediation of the contaminated land is necessary, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose must be submitted to and approved in writing by the local planning authority, following consultation with the Environment Agency.
3. Remediation must be carried out in accordance with the approved scheme under sub paragraph (2).
4. Following the implementation of the remediation strategy approved under sub-paragraph (2), a verification report, based on the data collected as part of the remediation strategy and demonstrating the completion of the remediation measures must be produced and supplied to the relevant planning authority and the Environment Agency.

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report Chapter 10 Water Environment 4.2

Issue	Sources of information on Private water abstractors are not identified.
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Impact	Sensitive receptors may be missed and risk existing rights of supply. assessed for impacts.
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Solution	Contact Local Authority Environmental Health Teams within the scoping boundary.
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Additional Comments:

Abstractions of <20m³ are regulated by local authority environmental health teams. This information is not held by the Environment Agency.

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report Chapter 3 The Proposed Development, section 3.2.30

Issue	We note that Horizontal Directional Drilling (HDD) may be used to cross beneath watercourses or existing buried utilities. However, the risk from breakout is not scoped in as a specific risk to groundwater and surface water quality. There is no commitment to a drilling fluid breakout plan, or sufficient buffer distances for entry and exit pits.
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Impact	HDD or other trenchless installation methods could impact groundwater or surface water quality if not suitably managed. Drilling fluid breakout can reduce water quality if there is a breakout and it reaches surface waters.
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Solution	HDD crossings should be supported by development and implementation of a drilling fluid breakout plan and hydrogeological risk assessment. Entry and exit pits must be at least 10m away from top of bank of watercourses.
Additional Comments: Due to the risks both from pollution and disruption of sub surface flows in shallow groundwater, and to surface controlled water, a hydrogeological risk assessment, drilling fluid breakout plan and water feature survey should be conducted for areas of the development where HDD is proposed to be used. This can be committed to in the outline CEMP and DEMP, with sufficient measures included. Bentonite pellets which are used to make drilling fluid for horizontal directional drilling can also be coated in PFAS. We recommend that PFAS-free materials should be used.	

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report Chapter 17 Other Environmental Topics Section 6	
Issue	Disposal of potentially contaminated firefighting water from BESS and/or Substations in the event of a fire at these locations.
Impact	Risk of contaminants being allowed to enter the water environment if testing regime is inadequate.
Solution	Provide details of what testing is proposed in the event of a fire. The Applicant should consider whether testing and discharge is likely to be viable, and consider committing to tankering all firewater off-site for disposal.
Additional Comments: Firewater containment arrangements at the BESS and Substation sites should be designed to contain all anticipated firewater plus accommodating for reasonable worst case rainfall volumes and flooding events. The Applicant should be aware that tankering offsite is our preferred method of disposal. Testing is important to provide information around the quality of water that has been contained after a fire. It will ascertain if it contains any contaminants and what level of risk to the water environment the contained firewater has. Disposal of firewater via testing and discharge would require an Environmental Permit, which would require the firewater to be held during the application process. This would significantly reduce the capacity of the drainage system for this period.	

For advice, we expect that water samples would be taken when safe to do so, which would then be sent to a United Kingdom Accreditation Service (UKAS) accredited laboratory for analysis, using UKAS and Monitoring Certification Scheme (CERTS) accredited methods (where applicable). The water samples should be checked against the list of hazardous substances in the surface water pollution risk assessment guide: [Surface water pollution risk assessment for your environmental permit - GOV.UK](#).

The discharge of firewater into groundwater or surface water poses an increased risk of contamination to controlled waters. It may take a significant time for consent to discharge firewater into ground or surface water to be issued (or permission may not be granted – see below), during which time there is increased risk that containment measures could be overwhelmed in the event of heavy rainfall and/or a second fire event. The Applicant must ensure that contained firefighting water is removed and the drainage system decontaminated at the earliest opportunity following a fire event, to ensure that the storage capacity of the system is not overwhelmed by subsequent rainfall or a second fire event. This is likely to be most readily achieved by tankering away the stored firewater, and we encourage the Applicant to commit to this approach to firewater management.

Discharge into drainage systems, and into the water environment onsite may require a permit. It should be noted that the time taken to issue a Groundwater Activity Permit may be substantial, with decisions on applications usually being made within 4 months. This is likely to result in significant delays to resuming operation of the BESS or Substation facility. Furthermore, this carries a significant risk that further rainfall events, or a second fire event during the testing and permit application period, may result in the drainage system being overwhelmed and a pollution event occurring. Further guidance is available at: [Discharges to surface water and groundwater: environmental permits - GOV.UK](#)

Document Reference(s):	
Issue	We have not identified a description of the type of cables to be used.
Impact	If cables containing hazardous fluid are to be left in the ground indefinitely, we consider it likely that leakage will occur in the long term. This would be uncontrolled and unmonitored, and thereby poses an unacceptable risk to controlled waters.
Solution	The Applicant will need to confirm if fluid-filled cables will be used anywhere in the onshore part of the development.
Additional Comments:	

We will raise as an issue any pipelines or fluid-filled cables that transport pollutants, particularly hazardous substances that:

- pass through SPZ1 or SPZ2 where this is avoidable.
- are below the water table in principal or secondary aquifers.

General advice	Lifespan of Infrastructure The Applicant should ensure that all below ground infrastructure is suitable for the operational lifespan of the project, to minimise the risk of further preventable disturbance during this period.
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General advice	PFAS PFAS-containing products in buried cabling should be avoided. The Applicant could ensure that any bentonite used for trenchless drilling, or elsewhere in the scheme, has not been treated with chemicals containing PFAS. Fuel, oils and other chemicals, such as cleaning agents and decontaminants, should be PFAS-free wherever possible. If components containing PFAS are used, we suggest that there is consideration of this in the OEMP and DEMP. For example, if PFAS coating is damaged, there is a risk of persistent chemicals entering the natural environment during heavy rainfall, washing, maintenance, and removal. The OEMP should also incorporate measures to minimise the risk of coatings becoming damaged via 'thermal shock' such as if cleaned whilst at a high temperature due to prolonged exposure to sunlight.
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General advice	Disposal of batteries The Applicant should ensure that waste and/or damaged BESS batteries are stored and managed such that they do not pose a contamination risk. For example, this could be due to chemical leakage, or fire water runoff in the event of extinguishing a waste battery fire.
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General advice	Cables left in situ at decommissioning Some or all buried cables may be left in situ indefinitely at decommissioning. We do not currently have specific guidance or a regulatory position about this in the context of groundwater and land contamination. However, we recommend that cables are removed entirely at the end of the project's functional
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	lifespan. Further, we ask the Applicant to consider the potential effects of cables being left in situ, such as deterioration of plastic and metal over extended time periods, and the release of these materials into soil and groundwater. The Applicant should refer to regulatory guidance and general best practice at the time of decommissioning. Whilst the current intention may be for these to be left in the ground, we strongly recommend that the Applicant considers full cable removal in their designs. Allowance should be made at this stage for cable removal should it be later deemed necessary, so that the method of installation does not mean this cannot be reasonably achieved. It is important to consider that use of plastic ducting to facilitate easy removal of cables may have its own impacts. This ducting could degrade over time in a similar manner to plastic cable housing, with some residual risk to sensitive receptors. Consider referencing position A4 from 'The Environment Agency's Approach to Groundwater Protection' (Feb 2018) A4 - Responsibility for assessments The Environment Agency expects developers and operators to assess the area of influence of their activities and to take account of all current and future groundwater uses and dependent ecosystems. Developers and operators are expected to assess and mitigate the potential impact on groundwater, throughout planning, construction, operation, and decommissioning phases of the development or operation.
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Water Quality

Document Reference(s): Scoping Report, Chapter 10 Water Environment, section 10.5.30 and Table 10-4	
Issue	The Applicant has proposed no new water quality monitoring, relying instead on the baseline data presented in table 10-4. We are concerned that the quantity of existing data is insufficient to characterise the water quality baseline at the site.

Impact	If water quality monitoring is not appropriate then a suitable baseline of water quality data may not be captured, and any trends in water quality deterioration or improvement as a result of the project may not be understood.
Solution	A water quality monitoring plan should be provided when the Environmental Statement is produced. It should have a pre-construction, during construction and post-construction phase. The frequency should occur at least monthly, and the locations should be upstream and downstream of any water crossings or discharges. The Applicant should confirm how they intend to secure this existing monitoring commitment i.e. through the outline CEMP.
Additional narrative/ explanation: We note that Table 10-4 is a summary of water quality monitoring stations relevant to the Proposed Development, and that section 10.5.2 says that the Water Quality Explorer has been used. However, the ES should provide summary of actual data. Only WQ6-WQ8 (bathing water data) has more than three samples, while the other sites only have between 1-3, which is insufficient to make conclusions on water quality.	

Document Reference(s): Scoping Report, Chapter 10 Water Environment, section 10.6.3 Scoping Report, Chapter 17 Other Environmental Topics, Table 17-3	
Issue	The risks and mitigation measures associated with construction are not adequately identified: • Pollution of surface water in section 10.6.3 does not acknowledge risk from concrete or vehicle washout; • Impacts on surface water hydrology during construction are not recognised; • Hydrocarbon storage should be covered and parking areas may require oil separators.
Impact	Risk of deteriorating water quality if hazardous substances during construction get into surface runoff and is subsequently discharged.
Solution	The outline CEMP should commit to mitigation measures against potential impacts from wheel washing, dewatering and any spills of hazardous substances.
Additional narrative/ explanation: An outline CEMP should include: • Wheel washing facilities must be on impermeable ground and able to contain all water to prevent it contaminating surface water runoff. The Applicant needs to confirm how it will be safely disposed.	

- Fuel, oil and chemicals should be stored on impermeable ground, with bunding of a suitably sized volume, and should be covered to prevent rainfall ingress.
- Refuelling should only take place on impermeable surfaces, and in bunded areas
- Where vehicles of personnel, and construction equipment, are stored in the parking area, drip trays and oil separators should be used.

The Overarching National Policy Statement for Energy (EN-1) states that “the Applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality...” (section 5.16.3).

Document Reference(s): Scoping Report, Chapter 3 Proposed Development, Table 3-1 and section 3.2.40

Scoping Report, Chapter 17 Other Environmental Topics, Table 17-3

Scoping Report, Appendix 1-B: Environmental Mitigation and Commitments Register

Issue	Table 3-1 does not identify the foundation types proposed for the infrastructure. It is assumed that concrete foundations (such as feet, slabs or bases) will be used, but the accompanying documentation includes limited mitigation measures specific to the risks associated with concrete construction.
Impact	Risk to deteriorating water quality if hazardous substances during construction get into surface runoff and are subsequently discharged. Leachate from concrete can carry chemicals, including heavy metals, and affect the pH.
Solution	The Applicant should ensure the outline CEMP includes the following concrete mitigation: • Concrete/cement works should be minimised during heavy precipitation events and carried out during dry months; • When concrete is curing, covering should be used where possible, and pre-cast units could be used where possible; • Concrete washout facilities must be on impermeable lining, and water must be collected and not allowed to be discharged to surface waters.

Additional narrative/ explanation:

GC-2 should name Water Environment as a Secondary Topic, and should be in place for all phases of development.

The Overarching National Policy Statement for Energy (EN-1) states that “the Applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality...” (section 5.16.3).

Document Reference(s): Scoping Report, Chapter 3 The Proposed Development, section 3.2.47

Scoping Report, Appendix 1-B: Environmental Mitigation and Commitments Register

Issue	Watercourse buffers may be between 9m or 10m from the top of the bank.
Impact	Without suitable watercourse buffers, sediment and other contaminants can more easily enter watercourses and reduce water quality.
Solution	10m means that buffer distances should be sufficient to protect water quality, are consistent for contractors and not encroach into the riparian zone in line with best practice. This should be amended in EC-1, WE-1 and WE-2, and should apply for all phases of development. Please note our comment below from a flood risk perspective.

Additional narrative/explanation:

As an issue raised from a flood risk perspective (see below), we consider the proposed 9m-10m buffer from the tidal watercourse insufficient and recommend a 16m easement to protect flood defences and minimise flood risk.

Document Reference(s): Scoping Report, Chapter 3 The Proposed Development, section 3.3.4

Issue	Chronologies of the construction programme are unknown at this stage, but it is unclear if drainage and firewater isolation would be completed prior to BESS and Substation construction.
Impact	Without installing relevant impermeable lining, SuDS and shutoff valves prior to constructing the BESS or Substations, there is a risk that in the event of a fire or pollution event any contaminated water will not be adequately isolated.
Solution	Applicant should commit to installing suitable drainage prior to other installations.

Additional narrative/explanation:

The Overarching National Policy Statement for Energy (EN-1) states that “The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.” (Section 5.16.10)

Document Reference(s): Scoping Report, Chapter 3 Proposed Development, sections 3.2.19, 3.2.22 and 3.2.43	
Issue	It is unclear if there will be bunding for transformers, and other electrical equipment, associated with the conversion units, the 400 kV and 132kV Substation(s), and the BESS.
Impact	Without bunding, transformers could leak or spill, and hydrocarbons could all pose an unacceptable risk to the water environment receptors.
Solution	All transformers should be bunded for all phases of development. They will need to be suitably sized to contain 110% of the volume. Where they are exposed to rainwater, the Applicant must have a mechanism to remove accumulated rainwater regularly.

Document Reference(s): Scoping Report, Chapter 10 Water Environment, section 10.3.2	
Issue	Bathing water legislation is not listed in the relevant legislation.
Impact	If important legislation is missed, the impact in bathing waters may not be appropriately assessed.
Solution	Section 10.3.2 should be updated to include The Bathing Water Regulations 2013
Additional narrative/ explanation: We recognise that they are named in section 10.5.32 and agree with the conclusions of section 10.5.33 that due to the levels of dilution in the bathing waters, they do not need to be considered in further assessments. However, we recommend that they are still acknowledged in the ES.	

Document Reference(s): Scoping Report, Chapter 10 Water Environment, section 10.3.4, 10.3.8 and 10.7.9 Scoping Report, Chapter 17 Other Environmental Topics, section 17.4.13	
Issue	The relevant industry guidance section is missing relevant information for the water environment.
Impact	If all relevant guidance is not used, assessment about the water environment may not be based on complete information.
Solution	The Applicant should use the following guidance and best practice documents for mitigation to the water environment: • CIRIA SuDS Manual (C753) • CIRIA Containment Systems for the Prevention of Pollution (C736) • Oil storage regulations for businesses - GOV.UK

	• Pollution prevention for businesses - GOV.UK • Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive - GOV.UK
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Document Reference(s): Scoping Report, Chapter 10 Water Environment, Table 10-3 and 10-4 and section 10.7.13	
Issue	Although we recognise a WFD Screening and Scoping Assessment will be undertaken in advance of the Environmental Statement, section 10.7.13 doesn't reference all WFD guidance.
Impact	If all relevant guidance is not used, the WFD assessment may not be based on complete information.
Solution	The Applicant should use these guidance links to support the WFD Assessment: 1. This guidance summarises the requirements of The Water Environment Regulations 2017 in relation to Nationally Significant Infrastructure Projects: Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive - GOV.UK 2. This advice is not limited to estuarine and coastal waters in England, the guidance sets out general principles and a staged approach to assessment that the can be used for other water bodies such as rivers, lakes and groundwater: Water Framework Directive assessment: estuarine and coastal waters - GOV.UK
Additional narrative/ explanation: The Applicant should be aware that the next comprehensive update of classifications in all water bodies, as required in the WFD Regulations, is the 2025 classifications. Draft 2025 classification results have been finalised and can now be shared externally with stakeholders on demand via Freedom of Information request. We would suggest reviewing these classifications once released to ensure appropriate mitigation measures are in place during the construction phase of the project. Where WFD classifications are summarised in Table 10.3, when a WFD Screening Assessment is produced, the Applicant should provide reasoning of why certain water bodies are heavily modified, and why status is not achieving good, where applicable.	

Document Reference(s): Scoping Report, Chapter 10 Water Environment, Table 10-7
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Issue	Table 10-7 is about criteria to determine receptor importance, but we disagree with the methodology about watercourses which are classed as a medium or low receptor.
Impact	If watercourses are not given a high enough receptor importance, then mitigation measures to provide protection may be inadequate. Impacts to non-WFD classified watercourses can still lead to impacts on WFD classified watercourses, due to interconnectivity and downstream effects.
Solution	We believe the Applicant should increase the receptor importance to High where even if a watercourses does not have a WFD classification.

Document Reference(s): Scoping Report, Chapter 3 The Proposed Development, sections 3.3.11, 3.4.4 and 3.5.6

Additional narrative/ explanation:

Where an outline Construction Environmental Management Plan ('oCEMP'), an outline Operation Environmental Management Plan ('oOEMP'), and an outline Decommissioning Environmental Management Plan ('oDEMP'), as well as an outline Battery Safety Management Plan ('oBSMP') are being prepared as part of the DCO application, we request that the Environment Agency is named as a consultee in the draft DCO.

General advice	The solar panels, regardless of fixed south facing array or single axis tracker array, are proposed to be bifacial monocrystalline panels, but there is an unknown risk from PFAS and the cleaning regime is unclear. Where solar panels may be replaced once during the development lifetime, the Applicant must have a clear plan to ensure there is no risk to water quality. PFAS are 'forever chemicals' that will negatively affect water quality. If any substances are used in the cleaning this could also impact water quality. We recommend the Applicant checks with manufacturers if the materials used in panels contains PFAS. Where possible, the Applicant could commit to using PFAS-free materials. The Applicant could also determine what liquid regular panel washing will use, and if there is any pathway between the panels
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	and water receptors if any chemicals in the coating or cleaning products are used.
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Water Resources

Document Reference(s): Chapter 3 The Proposed Development; Chapter 10 Water Environment	
Issue	Consumptive water demands have not been evaluated in the Water Environment chapter. We seek confidence that a sustainable and practical water supply has been evaluated by the applicant to meet consumptive water demands particularly during construction. These can include (but are not limited to): • Potable supply to welfare stations; • Dust suppression; • Wheel/concrete wash; • Concrete batching; • Drilling fluids for Horizontal directional drilling methods.
Impact	Sources of water supply available to the project cannot be appraised without estimating potential demands: • Non-domestic water company supply is not guaranteed in this supply zone (see also WR informative). Rural locations can also be hard to supply; • 3rd party tankering should be factored into the evaluation of vehicle numbers which is referenced in chapter 15. Transport and Access; • Surface water or Groundwater abstraction will mean that the project will be subject to the licensing restrictions relevant to the policy for the catchment;
Solution	The Water Environment chapter should provide a strategy for water supply which includes estimates of water demands (volumes), an options appraisal of sources of supply and demonstrate awareness of the limitations and potential obstacles to water availability and possible mitigations associated with each which may affect detailed design and construction programming later on.
Additional narrative/ explanation (if necessary): Operational water demand is expected to be negligible and water supply during construction is understood to be considered by contractors at detailed design stages. Most water related construction activities, including dewatering and dust suppression are licensable activities if they abstract more than 20 m3 a day and, as such, early consideration should be given to where the water can be sourced from if the water company isn't the provider. New consumptive groundwater	

licences are not available and surface water is restricted to high flows only. The Environment agency wishes to avoid projects underestimating water availability posing problems with viability.

Biodiversity and Geomorphology

General advice	Section 3.2.47 states that a minimum offset of 9m would be observed from watercourses. The Biodiversity Net Gain watercourse metric considers anything within 10m of bank top to be encroaching on the watercourse. Please note, we are requesting a 16m buffer from tidally influenced watercourses, for flood risk reasons.
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General advice	Section 3.2.47 states that a minimum offset of 9m would be observed from watercourses. The Biodiversity Net Gain watercourse metric considers anything within 10m of bank top to be encroaching on the watercourse.
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Advice on WFD/WER Assessment and project design	We wish to make the following recommendations regarding the project's design, and improvements to the water environment, in accordance with the South-East District River Basin Management Plan. The Overarching National Policy Statement for Energy (EN-1) states that "Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans". We recommend that the following measures for the surface water bodies are delivered, where possible, by the project. If delivery by the project is not possible, it is important that the project does not jeopardise their delivery at a later date. For example, for creating a buffer zone where possible on the western bank, space must be left for the buffer zone for the western bank. Measures for the New Sewer at New Romney - GB107040013480: • Revise and implement an integrated Water Level Management Plan;
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	• Sub catchment wide - implement vegetation management strategy to include control of invasive non-native species; • Develop and implement a catchment desilting plan; • Create buffer zone where possible on western bank. Measures for the Lower Rother from Etchingam to Scot's Float - GB107040013640: • Fit fish pass to Udiam Weir - ramp and baffle boards or rock and pool due to steep gradient; • Sediment and vegetation management strategy including invasive non-native species; • Remove embankment and create wetland area - New Barn Farmhouse to Maytham Wharf; • Remove weir and associated hard banking in Robertsbridge at 124002, 574266 • Set back embankment and allow natural connectivity of floodplain – Bodiam to Newenden • Replace board arrangement at Church Bridge ((575044, 123952) and replace with a more natural feature e.g. a rock ramp; • Develop and implement an integrated catchment Water Level Management Plan; • Improve bankside profile to encourage macrophyte habitat • Remove weir and associated hard banking D/S Etchingam Road Bridge; • Remove weir and associated hard banking, rework sluice at Factory, The Clappers; • Set back embankments to reconnect river with flood plain - upstream of Bodium. Measures for the White Kemp and Jury's Gut Sewer - GB107040013470: • Develop and implement an integrated catchment Water Level Management Plan; • Subject to Water Level Management Plan, remove boards at Deering Stop; • Subject to Water Level Management Plan, remove stop boards at Kent Pen Stop;
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	• Implement a vegetation management plan including invasive non-native species; • Review, revise and implement a catchment desilting plan. • Work with quarrying company at 599008, 124107 to minimise impact of gravel extraction; We are currently reviewing our WFD/WER measures and the following measure is likely to be included for all 3 waterbodies: Periodic tree planting on the southern bank to increase shade and climate resilience.
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General advice	The following are general guiding principles to consider when designing watercourse crossings to avoid negatively affecting geomorphology and natural processes: • Avoid unnecessary interference with natural processes. For instance, encourage use of trenchless techniques such as HDD to minimise the likelihood of cables entering the water environment. Ensure watercourse crossing design is informed by assessment of fluvial processes and geomorphology. For example, depth of HDD crossing should consider the likelihood of vertical channel change. • Avoid designs which present legacy risks to natural processes and geomorphology beyond the project lifespan. For example, infrastructure such as access tunnels which are left in-situ after decommissioning could be exposed by future coastal erosion or river movement, becoming an impediment to natural processes. • Consider opportunities to deliver WFD mitigation measures/Biodiversity Net Gain (BNG) uplift as part of the design. • Avoid preventing delivery of mitigation measures, e.g. avoid bringing cables to surface level in floodplains earmarked for future river restoration or flood defence works (including construction of bypass channels).
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Fisheries

Document Reference(s): Chapter 9 Ecology and Biodiversity 9.5.22

Issue	The desk study returned a nil record for European Eel and coarse fish species, which is likely to reflect a lack of survey effort in the area, rather than their genuine absence, given that the watercourses within the draft order limits are likely to provide suitable habitat for these species.
Impact	Pathways to these receptors may not be fully assessed, particularly where there are in-channel works associated with proposed watercourse crossings.
Solution	Suitable fish surveys should be conducted on site, within the network or linear waterbodies and watercourses in order to gain a comprehensive understanding of the fish baseline.
Additional narrative/ explanation (if necessary): It is likely that the network or linear waterbodies and watercourses associated with draft Order Limits will provide suitable habitat for European eel and coarse fish species. The nil report in the desk study is likely due to a lack of surveys in this area. Whilst we note that fish are scoped in for assessment (table 9-8), it is unclear whether European Eel is categorised as an Important Ecological Feature (IEF).	

Document Reference(s): Chapter 9 Ecology and Biodiversity 9.7.14	
Issue	Permanent is defined as an effect that cannot recover within a 40-year period.
Impact	In fish ecology terms, a period of up to 40 years where an effect is felt is considered a significant period that could result in significant impacts to a species at local to population scale, depending of the type of impact.
Solution	Reconsider this definition to ensure that effects are considered on a case by case, receptor specific assessment. In WFD terms, under internal Environment Agency guidance, an effect would be considered temporary if it was less than 6 months.
Additional narrative/ explanation (if necessary): This suggests that if an effect lasts for less than 40 years, and has recovered in that time, then it is not considered to be permanent. We disagree with this, as an effect on aquatic receptor should be considered based on the sensitivity of the receptor.	

Flood Risk

Document Reference(s): Scoping Report, Chapter 3 The Proposed Development, section 3.2.47 Scoping Report, Appendix 1-B: Environmental Mitigation and Commitments Register	
Issue	The applicant has proposed a 9m-10m buffer for watercourses.

Impact	Defences may become damaged and not provide the necessary level of protection if development is built inappropriately.
Solution	A 16m buffer should be provided between any built development and associated works, and the bank of a tidal river/landward toe of a tidal flood defence.
Additional narrative/ explanation: We have stated above from a surface water quality perspective that a 10m watercourse buffer would be required. However, our flood risk concerns override this, and therefore a 16m buffer from tidally-influenced watercourses and defences must be committed to.	

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report. June 2026, Chapter 10	
Issue	The Applicant will need to place infrastructure underneath watercourses.
Impact	Potential damage to the watercourse's stability and floodplain flow routes.
Solution	The Applicant should commit to using HDD or microtunnelling as the method of installation for all crossings below main rivers. If this is not possible, we require justification for why other methods are necessary, and evidence that appropriate mitigation has been provided.

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report. June 2026. Chapter 10 Water Environment. Paragraph 10.7.25 page 170	
Issue	The Applicant has not stated they will assess the impact solar panels and associated infrastructure within the design flood extent may have on floodplain capacity and flow routes.
Impact	There may be an increase to flood risk offsite if any necessary compensation is not provided.
Solution	The Applicant should assess the impact the development may have on floodplain storage and provide compensation on a level for level, volume for volume basis where proposed development would remove capacity. Additionally, the Applicant should assess how the proposed development may alter flood routes and include necessary mitigation within designs.
Additional narrative/ explanation:	

The Applicant should be cognisant of the requirements associated with the Exception Test and paragraph 5.8.12 within the Overarching National Policy Statement for Energy (EN-1) to not increase flood risk elsewhere.

Paragraph 10.7.25 notes that for the Exception Test to be passed, the FRA will be required to demonstrate that the development would be safe for its lifetime considering the effects of climate change. It is also important to note that the development must not increase flood risk elsewhere. The Applicant should also be cognisant of paragraph 5.8.12 within the Overarching National Policy Statement for Energy (EN-1) which states:

- that there should be no net loss of floodplain storage;
- any constriction of flood flow routes should be safely managed within the site;
- the development should not increase flood risk elsewhere

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report. June 2026. Chapter 10 Water Environment. Section 10.6 Potential effects and mitigation page 161 and 162. Watercourse crossings

Issue	The report references that new watercourse crossings may be required. It is suggested that this may be via a bridge or a culvert.
Impact	Flood risk could be increased elsewhere if watercourse crossings are not properly designed. In particular, culverting will have an adverse effect on the geomorphological processes of the watercourse, ecology and flood risk.
Solution	The Applicant should look to limit the number of new crossings as much as possible. Where watercourse crossings are demonstrated to be necessary, they should be designed to remain operational during times of flooding and not increase flood risk elsewhere. It is best practice to follow the following requirements: • Crossings should be bridges which are as clear span as possible; • The soffit height of the bridge must be a minimum of 600mm above the 1 in 100yrs + Climate change allowance flood level; • All abutments must be set back a minimum 1m from the top of bank and as minimal as possible; • Any loss of floodplain due to abutments and ramps will need to be compensated for.

	All parapets and railings need to be permeable and as open as possible, with a minimum 100mm spacing.
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Additional narrative/ explanation:

We are opposed to the culverting of any watercourse because of the adverse ecological, flood risk, geomorphological, human safety and aesthetic impacts. Watercourses are important linear features of the landscape, including as wildlife corridors, and should be maintained as continuous corridors to maximise their benefits to society. Culverting damages habitats, interrupts wildlife corridors and disrupts river habitat continuity.

There are 2 main rivers with the order limits which will be low gradient channels devoid of any geomorphological characteristics. These rivers are regularly desilted and the in-channel vegetation regularly cut. Therefore, access and space must be provided for this activity. We are strongly against culverting of these watercourses, as culverts will fill with silt, and will become very difficult to maintain.

The design flood level for permanent crossings in areas of fluvial flood risk would be the 1% (1 in 100) annual exceedance probability (AEP) plus higher central climate change scenario. In watercourses which are tidally dominated, the 0.5% (1 in 200) AEP plus higher central climate change should be considered.

For temporary crossings as part of the construction phase of the scheme, the present day (without climate change) 1% (1 in 100) or 0.5% (1 in 200) AEP scenario can be used depending on whether the watercourse is fluvially or tidally dominated.

Typically, for Essential Infrastructure, the climate change allowance would be the Higher Central allowance. Noting the 40-year operational lifetime of the development, we would expect the 2080s epoch (2070 to 2125) to be used in the context of fluvial flood risk. From a tidal perspective, sea level rise should be applied in accordance with the lifetime of the development considering any decommissioning or potential increase in the length of the operational phase of the development. We would ask that a freeboard of +600 millimetres is included above the design flood level.

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report. June 2026. Chapter 10 Water Environment. General comment. Freeboard allowances	
Issue	Freeboard allowances for the proposed development are not clear.
Impact	Flood risk to the proposed development could be underestimated, particularly when considering modelling uncertainty and blockage risk.
Solution	Provide a freeboard allowance of +600mm above design flood levels.

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report. June 2026. Chapter 10 Water Environment. Table 10-6 Flood Risk from all sources. Page 160

Issue	The Environment Agency's 2020 tidal modelling uses out of date climate change allowances and coastal flood boundary data. In addition, there have been some improvements to flood defences along the coast which may not be fully accounted for in the modelling.
Impact	Tidal flood risk to the site could be underestimated or inaccurate.
Solution	The Applicant should check the coastal flood boundary conditions and climate change allowances used in the 2020 Romney Marsh coastal modelling, to ensure they are still representative or conservative, when compared with the most up to date climate change and boundary condition datasets. In addition, check the defence representation within the model within the vicinity of the proposed development.

Additional narrative/ explanation:

Table 10-6 notes that hydraulic modelling data will be requested from the Environment Agency to confirm the tidal flood risk, including the relevant climate change allowances. This is welcomed.

Please note that the climate change scenarios and the design tidal water levels used in the 2020 Romney Marsh modelling have since been superseded by UKCP18 climate change sea level rise projections data and the Coastal Flood Boundary (2018) dataset.

Additionally, we would recommend that the Applicant reviews flood defence representation within the coastal modelling to ensure defence levels are representative. Since the 2020 model was produced, we have completed the Hythe Ranges scheme, Lydd scheme, and Rother Tidal Walls East scheme.

Please check any modelling you use in line with guidance on using modelling for Flood Risk Assessments available online at: [Using modelling for flood risk assessments - GOV.UK](#)

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report. June 2026. Chapter 10 Water Environment. Paragraph 10.7.23 page 169

Issue	Unknown fluvial flood risk to the proposed development.
Impact	Flood risk impacts both to and from the development could be underestimated.

Solution	The Applicant should consider hydraulic modelling to help quantify fluvial flood risk impacts to the site and any potential flood risk impacts elsewhere.
Additional narrative/ explanation:	
Paragraph 10.7.23 notes that the fluvial flood risk to the development is currently unknown. This is correct. The Environment Agency holds limited information about fluvial flood risk in this area. We would encourage further engagement with us regarding fluvial flood risk, and would recommend that the risk of flooding to the site from fluvial sources is quantified through hydraulic modelling.	

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report. June 2026. Chapter 10 Water Environment. Paragraph 10.7.23 page 169	
Issue	Unknown fluvial flood risk to the proposed development.
Impact	Flood risk impacts both to and from the development could be underestimated.
Solution	The Applicant should consider hydraulic modelling to help quantify fluvial flood risk impacts to the site and any potential flood risk impacts elsewhere.
Additional narrative/ explanation:	
Paragraph 10.7.23 notes that the fluvial flood risk to the development is currently unknown. This is correct. The Environment Agency holds limited information about fluvial flood risk in this area. We would encourage further engagement with us regarding fluvial flood risk, and would recommend that the risk of flooding to the site from fluvial sources is quantified through hydraulic modelling.	

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report. June 2026. Chapter 10 Water Environment. Table 10-7	
Issue	The impact criteria shown in Table 10-7 does not align with the National Planning Policy Framework (NPPF), due to it being based off of the Design Manual for Road and Bridges LA113 Road Drainage and the Water Environment.
Impact	Flood risk impacts could be underestimated contrary to policy. This may increase flood risk on site and elsewhere
Solution	Ensure flood risk impacts to third parties are appropriately quantified and mitigated for in line with policy.
Additional narrative/ explanation:	

The NPPF requires that development should not increase flood risk elsewhere. This may not align with the approach set out in the Design Manual for Roads and Bridges (DMRB), which can allow for some degree of increased risk if it is demonstrated to be negligible or appropriately mitigated.

Any impact on flood risk will need to be reviewed on a case-by-case basis as the spatial extent of any increase is also an important consideration, not just the magnitude of any increase in peak water levels. Furthermore, considerations around modelling precision may also influence what is classed as an observable increase or impact versus what might be attributable to modeling precision limitations and instability. There is a section on the impacts on off-site flood risk within the guidance on undertaking modelling for flood risk assessments which should be consulted and provides some useful considerations. This is available online at <https://www.gov.uk/guidance/using-modelling-for-flood-risk-assessments>

Document Reference(s): South Kent Energy Park Environmental Impact Assessment Scoping Report. June 2026. Chapter 3 The Proposed Development. Paragraph 3.5.1

General advice

It is stated that the design life of the Proposed Development is expected to be 40 years. The Applicant should assume a design life of at least 75 years in line with the PPG (Paragraph: 006 Reference ID: 7-006-20220825) which states that:
“The lifetime of a non-residential development depends on the characteristics of that development but a period of at least 75 years is likely to form a starting point for assessment.”

APPENDIX C – Informatives

Dewatering

The requirement for a Water Resources Abstraction License applies unless the activity is exempt under [The Water Abstraction and Impounding \(Exemptions\) Regulations 2017](#) or [RPS 368](#). The developer should determine the [need for an abstraction license](#) at an early stage. We advise early consideration should be given to this, so that permitting timescales can be built into the development programme so as not to cause delays. The Applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised or utilize our [pre-application advice service](#).

We recommend the Applicant should follow the [Hydrological Impact Appraisal for dewatering abstractions guidance](#).

The proposed development may need:

- a groundwater investigation consent (section 32/3 of the Water Resources Act 1991) to construct and test pump; and;
- a full abstraction license (Water Resources Act 1991) if the volume of groundwater abstracted is greater than 20 m³/day and abstraction will occur for longer than a period of six consecutive months.

Further guidance can be found at: <https://www.gov.uk/guidance/water-management-abstract-or-impound-water#abstractions-that-need-a-licence>.

There may be a requirement for an associated [EPR permit to discharge](#) unless an exemption applies; this should also be considered at an early stage.

Waste on site

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether excavated material arising from site during remediation or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any

proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- [CL:AIRE Definition of Waste: Code of Practice](#)[EA Regulatory Position Statement 215](#): Treating small volumes of contaminated soil and groundwater

Waste to be taken off site

Contaminated soil that is, or must be, disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan'. The permitting status of any proposed treatment or disposal activity should be clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to our website for more information.

Sustainable drainage systems

The Government's expectation is that sustainable drainage systems (SuDS) will be provided in new developments wherever this is appropriate. The Environment Agency supports this expectation.

Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should:

- be suitably designed;
- meet Government's non-statutory technical standards for sustainable drainage systems – these standards should be used in conjunction with the National Planning Policy Framework and Planning Practice Guidance;

- use a SuDS management treatment train – that is, use drainage components in series to achieve a robust surface water management system that does not pose an unacceptable risk of pollution to groundwater.

Where infiltration SuDS are proposed for anything other than clean roof drainage in a SPZ1, a hydrogeological risk assessment should be undertaken, to ensure that the system does not pose an unacceptable risk to the source of supply.

See the Environment Agency's approach to groundwater protection, position statement G13: [Groundwater protection position statements](#).

Land contamination assessments

We expect land contamination assessments to follow the tiered approach laid out in our [Land Contamination Risk Management \(LCRM\)](#) guidance. The preliminary risk assessment (PRA) should include historical plans of the site, an appraisal of the environmental setting (including geology, hydrogeology, groundwater and surface water receptors, potential contaminants of concern and source areas), an initial conceptual site model (CSM) describing possible pollutant linkages for controlled waters, and identification of potentially unacceptable risks. Land contamination investigations should be undertaken by suitably qualified and experienced professionals and in accordance with [BS 5930: Code of practice for ground investigations](#) and [BS 10175: Investigation of potentially contaminated sites – code of practice](#). Soil and water analysis should be fully MCERTS accredited.

Investigation, demolition, remediation, or construction works must not create new pathways or linkages to controlled waters. Clean drilling techniques may be required for boreholes that penetrate contaminated ground.

Our Ref: 26/0921/FH
Your Ref: EN0110035
Date: 06 July 2026



By email
SouthKentEnergyPark@planninginspectorate.gov.uk

Dear Ms Glassop

Re: Scoping Opinion for The South Kent Energy Park

I refer to the request for a Scoping Opinion submitted to the Planning Inspectorate in respect of the above development, which is proposed as a Nationally Significant Infrastructure Project and the letter of the 8th June 2026 seeking comments from Folkestone and Hythe District Council. Folkestone & Hythe District Council is the host Local Planning Authority for the site and welcomes the opportunity to comment on the scope of the Environmental Statement.

The Council makes the following comments on the applicant's Environmental Impact Assessment (EIA) Scoping Report, using the chapter and paragraph references in the report where appropriate. These comments are made without prejudice to any further comments the Council may make through pre-application consultation, written representations or other stages of the DCO process.

Development Plan Context

The Environmental Statement (ES) should be prepared with clear regard to the adopted development plan for Folkestone & Hythe District, including the Core Strategy Review 2022 and the Places and Policies Local Plan 2020. While the application will be determined under the Planning Act 2008 and relevant National Policy Statements, local policy provides important context for the assessment of likely significant effects and the identification of appropriate mitigation.

In particular, the ES should have regard to relevant Core Strategy Review policies including SS1 – District Spatial Strategy, SS3 – Place-Shaping and Sustainable Settlements Strategy, SS5 – District Infrastructure Planning, CSD4 – Green Infrastructure of Natural Networks, Open Spaces and Recreation, CSD5 – Water and Coastal Environmental Management, CSD6 – New Romney Strategy, CSD12 – District Tourism Strategy and CSD13 – District Economy Strategy.

Particular regard should be had to relevant Places and Policies Local Plan 2020 policies, including CC6 – Solar Farms, NE2 – Biodiversity, NE3 – Protecting the District's Landscapes and Countryside, NE5 – Light Pollution and External Illumination, HE1 – Heritage Assets, HE2 – Archaeology, CC3 – Sustainable Drainage Systems, NE7 – Contaminated Land, HW2 – Health Impact Assessment, HW3 – Development that Supports Healthy, Fulfilling and Active Lifestyles, and relevant transport, public rights of way and active travel policies.

Chapter 1 (Introduction), Chapter 2 (DCO Site Boundary and Surrounding Area)

The Council notes that the proposed development comprises a substantial solar PV and battery energy storage scheme, with associated substations including a new national Grid substation, interconnecting cabling, fencing, access tracks, drainage, landscape and biodiversity measures, located on approximately 859ha of predominantly arable land within the Romney Marsh immediately adjacent to the settlement of Old Romney and close to the settlement of New Romney. The ES should clearly distinguish between the main site, interconnecting areas, any temporary construction land, the assumed National Grid substation and any land that may be subject to later refinement. Given the scale of land included within the DCO site boundary, the ES should also clearly explain which elements are permanent, which are temporary, and which are included to maintain flexibility under the Rochdale Envelope. The assessment should be informed by Core Strategy Review Policy SS1 – District Spatial Strategy, Policy SS3 – Place-Shaping and Sustainable Settlements Strategy and Policy CSD6 – New Romney Strategy, given the proposal's scale, relationship with New Romney, rural setting and potential effects on the surrounding area.

Paragraph 1.2.13 lists the relevant development plans for the area. Part of the DCO site boundary extends into St Mary in the Marsh Parish, so the development plan should also include the St. Mary in the Marsh Neighbourhood Plan (2019).

Paragraphs 1.1.8 to 1.1.13 and 2.2.9 to 2.2.12 – The Council notes that the point of connection and National Grid substation remain subject to National Grid optioneering, but that the applicant has assumed a new National Grid Substation within the DCO site boundary for the purposes of scoping. The ES should clearly set out the reasonable worst case environmental effects of the National Grid Substation and associated cabling, connection and security infrastructure. If the point of connection or substation location changes materially, the Council would expect any necessary additional environmental assessment and consultation to be undertaken before submission of the DCO application. This should also be considered in the context of Core Strategy Review Policy SS5 – District Infrastructure Planning, given the scale and significance of the grid connection and associated infrastructure requirements.

Chapter 3 (The Proposed Development)

Table 3-1 and paragraphs 3.2.21 to 3.2.30 – The Council notes the substantial scale of electrical infrastructure proposed, including a National Grid Substation up to 25 metres in height and a compound area 200 metres by 150 metres in footprint, a Main On-Site Substation compound area of up to 4 hectares, additional 132 kV and 33 kV substations, lighting columns up to 10 metres in height, and BESS compounds of up to 8 hectares. The ES should provide clear parameter plans, elevations, photomontages and visualisations for all major infrastructure, not only the solar arrays. The Council considers that the design, siting, colour, external finish, screening and lighting of control buildings, substations, BESS compounds, fencing and CCTV should be matters for approval by the Local Planning Authority if consent is granted.

Paragraphs 3.2.41 to 3.2.44 – The ES should fully assess lighting during construction, operation and decommissioning. Although no areas are proposed to be continually lit, the scale of the substations, BESS, security infrastructure and motion activated lighting has potential to affect residential amenity, ecology, landscape character, dark skies and views across the open Romney Marsh landscape. The ES should identify likely lux levels, hours of

use, direction of lighting, spill, glare and mitigation, including the effect of lighting in combination with other NSIP solar schemes in the area, having regard to Policy NE5 – Light Pollution and External Illumination, Policy NE3 – Protecting the District's Landscapes and Countryside and Policy NE2 – Biodiversity.

Paragraphs 3.3.1 to 3.3.10 – The Council notes that construction could last 24 to 36 months, involve up to 400 staff per day and approximately 128 HGV movements per day at peak construction. The ES should assess a robust worst-case construction scenario, including construction traffic, staff movements, temporary laydown areas, construction compounds, watercourse crossings, road widening, abnormal loads and any works to rural lanes. The cumulative construction effects with South Brooks Solar Farm, Shepway Energy Park and the solar farm recently granted planning permission opposite Marten Farm (planning reference 25/0542/FH) should be fully assessed.

Chapter 4 (Alternatives Considered)

The ES should include a full assessment of reasonable alternatives, including alternative site locations, alternative layouts, alternative technology configurations, alternative BESS and substation locations, alternative cable routes and the use of lower grade agricultural land. The Council does not consider that the alternatives assessment should be limited to design evolution within the selected site. Given the extent of Grade 1 and Grade 2 agricultural land on Romney Marsh, the ES should explain why this location has been selected and what alternatives have been considered to avoid or reduce the loss of best and most versatile agricultural land. This should be considered alongside Policy CC6 – Solar Farms, Policy NE3 – Protecting the District's Landscapes and Countryside and Policy HW3 – Development that Supports Healthy, Fulfilling and Active Lifestyles, including the need to demonstrate that landscape, visual, ecological, agricultural and cumulative impacts have been appropriately assessed and mitigated.

Chapter 5 (Consultation)

Paragraphs 5.2.1 to 5.4.2 – The Council notes the applicant's comments on the Planning and Infrastructure Act 2025 and the possibility of changes to statutory consultation requirements. Regardless of any legislative changes, the Council expects meaningful early engagement with the local planning authority, Kent County Council, parish councils, affected communities, landowners, statutory bodies and local interest groups. The Council recommends that the applicant consults directly with the Romney Marsh Area Internal Drainage Board, the Environment Agency, Natural England, Historic England, Kent County Council Ecology, Kent County Council Highways and Transportation, Kent County Council Archaeology, Kent County Council Countryside Access (PRoW), the Kent Downs National Landscape Unit, the High Weald National Landscape Unit, Southern Water, South East Water, Affinity Water, local drainage and flood authorities, and relevant operators of local transport and tourism assets.

Chapter 6 (Environmental Impact Assessment Methodology and Cumulative Effects)

Paragraphs 6.6.8 to 6.6.18 – The Council welcomes the statement that Shepway Energy Park and South Brooks Solar Farm will be considered in the cumulative assessment. The Council considers this to be essential. The ES should assess the cumulative and in-combination effects of all three NSIP solar schemes currently being promoted in the Romney Marsh area, together with other solar, BESS, grid, transport, flood defence, agricultural, tourism and infrastructure proposals within the relevant zones of influence. The

assessment should address cumulative effects on landscape character, visual amenity, heritage setting, agricultural land, ecology, hydrology, flood risk, construction traffic, socio-economics, tourism, residential amenity, air quality, noise, glint and glare, BESS safety and emergency response. This is also necessary to understand the proposal against Core Strategy Review Policy SS1 – District Spatial Strategy, Policy SS3 – Place-Shaping and Sustainable Settlements Strategy, Policy SS5 – District Infrastructure Planning, Policy CSD4 – Green Infrastructure of Natural Networks, Open Spaces and Recreation, Policy CSD5 – Water and Coastal Environmental Management, Policy CSD6 – New Romney Strategy, Policy CSD12 – District Tourism Strategy and Policy CSD13 – District Economy Strategy, as well as Places and Policies Local Plan Policy CC6 – Solar Farms, Policy NE3 – Protecting the District's Landscapes and Countryside, Policy NE2 – Biodiversity, Policy CC3 – Sustainable Drainage Systems, Policy HW2 – Health Impact Assessment and relevant transport, Policy HW3 – Development that Supports Healthy, Fulfilling and Active Lifestyles and active travel policies.

Paragraph 6.6.12 – Developments to be assessed for cumulative impacts in the initial long-list are proposed to include 'Development currently under construction' and 'Approved applications which have not yet been implemented'. For the avoidance of doubt, it should be stated that implemented permissions where there is no current construction activity should also be included in the cumulative assessment. The Council is aware of implemented sites with no current construction activity in the area which could come forward within the timeframe of the proposed development.

The Council considers it essential that the applicant works with the promoters of South Brooks Solar Farm and Shepway Energy Park to produce a Joint Report on Interrelationships, or equivalent coordinated cumulative assessment, to ensure that cumulative environmental effects are properly understood and mitigated. The Council considers this particularly important given the overlapping construction programmes, shared road network, common landscape character, shared drainage catchments and combined loss of high-quality agricultural land. The council understands that this has been undertaken in other areas of the country with clusters of proposed solar developments, such as for the Gate Burton, Cottam, West Burton and Tillbridge solar projects in Lincolnshire.

Chapter 7 (Climate Change)

The Council welcomes the inclusion of lifecycle greenhouse gas assessment, climate change risk assessment and in-combination climate change impact assessment. The ES should be clear about the carbon assumptions used for solar panels, BESS, substations, cabling, access tracks, replacement equipment, decommissioning and waste. The ES should also address climate resilience in relation to sea level rise, coastal flood risk, fluvial and surface water flooding, groundwater, drought, heat, storm events and wind loading. This should be assessed in the context of the Core Strategy Review's strategic approach to climate change, sustainable development and environmental resilience, including Policy SS3 – Place-Shaping and Sustainable Settlements Strategy and Policy CSD5 – Water and Coastal Environmental Management, and the Places and Policies Local Plan policies on renewable energy, sustainable drainage and coastal management, including Policy CC6 – Solar Farms and Policy CC3 – Sustainable Drainage Systems. The Council expects the climate change assessment to be cross-referenced with the Flood Risk Assessment, drainage strategy, ecology assessment and decommissioning strategy.

Chapter 8 (Cultural Heritage)

The Council welcomes the scoping in of archaeology, built heritage and historic landscape. The site and surrounding area contain a high concentration of heritage assets, including the Scheduled Monument and Grade II listed ruins of Midley Church within the DCO site boundary, Old Romney Conservation Area adjacent to the site, the Grade I listed Church of St Clement at Old Romney, and a wider group of medieval churches, conservation areas, scheduled monuments and non-designated archaeological assets across Romney Marsh. The ES should assess these matters having regard to Policy HE1 – Heritage Assets and Policy HE2 – Archaeology, including the need to conserve and enhance significance, setting and historic landscape character.

Paragraphs 8.2.2 to 8.2.4 – The Council considers that the study area should remain flexible and should not be restricted where wider setting effects may arise in the open, flat and historically sensitive marsh landscape. The ES should consider long-distance intervisibility and historic landscape relationships between medieval churches, settlements, reclaimed marshland, former ports, drainage infrastructure and historic routeways. The Folkestone & Hythe District Heritage Strategy has recently been updated, and the ES should take account of the 2025 Heritage Strategy and accompanying theme papers, particularly theme papers: 1a – Landscape – Romney Marsh; 3b – Seaside Leisure and Tourism, Dymchurch, St Mary's Bay and Romney Sands; 3c – Seaside Leisure and Tourism – The Romney Hythe & Dymchurch Railway; 5c – Defence – Napoleonic; 6 – Church; 7 – Settlement; 8 – Farming and Farmsteads; 11 – Archaeology; and 13 – Conservation Areas. .

The Council would defer to Kent County Council Archaeology and Historic England on detailed archaeological methodology, but considers that geophysical survey, trial trenching and a robust archaeological mitigation strategy are likely to be required. The ES should also assess setting effects using verified visual material, not simply desk-based screening, before any heritage assets are scoped out of the detailed assessment.

Chapter 9 (Ecology and Biodiversity)

The Council notes that the site is in close proximity to internationally and nationally designated sites including Dungeness, Romney Marsh and Rye Bay SPA, Ramsar site and SSSI, Dungeness SAC, Romney Warren LNR and Dungeness NNR. The Council would generally defer to Natural England, Kent County Council Ecology and other relevant nature conservation bodies on detailed ecological matters. The ES should include a robust Habitats Regulations Assessment, informed by up-to-date survey data and appropriate consideration of functionally linked land, wintering and breeding birds, Great Crested Newt, Water Vole, Otter, Badger, bats, reptiles, invertebrates, aquatic ecology, hydrological links and water quality. The assessment should be informed by Core Strategy Review Policy CSD4 – Green Infrastructure of Natural Networks, Open Spaces and Recreation and Policy CSD5 – Water and Coastal Environmental Management, together with Places and Policies Local Plan Policy NE2 – Biodiversity and wider local plan objectives for habitat connectivity and ecological enhancement.

Paragraph 9.3.18 – Reference is made in this paragraph to the *draft* Kent and Medway Local Nature Recovery Strategy (LNRS); it should be noted that the final version was published on 28 November 2025.

Paragraphs 9.5.2 and 9.5.3 – The Council notes that ecological data from Kent and Medway Biological Records Centre was obtained in July 2022. Given the scale of the proposed development and the sensitivity of the area, the Council considers that the desk study should be updated before submission of the DCO application. The ES should also take

account of the Folkestone & Hythe District Green and Blue Infrastructure Strategy, the Kent and Medway Local Nature Recovery Strategy, the Romney Marshes Area Internal Drainage Board Biodiversity Action Plan and relevant local biodiversity priorities.

The Council welcomes the commitment to Biodiversity Net Gain but expects the ES and supporting documents to distinguish clearly between mitigation, compensation and enhancement. Habitat created to mitigate impacts should not be double counted as biodiversity enhancement. Long term management, monitoring and enforcement should be secured through the DCO and associated management plans.

Chapter 10 (Water Environment)

The Council supports the scoping in of water environment matters. The Romney Marsh is a highly managed drainage landscape with a dense network of sewers, drains, ditches, ordinary watercourses and main rivers, many of which are controlled by the Romney Marshes Area Internal Drainage Board and the Environment Agency. The ES should include a detailed hydrological and drainage assessment, Flood Risk Assessment, Water Framework Directive assessment and Surface Water Drainage Strategy. This work should have regard to Core Strategy Review Policy CSD5 – Water and Coastal Environmental Management and Policy CSD4 – Green Infrastructure of Natural Networks, Open Spaces and Recreation, alongside Places and Policies Local Plan Policy CC3 – Sustainable Drainage Systems, relevant coastal management policies, flood risk requirements, water quality considerations and protection of the district's green and blue infrastructure.

Paragraphs 10.5.5 to 10.5.18 – Much of the site is low lying and flat and the Romney Marsh is affected by high groundwater and flood risk. The ES should explain how the drainage regime will be maintained during construction, operation and decommissioning, including any effect on IDB drains, private ditches, culverts, field drains, pumping regimes, ordinary watercourses, main rivers and downstream receptors. The Council considers that the ES should include detailed consultation with the Romney Marshes Area Internal Drainage Board and should identify all watercourse crossings, proposed culverts, bridges, trenchless crossings and any temporary or permanent diversions.

Given the importance of the interconnecting areas to the delivery of the scheme, the ES should clearly identify all proposed cable routes and crossing points and assess the effects of their construction on field drainage systems, IDB watercourses, culverts, groundwater and soil structure, together with details of reinstatement and long-term maintenance arrangements.

The ES should include a sequential assessment for flood risk, taking into account the extensive area of Flood Zone 3, the vulnerability of the proposed infrastructure, the presence of BESS and substations, climate change, sea level rise, emergency access and safe operation over the full design life of the proposed development. The ES should also assess the risk of polluted run-off, including from construction, BESS firefighting water or foam, transformer oils and other contaminants, to sensitive water and ecological receptors.

Chapter 11 (Landscape and Visual Amenity)

The Council considers landscape and visual effects to be one of the key matters for the ES. The Romney Marsh landscape is flat, open and visually extensive, with long views, sparse tree cover, historic settlement patterns, drainage features and a strong agricultural character. The ES should take account of the Council's High Level Landscape Appraisal

(AECOM, 2016), the Folkestone & Hythe District Green and Blue Infrastructure Strategy, the Kent Landscape Character Assessment and any relevant National Landscape setting considerations. The assessment should also be explicitly informed by Core Strategy Review Policy SS1 – District Spatial Strategy, Policy SS3 – Place-Shaping and Sustainable Settlements Strategy, Policy CSD4 – Green Infrastructure of Natural Networks, Open Spaces and Recreation and Policy CSD6 – New Romney Strategy, as well as Places and Policies Local Plan Policy NE3 – Protecting the District's Landscapes and Countryside, including the Romney Marsh Local Landscape Area, together with Policy CC6 – Solar Farms and Policy NE5 – Light Pollution and External Illumination where landscape, visual, lighting and rural amenity effects are concerned.

The Council would welcome further discussion with the applicant on the scope of the LVIA, including the study area, viewpoint locations, photomontages and cumulative visualisations. Given the open character of the marsh, effects may extend well beyond the immediate site boundary. The ES should include viewpoints from settlements, public rights of way, rural roads, the A259, the Romney, Hythe & Dymchurch Railway, local churches and church towers where relevant, Dungeness and elevated or distant viewpoints from surrounding landscapes. (for example, the Old Lighthouse at Dungeness is a popular visitor attraction about 8km to the south east of the proposed development, which provides panoramic views of Dungeness and the Romney Marsh from a platform around 40 metres above ground level).

The Council does not agree that impacts on night sky character can be scoped out at this stage. Given the open nature of the Romney Marsh landscape, the presence of new substations, BESS infrastructure, security lighting and other operational lighting, the ES should assess effects on dark skies and night time landscape character, including cumulative effects with other proposed energy infrastructure in the area.

The ES should assess not only the solar panels but also the much taller and more visually prominent substations, BESS compounds, fencing, CCTV columns, lighting columns, access tracks and construction compounds. The cumulative landscape and visual effects of South Kent Energy Park, South Brooks Solar Farm and Shepway Energy Park should be assessed with visualisations where appropriate.

Paragraph 11.6.15 – The Council is concerned at the consideration of earth bunding to reduce the visibility of the proposed development from the local road network and public rights of way. The proposed development sits within the Romney Marsh Proper Farmlands Landscape Character Area (LCA 21) and Brookland Farmlands Landscape Character Area (LCA 22), identified in the Council's High Level Landscape Appraisal (AECOM, 2016). Both LCA 21 and LCA 22 are assessed as having high landscape sensitivity and are noted for their flat, low-lying wetland landscapes. The use of earth bunding is likely to be detrimental to the character of these areas.

Chapter 12 (Noise and Vibration)

The Council's Environmental Health Officer accepts the proposed noise monitoring locations shown on Figure 12-1, "Noise and Vibration Study Areas and Noise Monitoring Locations", subject to the assessment remaining responsive to any changes in the final site layout, access routes, construction compounds, BESS/substation locations or identified sensitive receptors. The ES should assess noise and vibration from construction, operation and decommissioning, including piling or driven mounting structures, construction traffic,

substations, transformers, inverters, BESS cooling and ventilation equipment, emergency generators, alarms and maintenance activities. The assessment should include residential receptors, settlements, isolated dwellings, farms, public rights of way, heritage receptors where tranquillity contributes to significance, and ecological receptors where noise may disturb sensitive species. Cumulative noise from other NSIP solar schemes and construction traffic should be included, having regard to local plan objectives for protecting residential amenity, tranquillity and environmental quality.

Chapter 13 (Socio-Economics)

The ES should assess effects on local communities, employment, tourism, recreation, agriculture and the visitor economy. Tourism and recreation in Romney Marsh are closely associated with the distinctive landscape, rural character, heritage assets, churches, walking and cycling routes (including inter-linking routes between the King Charles III England Coastal Path to the east and Royal Military Canal Path to the west of the proposed development) the Romney, Hythe & Dymchurch Railway and access to Dungeness and the coast. The assessment should include effects on the enjoyment of public rights of way, rural roads, railway users, visitor attractions and the wider perception of the marsh landscape. This should be considered in light of Core Strategy Review Policy CSD6 – New Romney Strategy, Policy CSD12 – District Tourism Strategy and Policy CSD13 – District Economy Strategy, together with Places and Policies Local Plan Policy HW2 – Health Impact Assessment, Policy HW4 – Promoting Active Travel, Policy NE3 – Protecting the District's Landscapes and Countryside and wider local plan policies supporting recreation, tourism and accessible green and blue infrastructure.

The ES should also assess the agricultural economy, including the direct and cumulative effects of removing high-quality agricultural land from production, effects on farm businesses, agricultural employment, supply chains and land management. This should include cumulative assessment with South Brooks Solar Farm and Shepway Energy Park.

Paragraph 13.2.2. – Further to the comments above, the Council wishes to highlight that tourism is an important contributor to the Romney Marsh economy, and potential impacts on the visitor economy should be fully assessed.

The Council considers that the ES should assess impacts on important receptors outside the proposed 2km radius. The radius shown on Figure 13-1, for example, appears to miss the Romney, Hythe & Dymchurch Railway (RH&DR) stations at Romney Warren and New Romney and the route of the track by a few metres. The RH&DR is a popular tourist attraction which has been operating as a railway since 1927. Potential impacts on the RH&DR assets should also be addressed in the ES's assessment of the area's cultural heritage. The radius also partly misses the Romney Warren Local Nature Reserve to the north east and Littlestone Warren Golf Club to the east.

Paragraph 13.5.27 – As above, the Council considers that the 2km radius for tourism receptors should be extended to account for important receptors outside the boundary. The statement in paragraph 13.5.27 that tourism activities are centred around beaches and water-related sports does not capture the true extent of the visitor economy of the area. A 2024 report by Destination Research, 'Economic Impact of Tourism – Romney Marsh', for example, found that there were 351,000 trips undertaken in the Romney Marsh area, including 260,000 day trips and 91,000 staying trips. There was a total spend of £26 million as a result of tourism, considering multiplier effects. Tourism supported 520 jobs, including jobs directly supported and non-tourism related jobs supported by multiplier spend from

tourism.

There are a variety of visitor attractions in the area in addition to water sports, including cultural and heritage assets around Dungeness, such as the Old Lighthouse and Prospect Cottage, the RH&DR, the Romney Warren Local Nature Reserve, the RSPB Reserve at Dungeness, including the historic Sound Mirrors, and the golf clubs at Littlestone and Littlestone Warren.

Chapter 14 (Agriculture and Soils)

The Council considers that the effect on best and most versatile agricultural land is a key issue for the ES. The report identifies a very large site on Romney Marsh, where much of the district's Grade 1 and Grade 2 agricultural land is located. The ES should provide detailed Agricultural Land Classification survey data, soil resource plans, information on land drainage, soil handling and restoration, and an assessment of the extent of Grade 1, Grade 2 and Grade 3a land affected temporarily and permanently. The assessment should be linked to Core Strategy Review Policy CSD13 – District Economy Strategy, alongside Places and Policies Local Plan Policy CC6 – Solar Farms, Policy NE3 – Protecting the District's Landscapes and Countryside, Policy HW3 – Development that Supports Healthy, Fulfilling and Active Lifestyles, which seeks to limit the loss of the best and most versatile agricultural land and the local plan policy framework for the rural economy.

The ES should assess the cumulative loss of best and most versatile agricultural land arising from South Kent Energy Park, South Brooks Solar Farm and Shepway Energy Park. It should also explain whether the land can realistically return to its previous agricultural quality after operation decommissioning, taking account of compaction, drainage alteration, cable trenches, access tracks, substation hardstanding and BESS compounds.

Chapter 15 (Transport and Access)

The Council would generally defer to Kent County Council as local highway authority on detailed highway matters. However, the Council is concerned about construction traffic effects on the A259, rural lanes, settlements, farms, public rights of way, local residents and tourism routes. The ES should include a robust Transport Assessment and Outline Construction Traffic Management Plan, including HGV routing, abnormal loads, road widening, passing places, temporary traffic management, worker travel, compound locations, construction parking, school travel times, agricultural traffic and seasonal tourism traffic. This should be assessed against relevant local plan transport policies where applicable.

The cumulative construction traffic effects of this scheme with South Brooks Solar Farm, Shepway Energy Park and Marten Farm should be assessed in detail, including the possibility of overlapping construction periods, shared access routes, pressure on rural roads and cumulative disturbance to communities. The ES should also assess effects on public rights of way and non-vehicular users, including severance, delay, amenity, safety and temporary closures or diversions.

Chapter 16 (Materials and Waste)

The ES should assess the quantity, source, transport, reuse, recycling and disposal of construction materials, solar panels, BESS components, cabling, substations, hardstanding, fencing and waste arising during construction, operation, maintenance, replacement and

decommissioning. The decommissioning assessment should be sufficiently detailed to demonstrate how the site would be restored and how panels, batteries and electrical infrastructure would be recycled or disposed of safely.

Chapter 17 (Other Environmental Topics)

Environmental Health – Overall, the Council's Environmental Health Officer considers that the Scoping Report identifies the appropriate Environmental Health topics and proposes a generally robust framework for assessment. Key matters including noise and vibration, construction dust and air quality, glint and glare, ground conditions and contaminated land are appropriately scoped into the EIA and are proposed to be supported by recognised assessment methodologies and management plans. The proposed mitigation framework, including the Outline Construction Environmental Management Plan, Construction Environmental Management Plan and operational management plans, is supported in principle.

However, the following matters should be addressed in detail at Environmental Statement stage: a detailed construction, operational and decommissioning noise assessment, including BESS, substations, transformers, inverters, cooling and ventilation equipment and cumulative impacts; a robust dust and air quality assessment, including construction traffic emissions and appropriate mitigation measures; submission of a contaminated land risk assessment, including consideration of historical land use, groundwater, controlled waters and risks associated with substations, transformers, BESS and decommissioning; and an Outline CEMP, or equivalent construction environmental management framework, setting out the proposed controls for noise, dust, working hours, traffic management, lighting, complaints procedures and monitoring. The final detailed CEMP should be secured through an appropriate DCO requirement once the detailed construction methodology, phasing, contractor arrangements and site-specific controls are confirmed.

Air Quality – The ES should assess construction dust, construction traffic emissions and cumulative effects with other NSIP solar schemes. Dust effects should be considered in relation to residential receptors, ecological receptors, agricultural land, watercourses and public rights of way. The assessment should identify proportionate mitigation measures and monitoring arrangements, including how these would be secured through the CEMP and any other relevant management plans.

Ground Conditions and Contaminated Land – The ES should assess land contamination, unexploded ordnance risk, historical land use, potential impacts on groundwater, soil resources and any contamination risks associated with construction, substations, BESS, transformers and decommissioning. A contaminated land risk assessment should be submitted and should have regard to Policy NE7 – Contaminated Land and the protection of human health, controlled waters, biodiversity and soils.

Glint and Glare – The Council considers that glint and glare should remain scoped into the ES. The assessment should include residential receptors, roads, public rights of way, the Romney, Hythe & Dymchurch Railway, aviation receptors including Lydd Airport, heritage receptors where views contribute to significance, and cumulative effects with other solar schemes. This is directly relevant to Policy CC6 – Solar Farms, Policy NE3 – Protecting the District's Landscapes and Countryside, Policy NE5 – Light Pollution and External Illumination, relevant highway safety policies and the protection of residential amenity and sensitive receptors.

Health and Residential Amenity – The ES should assess potential effects on human health and wellbeing, including construction disturbance, traffic, noise, air quality, visual effects, lighting, public access, safety, emergency response and any risks associated with BESS fire, explosion or toxic emissions. Account should be taken of Policy HW2 – Health Impact Assessment, together with wider local plan objectives for residential amenity, active travel, access to open space and environmental quality, including Policy HW4 – Promoting Active Travel where relevant.

Major Accidents and Disasters / BESS Safety – The Council considers that the risks associated with BESS fire, explosion, thermal runaway, toxic smoke, contaminated firewater run-off, transformer failure, flooding, extreme weather and emergency access should be fully assessed in the ES. The assessment should include measures to minimise impacts on nearby residents, workers, emergency responders, watercourses, ecological receptors and nearby infrastructure. The Council also expects consultation with Kent Fire and Rescue Service, the Environment Agency and relevant emergency planning bodies.

Electromagnetic Fields – The ES should include a proportionate assessment of EMF effects from underground and above-ground electrical infrastructure, particularly where cables or substations may interact with residential receptors, public rights of way, watercourses, ecological receptors or sensitive infrastructure.

Chapter 19 (Summary and Conclusions)

The Council does not object to the general structure of the proposed ES but considers that several matters proposed to be addressed only within “Other Environmental Topics” may require more detailed assessment or standalone reporting if likely significant effects cannot be ruled out. In particular, glint and glare, major accidents and disasters, BESS safety, health, air quality and ground conditions should remain under review as the design develops. The ES should clearly demonstrate how the assessment has taken account of relevant local plan policies as part of identifying receptors, assessing significance, considering cumulative effects and defining mitigation.

For the avoidance of doubt, the Council expects the ES and supporting application documents to include an explicit policy compliance assessment against the adopted Core Strategy Review 2022 and Places and Policies Local Plan 2020. This should not be limited to general references to the development plan, but should clearly identify how the proposed development responds to relevant policies including Policy CC6 – Solar Farms, Policy NE2 – Biodiversity, Policy NE3 – Protecting the District’s Landscapes and Countryside, Policy NE5 – Light Pollution and External Illumination, Policy HE1 – Heritage Assets, Policy HE2 – Archaeology, Policy CC3 – Sustainable Drainage Systems, Policy NE7 – Contaminated Land, Policy HW2 – Health Impact Assessment, Policy HW3 – Development that Supports Healthy, Fulfilling and Active Lifestyles, Policy HW4 – Promoting Active Travel, and relevant transport policies, together with policies relevant to coastal management, tourism, agricultural land and cumulative effects.

Other matters - A number of photographs and illustrations are included within the Scoping Report. The Council notes that these do not necessarily reflect the development as described. For example, the solar arrays shown on the front cover and plates 3-2 and 3-3 appear to be much lower in height than the design parameters in Table 3-1 would suggest (up to 4.5m in height). The Council considers that this could be misleading to interested parties and that any photographs or illustrations used in the Environmental Statement should more accurately reflect the development proposed.

The Council looks forward to continued engagement with the applicant and the Planning Inspectorate as the project progresses.

Yours sincerely,

[Redacted Signature]

Principal Planning Officer

[Redacted Contact Information]

From: FPL - Conx Request [REDACTED]

Sent: 08 June 2026 16:46

To: South Kent Energy Park <SouthKentEnergyPark@planninginspectorate.gov.uk>

Subject: RE: EN0110035 - South Kent Energy Park - EIA Scoping Consultation and Notification

[Learn why this](#)

[is important](#)

Good Afternoon

We can confirm Fulcrum Pipelines Limited do not have any existing pipes or equipment on or around the above site address.

Please note that other gas transporters may have plant in the area which could be affected by your proposed works.

We will always make every effort to help you where we can, but Fulcrum Pipelines Limited will not be held responsible for any incident or accident arising from the use of the information associated with this search. The details provided are given in good faith, but no liability whatsoever can be accepted in respect thereof.

If you need any help or information simply contact Fulcrum on 03330 146 455.

In case of an emergency please phone 0800 111 999.

Kind regards,



[REDACTED]
a Fulcrum, 4 Europa Road, Sheffield Business Park, Sheffield, S9 1 1T, T: 03330 146 455
Fulcrum Court, Sheffield Business Park, Sheffield, S9 1 1T, T: 03330 146 455

Tell us how we're doing:

We'd really appreciate feedback on your experience [REDACTED]
[REDACTED]



CEMHD Policy - Land Use Planning,
NSIP Consultations,
Building 1.2,
Redgrave Court,
Merton Road,
Bootle, Merseyside
L20 7HS.

HSE email: NSIP.applications@hse.gov.uk

Email: SouthKentEnergyPark@planninginspectorate.gov.uk

Dear Ms [REDACTED]

Date: 11 June 2026

**PROPOSED SOUTH KENT ENERGY PARK (the project)
PROPOSAL BY SOUTH KENT ENERGY PARK LIMITED (the applicant)
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as
amended) REGULATIONS 10 and 11**

Thank you for your letter of 8 June 2026 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records the proposed project area for this Nationally Significant Infrastructure Project, shown as the redline "DCO Site Boundary" in Figure 1-1 Rev in 'South Kent Energy Park Scoping Figures – part 1' of the EIA Scoping Report (downloaded from [REDACTED]) is **not** within any consultation zones of major accident hazard sites or major accident hazard pipelines.

HSE's Land Use Planning advice is dependent on the location of areas where people may be present [[HSE: Land use planning - HSE's land use planning methodology](#)]. Based on no HSE consultation zones interacting with the proposed order limits it is unlikely that HSE would advise against the development. Please note that the advice is based on HSE's existing policy for providing land-use planning advice and the information which has been provided. HSE's advice in response to a subsequent planning application may differ should HSE's policy or the scope of the development change by the time the Development Consent Order application is submitted.

Hazardous Substance Consent

Hazard classification is relevant to the potential for accidents. Hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of [REDACTED] as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an "addition rule" in Paragraph 5 Part 4 of Schedule 1 for below-threshold substances.

Table 17-6 of the [REDACTED] covers major accidents and disasters to be considered further. It is stated on p323 that "Liquid hazardous substances are not expected to form part of the operation of the Proposed Development, however there is potential for release of toxic substances entrained within firewater originating from a fire at the BESS". It is recommended to confirm if any hazardous substances present may fall into the categories in [Schedule 1](#) and whether the quantities are sufficient to require consent (including after the use of the "addition

rule” should it be needed). It may be that hazardous substance consent is not required however, if hazardous substances planning consent is required, please consult the relevant Hazardous Substance Authority (usually the Local Planning Authority) on the application. HSE’s role is explained here: [HSE: Land use planning - Hazardous substances consent](#).

Consideration of Risk Assessments

[Regulation 5\(4\)](#) of the [Infrastructure Planning \(Environmental Impact Assessment\) Regulations 2017](#) requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development’s vulnerability to major accidents. HSE’s role in NSIPs is summarised in Advice Note 11 “working with public bodies in the infrastructure planning process” Annex G on the Planning Inspectorate’s website: [Nationally Significant Infrastructure Projects - Advice on working with public bodies in the infrastructure planning process, Annex G: The Health and Safety Executive - GOV.UK](#). This document includes consideration of risk assessments under the heading “Risk assessments”. The development is required to prepare a suitable and sufficient risk assessment for its proposed activities.

Above, there were no identified major accident sites or pipelines, so there is no consideration of risk assessments arising from the development’s vulnerability to major accident sites and pipelines. If it became applicable, we would advise that this is considered further in line with Advice Note 11 Annex G, taking account of the following: *“it may be beneficial for applicants to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet the requirements of relevant health and safety legislation as design of the Proposed Development progresses”*.

There are no requirements for any risk assessments submitted to and approved by the relevant planning authority to also be considered by HSE.

Explosives sites

Explosives Inspectorate has no comment to make as there are no HSE licenced explosives sites in the vicinity of the proposed development.

Electrical Safety

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE’s designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk . We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely



CEMHD4 NSIP Consultation Team

Privacy Notice details

English

Privacy information

HSE staff will process your data as part of our work primarily for the purpose of inspections and investigations, interventions and assessments in support of law enforcement.

Please see <https://www.hse.gov.uk/help/privacy.htm> for more details.

██████████
Planning Inspectorate
Sent via email.

Our ref: PL00802004

Your ref: EN0110035

Date: 6th July 2026

Dear ██████████

re: South Kent Energy Park

Thank you for your correspondence of 8th June 2026 consulting us about the above EIA Scoping Report.

This development could, potentially, have an impact upon a number of designated heritage assets through development within their settings in the area around the site.

We are pleased to see potential effects on archaeology, built heritage and historic landscapes during all phases of the scheme (construction, operation and, decommissioning) are proposed to be scoped into the Environment Statement (ES). We very much support this approach.

Assessment of potential impacts

The project is situated within the Romney Marshes, which is a flat and open landscape comprised of several marshes (including the Walland Marsh, Guldeford Marsh and Denge Marsh), which are collectively referred to as the Romney Marsh.

As land was reclaimed across the medieval period, the marsh developed a highly distinctive character with wide expansive views and extensive drains (known as sewers). Within this was a network of small hamlets with fine medieval churches and larger settlements, such as New Romney, once a port, but now inland which is also served by an impressive Norman church.

Many of the marshes medieval churches survive in use and are much celebrated as a group. Most remain associated with small hamlets and are visible from surrounding countryside because of the landscape's open character. Each of the churches is individually of great significance, often largely untouched since the 18th century and highly atmospheric. Taken as a group, they also represent a tangible and important link to the past, serving as the focal point for communities across the landscape historically. Their landscape setting individually and collectively contributes to their significance for this reason.

The ever-present water and its influence on the area's development and at times prosperity, can also be read through features such as the Rhee Wall, an extraordinary feat of medieval

engineering built to manage water flow and silt around the port of New Romney. It survives as an earthwork in the landscape and contributes to our understanding of a landscape shaped by water management.

The Romney Marsh has extensive views across the low-lying landscape, and from the Kent Downs National Landscape and the escarpment on the northern edge of the marsh towards the coast.

This landscape character does contribute to the historic significance of heritage assets, and in some instances has led to development which specifically utilises the capacity for long-views; for example, in the design of military infrastructure and the interrelationship between churches.

An example of this, is the distinctive morphology of historic settlements and particularly the notable placement of churches within each on the top of the escarpment to the north of the marshes. For example, churches in Lympne and Ruckinge are located on the southern edge of the escarpment and settlement, meaning that the churches are visible from within the marshes as focal points in the landscape and a marker for a historic settlement. There are also often expansive views from the churchyards back across the marsh.

These long views and open landscapes are often key to our understanding and appreciation of how these heritage assets functioned, and thus the setting of many designated heritage assets within the Romney Marshes can extend for substantial distances.

In some cases, the landscape enhances the aesthetic value of heritage assets as they are appreciated and experienced within a highly distinctive landscape setting which is largely flat and speaks to the landscape's origins as marshland that was gradually reclaimed, except where there is evidence of historic settlement located on slightly raised land.

The proposed DCO boundary contains one designated heritage asset¹, which is dual designated as the Scheduled Monument 'Abandoned Medieval Church and Graveyard, Midley' (NHLE: 1012338) and the Grade II Ruins of Midley Church (NHLE: 1231503).

The Scoping Report (SR) has also identified numerous designated heritage assets within the identified 3km and 5km Study Areas of the site including, Conservation Areas, Listed Buildings (Grades I, II*, II), and Scheduled Monuments.

As well as the scheduled monuments within the study, we also draw your attention to the Old Romney Conservation Area, which lies in the ancient parish of Old Romney. Once the port of Old Romney, the conservation area is dominated by the highly significant Church of St Clements forms the focus of a now modest rural settlement. Its location on slightly raised land

¹ A Designated Heritage Asset is defined in the National Planning Policy Framework as 'A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation'.

and the views of the church and wider buildings within the conservation area help explain its origins as a rural hamlet.

Size of the study area

Given the landscape context of Romney Marsh, we are pleased to see the flexible approach outlined in 8.2.3 of the Scoping Report regarding the definition and extent of the Study Area. Specifically, that a Zone of Theoretical Visibility (ZTV) will be used to identify and assess potential impacts to those assets within the wider landscape (rather than using an arbitrary 5km boundary).

Comments on the Scoping Report

We acknowledge that within 8.2.3 of the Scoping Report it confirms that the assessment of potential assets to be included will be guided by the ZTV. To support statements made within the forthcoming Preliminary Environmental Impact Report (PIER) and subsequent ES we would encourage that viewpoints from heritage receptors considered susceptible to effects are included.

Where heritage receptors are identified and subsequently included as viewpoints this should be made explicit both within Chapter 8: *Cultural Heritage* and within Table 11-1 of Chapter 11: *Landscape and Visual Amenity*. We also advise that it may be necessary to provide images looking in multiple directions from a single identified viewpoint to adequately represent the potential effects to heritage significance and setting.

We welcome the inclusion of undesignated heritage receptors and the commitments to proportionate mitigation measures to be set out in the DCO application. We are also pleased to see that a hydromorphological survey will be undertaken, and we take this opportunity to highlight the importance of understanding baseline and proposed conditions of archaeological preservation.

Romney Marsh contains waterlogged deposits conducive to the preservation of both palaeoenvironmental and archaeological remains, such as the rare Elizabethan wreck retrieved from Dungeness quarry in 2022, 300m from the coast. Changes to groundwater levels could impact the preservation of such sites. We would recommend collaboration and communication between the different specialists to ensure that opportunities for positive effects or strategies are maximised.

We would also draw your attention to Historic England's updated guidance titled *Delivering Clean Power: Commercial Renewable Energy Development and the Historic Environment* which was published at the end of June 2026. The applicant may wish to update the bullet within 8.3.6 (in any forthcoming report) which points to the now superseded guidance.

We hope that the above comments are helpful in relation to the scoping of the content of the Environmental Statement and the reporting of significant effects.

Additional advice

We would remind the applicant that the NPPF (para.207) and National Policy Statement 1 (for energy) para 5.9.9, 5.9.10 and 5.9.27 also requires that all heritage impacts need to be considered and that an assessment of non-significant effects should be supplied separately to, or as technical appendix to the ES.

There are potential for cumulative impacts from this scheme and others in the immediate area. We advise that the applicants consider creating a joint statement to assist the Examining Authority and other relevant consultees to address the scale and interrelations of each of the schemes.

We also consider that there is potential for flexibility within the detailed design process to reduce the potential harm to designated heritage assets. We would encourage the applicant to continue to engage with Historic England so that we can support the development of these proposals in the least harmful manner.

Finally, we would also strongly recommend that you seek the views of the Local Authority Conservation Officer and Archaeological Officers at Kent County Council on the submitted report.

If you have any queries about any of the above, or would like to discuss anything further, please contact me.

Yours Sincerely

[Redacted signature]

[Redacted name]

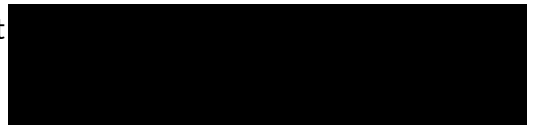
Assistant Inspector of Ancient Monuments

[Redacted address line]



Development Management
Planning Department
Place
Civic Offices, 2 Watling Street,
Bexleyheath, Kent, DA6 7AT
Telephone 020 8303 7777

The person dealing with



Our Application Reference Number: 26/01136/ALA
Your Application Number: N/A

Date: 29/06/2026

BY EMAIL

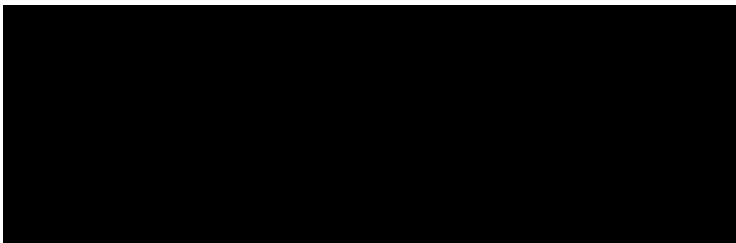
To whom it may concern,

Re: Land Parcels North and South of Old Romney

Neighbouring Borough Consultation for: Request by the Planning Inspectorate for an EIA Scoping Opinion in relation to an application by South Kent Energy Park Limited for an Order granting Development Consent for the South Kent Energy Park.

I write to you following receipt of your letter dated 08/06/2026 which invites the London Borough of Bexley to comment on the above application.

Having reviewed the documentation submitted the Council has no comment to make on this proposal.



Acting Director of Place, Strategic Planning and Housing



Housing, Planning & Regeneration
Bromley Civic Centre, Churchill Court,
2 Westmoreland Road, Bromley, BR1 1AS

Direct Line: 020 8313 4747

Email: [REDACTED]

Our ref: 26/02394/OTH

Your ref: EN0110035

[REDACTED]
Environmental Advisor
on behalf of the Secretary of State

BY EMAIL

26th June 2026

Proposal: Consultation under Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11, relating to a Scoping Opinion in relation to the application by South Kent Energy Park Limited (the applicant) for an Order granting Development Consent for the South Kent Energy Park (the proposed development).

Dear Ms Glassop,

I am writing in response to your scoping consultation letter dated 8th June 2026.

The Planning Inspectorate (on behalf of the Secretary of State) will adopt a Scoping Opinion.

I can confirm that the London Borough of Bromley does not wish to make any comments on the scope and level of detail, of the information to be included within the Environmental Statement relating to the proposed development.

Yours sincerely,

[REDACTED]
Principal Planner
Development Management – Major Developments
Housing, Planning and Regeneration Services
Bromley Civic Centre
Churchill Court, 2 Westmoreland Road
Bromley, BR1 1AS
020 8313 4747
[REDACTED]

From: [REDACTED] - Assistant Town Clerk - Lydd Town Council

<assistanttownclerk@lyddtowncouncil.gov.uk>

Sent: 01 July 2026 17:08

To: South Kent Energy Park <SouthKentEnergyPark@planninginspectorate.gov.uk>

Subject: FW: Lydd Planning and Environment Committee 22nd June 2026

You don't often get email from assistanttownclerk@lyddtowncouncil.gov.uk. [Learn why this is important](#)

Good afternoon

Please find below the comments from the Planning Environment Committee held on the 22nd June 2026.

Planning Clerk to list observations to be presented to the Planning Inspectorate.

Traffic Logistics

- . Wear and tear on the roads due to the size of the vehicles.
- . Possible damage to housing foundations due to the size, length and weight of the vehicles.
- . Road closures which will impact residents especially if emergency services are required.

It could take 7 minutes longer to go through New Romney.

- . When will the roads be cleaned and will the roads be closed at this point.

Environment

- . Rural Marsh lifestyle will be impacted.
- . Flora and Fauna unique to the Marsh. Bees, rare insects, newts, bats and birds.
All wildlife unique to the area.
- . Impact on Grade 1 agricultural land.

Flood Risk

- . The proposal of the panels being built on concrete will impact the natural drainage from the land into the dykes. All the dykes are linked by gates, and the last line of defence is the Military Canal.
- . Water gates will need to be opened to disperse the water.

At present the Environment Agency dredge the dykes in co-operation with the farmers, will this still happen. The dredged matter is used to enrich the soil for farming.

- . The dykes keep the marsh dry so the concrete legs/footings will impact drainage.
- . What precautions against flooding on the Marsh will be taken as it is vulnerable area as five years ago the area came very close to flooding.
- . When the water table drops then salt water can ingress.
- . Where will the water come from for the welfare showers and toilets.

Light Pollution

- . Security lights for maintenance could impact surrounding houses and wildlife.
- . Administration welfare sites will need lights for night working and security staff which will impact the surrounding area.

Noise Pollution

- . Humming from the storage batteries upset the ecological balance of bees, insects and migrating birds. The Marsh has a huge bird population and the glint from solar panels also confuse the birds.
- . Heavey vehicle noise and construction noise will impact residents and wildlife.

Land Mines/Unexploded Ordinance

- . The Marsh housed 4 RAF sites.

RAF Brenzett – Spitfire airfield

RAF New Church

RAF Midley

RAF St Mary in the Marsh (De-commissioned and returned to agriculture land)

Historical sites.

In the past unexploded ordinance has been found. What plans are in place to make sure surveys of the land are in place for resident safety.

Observations listed above by the Planning Clerk to be added to the Planning Inspectorate website.

Resolved to add observations to Planning Inspectorate website.

Proposed by Cllr B. Jones and seconded by Cllr K. Rye.

For: 6

Unanimous (Cllr T. Hills had left the meeting at 18.30)



Office Assistant

Lydd Town Council

Guild Hall

13 High Street

Lydd

Romney Marsh

TN29 9AF



assistanttownclerk@lyddtowncouncil.gov.uk

Please note my normal working days are Monday, Wednesday and Thursday

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Maritime &
Coastguard
Agency

Maritime and Coastguard Agency

Bay 2/24
Spring Place
105 Commercial Road
Southampton
SO15 1EG

www.gov.uk/mca

23rd June 2026

Via email: SouthKentEnergyPark@planninginspectorate.gov.uk

Dear Planning Inspectorate,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11

Proposed application by South Kent Energy Park Limited (the applicant) for an Order granting Development Consent for the South Kent Energy Park (the proposed development)

Thank you for your email dated 8th June 2026, inviting comments on the proposed development's Scoping Opinion for the South Kent Energy Farm around Old Romney and Romney Marsh.

The Maritime and Coastguard Agency (MCA) has an interest in the works associated with the marine environment and the potential impact on the safety of navigation, access to ports, harbours, and marinas, and any impact on our search and rescue obligations.

The Scoping Report has been considered by representatives of Marine Safety and PNT Services at the MCA. As there are no works interfering with navigable watercourses, we have no further comments to make on the progress of this development at this time.

The MCA is therefore satisfied with the scoping report as the basis for an Environmental Impact Assessment and an Environmental Statement from the shipping and navigation perspective, based on the understanding that there are no works or activities which impact other marine users.

I hope you find this information useful at this stage.

Yours faithfully,

Marine Licensing and Offshore Consenting Lead
Marine Safety and PNT Services



Ministry of Defence
Safeguarding Department
DIO Head Office
St George's House
Whittington
Lichfield
Staffordshire
WS14 9PY

Your Ref: EN0110035

DIO Ref: 10070924

Mobile: [REDACTED]
E-mail: DIO-Safeguarding-
Statutory@mod.gov.uk

Deb Glassop
The Planning Inspectorate
By Email Only

10th June 2026

Dear [REDACTED]

Proposal: The construction, operation (and maintenance) and decommissioning of solar photovoltaic (PV) generating panels, interconnecting cables, associated Battery Energy Storage System and access on land south of Old Romney

Location: Land South of Old Romney

Thank you for consulting the Ministry of Defence (MOD) on the above Environmental Impact Assessment (EIA) Scoping consultation which was received by this office on the 08th June 2026

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

I can confirm that, following review of the application documents, the proposed development falls outside of MOD safeguarded areas and does not affect other defence interests. The MOD, therefore, has no objection to the development proposed.

The MOD must emphasise that this email is provided specifically in response to the application documents and supporting information provided on the Planning Inspectorates website as of the date of this email.

Amendments to any element of the proposed development (including the location, dimensions, form, and/or finishing materials of any structure) may significantly alter how the development relates to MOD safeguarding requirements and may result in detrimental impact(s) on the operation or capability of defence sites or assets.

In the event that any revised plans, amended plans, additional information or further application(s) are submitted for approval, the MOD, as a statutory consultee, should be consulted and provided with adequate time to carry out assessments and provide a formal response whether the proposed amendments are considered material or not by the determining authority.

Yours sincerely

DIO Safeguarding Team

From: box.assetprotection <box.assetprotection@nationalgas.com>

Sent: 12 June 2026 14:50

To: South Kent Energy Park <SouthKentEnergyPark@planninginspectorate.gov.uk>

Subject: RE: EN0110035 - South Kent Energy Park - EIA Scoping Consultation and Notification

Hi,

Thank you for your email.

Regarding planning application at site location EN0110035 there are no National Gas assets affected in this area.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with [REDACTED] Additionally, if the location or works type changes, please raise an enquiry.

Kind regards

[REDACTED]

Asset Protection Assistant

Asset Protection

08009707000

[REDACTED]



National Gas Transmission, Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA

nationalgas.com | [Twitter](#) | [LinkedIn](#)

Please consider the environment before printing this email.

National Gas | Business Use

Technical Guidance Note 287

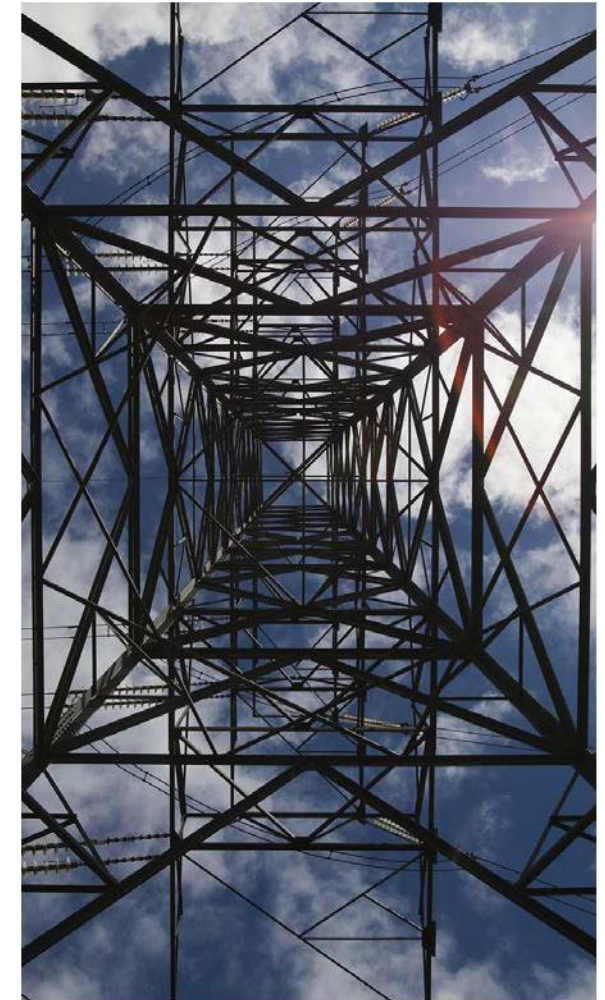
Third-party guidance for working near National Grid Electricity Transmission equipment

nationalgrid





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Disclaimer

National Grid Gas Transmission and National Grid Electricity Transmission or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law, nor does it supersede the express terms of any related agreements.



Purpose and scope

The purpose of this document is to give guidance and information to third parties who are proposing, scheduling or designing developments close to National Grid Electricity Transmission assets.

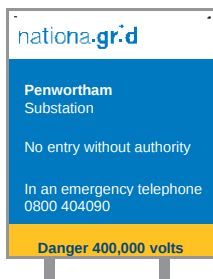
The scope of the report covers information on basic safety and the location of our assets – and also highlights key issues around particular types of development and risk areas.

In the case of electrical assets, National Grid does not authorise or agree safe systems of work with developers and contractors. However, we will advise on issues such as electrical safety clearances and the location of towers and cables. We also work with developers to minimise the impact of any National Grid assets that are nearby.

How to identify specific National Grid sites

Substations

The name of the Substation and emergency contact number will be on the site sign.



Overhead Lines

The reference number of the tower and the emergency contact number will be on this type of sign.



Contact National Grid

Plant protection

For routine enquiries regarding planned or scheduled works, contact the Asset Protection team online, by email or phone.

www.lsbud.co.uk

Email: assetprotection@nationalgrid.com

Phone: 0800 001 4282

Emergencies

In the event of occurrences such as a cable strike, coming into contact with an overhead line conductor or identifying any hazards or problems with National Grid's equipment, phone our emergency number 0800 404 090 (option 1).

If you have apparatus within 30m of a National Grid asset, please ensure that the emergency number is included in your site's emergency procedures.

Consider safety

Consider the hazards identified in this document when working near electrical equipment



Part 1

Electricity transmission infrastructure

National Grid owns and maintains the high-voltage electricity transmission network in England and Wales (Scotland has its own networks). It's responsible for balancing supply with demand on a minute-by-minute basis across the network.

Overhead lines

Overhead lines consist of two main parts – pylons (also called towers) and conductors (or wires). Pylons are typically steel lattice structures mounted on concrete foundations. A pylon's design can vary due to factors such as voltage, conductor type and the strength of structure required.

Conductors, which are the 'live' part of the overhead line, hang from pylons on insulators. Conductors come in several different designs depending on the amount of power that is transmitted on the circuit.

In addition to the two main components, some Overhead Line Routes carry a Fibre Optic cable between the towers with an final underground connection to the Substations.

In most cases, National Grid's overhead lines operate at 275kV or 400kV.

Underground cables

Underground cables are a growing feature of National Grid's network. They consist of a conducting core surrounded by layers of insulation and armour. Cables can be laid in the road, across open land or in tunnels. They operate at a range of voltages, up to 400kV.

Substations

Substations are found at points on the network where circuits come together or where a rise or fall in voltage is required. Transmission substations tend to be large facilities containing equipment such as power transformers, circuit breakers, reactors and capacitors. In addition Diesel generators and compressed air systems can be located there.

Part 2

Statutory requirements for working near high-voltage electricity

The legal framework that regulates electrical safety in the UK is *The Electricity Safety, Quality and Continuity Regulations (ESQCR) 2002*. This also details the minimum electrical safety clearances, which are used as a basis for the Energy Networks Association (ENA) TS 43-8. These standards have been agreed by CENELEC (European Committee for Electrotechnical Standardisation) and also form part of the *British Standard BS EN 50341-1:2012 Overhead Electrical Lines exceeding AC 1kV*. All electricity companies are bound by these rules, standards and technical specifications. They are required to uphold them by their operator's licence.

Electrical safety clearances

It is essential that a safe distance is kept between the exposed conductors and people and objects when working near National Grid's electrical assets. A person does not have to touch an exposed conductor to get a life-threatening

electric shock. At the voltages National Grid operates at, it is possible for electricity to jump up to several metres from an exposed conductor and kill or cause serious injury to anyone who is nearby. For this reason, there are several legal requirements and safety standards that must be met.

Any breach of legal safety clearances will be enforced in the courts. This can and has resulted in the removal of an infringement, which is normally at the cost of the developer or whoever caused it to be there. Breaching safety clearances, even temporarily, risks a serious incident that could cause serious injury or death.

National Grid will, on request, advise planning authorities, developers or third parties on any safety clearances and associated issues. We can supply detailed drawings of all our overhead line assets marked up with relevant safe areas.



« [Section continued from previous page](#)

Your Responsibilities - Overhead lines

Work which takes place near overhead power lines carries a significant risk of coming into proximity with the wires. If any person, object or material gets too close to the wires, electricity could 'flashover' and be conducted to earth, causing death or serious injury. You do not need to touch the wires for this to happen. The law requires that work is carried out in close proximity to live overhead power lines only when there is no alternative, and only when the risks are acceptable and can be properly controlled. Statutory clearances exist which must be maintained, as prescribed by the Electricity Safety, Quality and Continuity Regulations 2002.

Under the Health and Safety at Work etc. Act 1974 and Management of Health and Safety at Work Regulations 1999, you are responsible for preparing a suitable and sufficient risk assessment and safe systems of work, to ensure that risks are managed properly and the safety of your workforce and others is maintained. Your risk assessment must consider and manage all of the significant risks and put in place suitable precautions/controls in order to manage the work safely. You are also responsible for ensuring that the precautions identified are properly implemented and stay in place throughout the work.

Work near overhead power lines must always be conducted in accordance with GS6, 'avoiding danger from overhead power lines', and any legislation which is relevant to the work you are completing.

.

What National Grid will provide

National Grid can supply profile drawings in PDF and CAD format showing tower locations and relevant clearances to assist you in the risk assessment process.

What National Grid will not provide

National Grid will not approve safe systems of work or approve design proposals

Part 3

What National Grid will do for you and your development

Provision of information

National Grid should be notified during the planning stage of any works or developments taking place near our electrical assets, ideally a minimum notification period of 8 weeks to allow National Grid to provide the following services:

Drawings

National Grid will provide relevant drawings of overhead lines or underground cables to make sure the presence and location of our services are known. Once a third party or developer has contacted us, we will supply the drawings for free.

400kV

The maximum nominal voltage of the underground cables in National Grid's network

Risk or impact identification

National Grid can help identify any hazards or risks that the presence of our assets might bring to any works or developments. This includes both the risk to safety from high-voltage electricity and longer-term issues, such as induced currents, noise and maintenance access that may affect the outcome of the development. National Grid will not authorise specific working procedures, but we can provide advice on best practice.





Risks or hazards to be aware of

This section includes a brief description of some of the hazards and issues that a third party or developer might face when working or developing close to our electrical infrastructure.

Land and access

National Grid has land rights in place with landowners and occupiers, which cover our existing overhead lines and underground cable network. These agreements, together with legislation set out under the *Electricity Act 1989*, allow us to access our assets to maintain, repair and renew them. The agreements also lay down restrictions and covenants to protect the integrity of our assets and meet safety regulations. Anyone proposing a development close to our assets should carefully examine these agreements.

Our agreements often affect land both inside and outside the immediate vicinity of an asset. Rights will include the provision of access, along with restrictions that ban the development of land through building, changing levels, planting and other operations. Anyone looking to develop close to our assets must consult with National Grid first.

For further information, contact Asset Protection:

Email: assetprotection@nationalgrid.com
Phone: 0800 001 4282

Electrical clearance from overhead lines

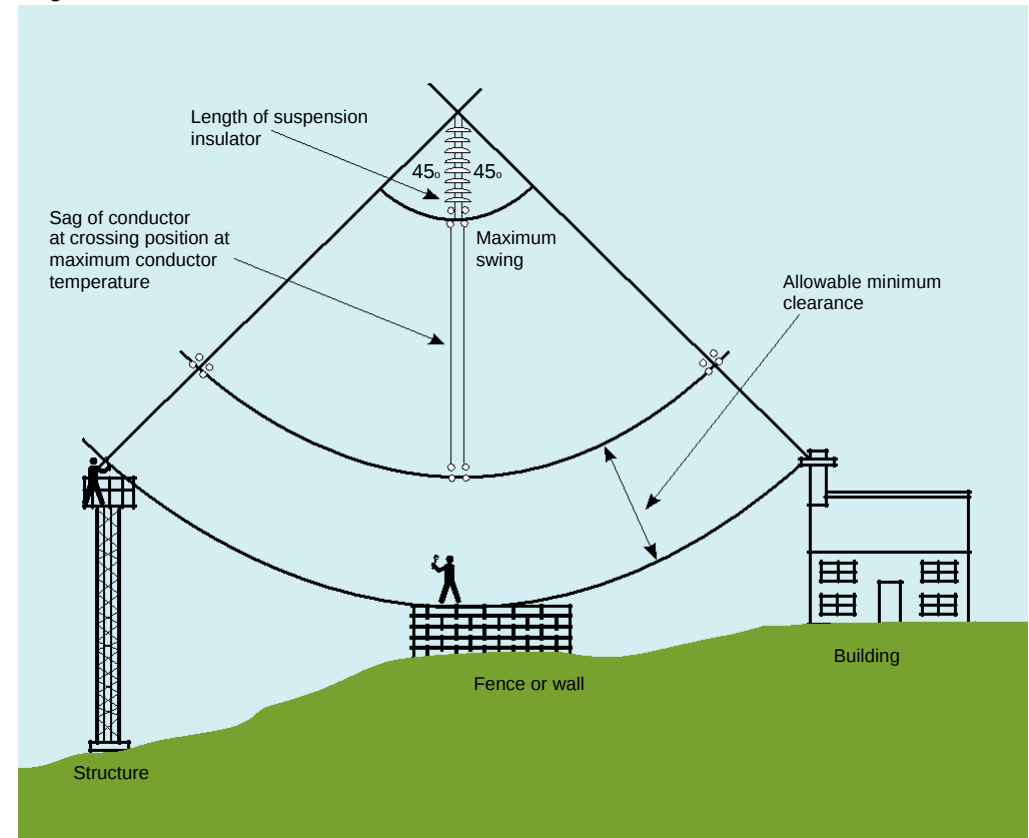
The clearance distances referred to in this section are specific to 400kV overhead lines. National Grid can advise on the distances required around different voltages i.e. 132kV and 275kV.

As we explained earlier, *Electrical Networks Association TS 43-8* details the legal clearances to our overhead lines. The minimum clearance between the conductors of an overhead line and the ground is 7.3m at maximum sag. The sag is the vertical distance between the wire's highest and lowest point. Certain conditions, such as power flow, wind speed and air temperature can cause conductors to move and allowances should be made for this.

The required clearance from the point where a person can stand to the conductors is 5.3m. To be clear, this means there should be at least 5.3m from where someone could stand on any structure (i.e. mobile and construction equipment) to the conductors. Available clearances will be assessed by National Grid on an individual basis.

National Grid expects third parties to implement a safe system of work whenever they are near Overhead Lines.

Diagram not to scale



There should be at least 5.3m between the conductors and any structure someone could stand on

We recommend that guidance such as *HSE Guidance Note GS6 (Avoiding Danger from Overhead Power Lines)* is followed, which provides advice on how to avoid danger from all overhead lines, at all voltages. If you are carrying out work near overhead lines you must contact National Grid, who will provide the relevant profile drawings.

7.3m

The required minimum clearance between the conductors of an overhead line, at maximum sag, and the ground

Section continues on next page »



The undergrounding of electricity cables at Ross-on-Wye

« Section continued from previous page

Underground cables Underground cables operating at up to 400kV are a significant part of the National Grid Electricity Transmission network. When your works will involve any ground disturbance it is expected that a safe system of work is put in place and that you follow guidance such as *HSG 47 (Avoiding Danger from Underground Services)*.

You must contact National Grid to find out if there are any underground cables near your proposed works. If there are, we will provide cable profiles and location drawings and, if required, on-site supervision of the works. Cables can be laid under roads or across industrial or agricultural land. They can even be laid in canal towpaths and other areas that you would not expect.

Cables crossing any National Grid high-voltage (HV) cables directly buried in the ground are required to maintain a minimum separation that will be determined by National Grid on a case-by-case basis. National Grid will need to do a rating study on the existing cable to work out if there are any adverse effects on either cable rating. We will only allow a cable to cross such an area once we know the results of the re-rating. As a result, the clearance distance may need to be increased or alternative methods of crossing found.

For other cables and services crossing the path of our HV cables, National Grid will need confirmation that published standards and clearances are met.

Impressed voltage

Any conducting materials installed near high-voltage equipment could be raised to an elevated voltage compared to the local earth, even when there is no direct contact with the high-voltage equipment. These impressed voltages are caused by inductive or capacitive coupling between the high-voltage equipment and nearby conducting materials and can occur at distances of several metres away from the

equipment. Impressed voltages may damage your equipment and could potentially injure people and animals, depending on their severity. Third parties should take impressed voltages into account during the early stages and initial design of any development, ensuring that all structures and equipment are adequately earthed at all times.

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next page »



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Earth potential rise

Under certain system fault conditions – and during lightning storms – a rise in the earth potential from the base of an overhead line tower or substation is possible. This is a rare phenomenon that occurs when large amounts of electricity enter the earth. This can pose a serious hazard to people or equipment that are close by.

We advise that developments and works are not carried out close to our tower bases, particularly during lightning storms.

Noise

Noise is a by-product of National Grid's operations and is carefully assessed during the planning and construction of any of our equipment. Developers should consider the noise emitted from National Grid's sites or overhead lines when planning any developments, particularly housing. Low-frequency hum from substations can, in some circumstances, be heard up to 1km or more from the site, so it is essential that developers find adequate solutions for this in their design. Further information about likely noise levels can be provided by National Grid.

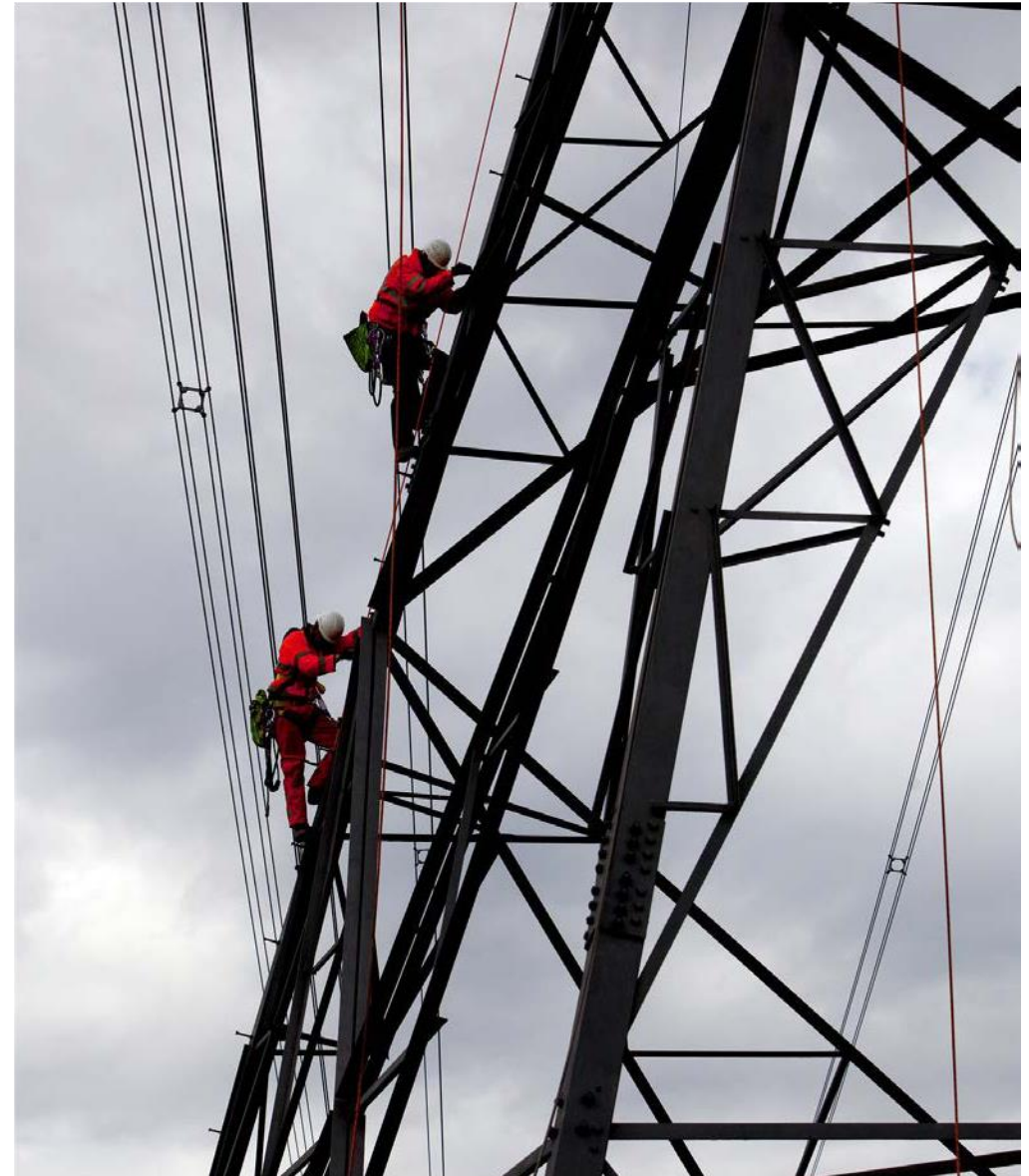
Maintenance access

National Grid needs to have safe access for vehicles around its assets and work that restricts this will not be allowed. In terms of our overhead lines, we wouldn't want to see any excavations made, or permanent structures built, that might affect the foundations of our towers. The size of the foundations around a tower base depends on the type of tower that is built there. If you wish to carry out works within 30m of the tower base, contact National Grid for more information. Our business has to maintain access routes to tower bases with land owners. For that reason, a route wide enough for an HGV must be permanently available. We may need to access our sites, towers, conductors and underground cables at short notice.

30m

If you wish to carry out work within this distance of the tower base, you must contact National Grid for more information

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previous page

Fires and firefighting

National Grid does not recommend that any type of flammable material is stored under overhead lines. Developers should be aware that in certain cases the local fire authority will not use water hoses to put out a fire if there are live, high-voltage conductors within 30m of the seat of the fire (*as outlined in ENA TS 43-8*).

In these situations, National Grid would have to be notified and reconfigure the system – to allow staff to switch out the overhead line – before any firefighting could take place. This could take several hours.

We recommend that any site which has a specific hazard relating to fire or flammable material should include National Grid's emergency contact details (found at the beginning and end of this document) in its fire plan information, so any incidents can be reported.

Developers should also make sure their insurance cover takes into account the challenge of putting out fires near our overhead lines.

Excavations, piling or tunnelling

You must inform National Grid of any works that have the potential to disturb the foundations of our substations or overhead line towers. This will have to be assessed by National Grid engineers before any work begins.

BS ISO 4866:2010 states that a minimum distance of 200m should be maintained when carrying out quarry blasting near our assets. However, this can be reduced with specific site surveys and changes to the maximum instantaneous charge (the amount of explosive detonated at a particular time).

All activities should observe guidance layed out in *BS 5228-2:2009*.

Microshocks

High-voltage overhead power lines produce an electric field. Any person or object inside this field that isn't earthed picks up an electrical charge. When two conducting objects – one that is grounded and one that isn't – touch, the charge can equalise and cause a small shock, known as a microshock. While they are not harmful, they can be disturbing for the person or animal that suffers the shock.

For these reasons, metal-framed and metal-clad buildings which are close to existing overhead lines should be earthed to minimise the risk of microshocks. Anything that isn't earthed, is conductive and sits close to the lines is likely to pick up a charge. Items such as deer fences, metal palisade fencing, chain-link fences and metal gates underneath overhead lines all need to be earthed.

For further information on microshocks please visit www.emfs.info.



200m

*The minimum distance that
should be maintained from
National Grid assets when
quarry blasting*

Specific development guidance

Wind farms

National Grid's policy towards wind farm development is closely connected to the *Electricity Networks Association Engineering Recommendation L44 Separation between Wind Turbines and Overhead Lines, Principles of Good Practice*. The advice is based on national guidelines and global research. It may be adjusted to suit specific local applications.

There are two main criteria in the document:

- (i) The turbine shall be far enough away to avoid the possibility of toppling onto the overhead line
- (ii) The turbine shall be far enough away to avoid damage to the overhead line from downward wake effects, also known as turbulence

The toppling distance is the minimum horizontal distance between the worst-case pivot point of the wind turbine and the conductors hanging in still air. It is the greater of:

- the tip height of the turbine plus 10%
- or, the tip height of the turbine plus the electrical safety distance that applies to the voltage of the overhead line.

To minimise the downward wake effect on an overhead line, the wind turbine should be three times the rotor distance away from the centre of the overhead line.

Wake effects can prematurely age conductors and fittings, significantly reducing the life of the asset. For that reason, careful consideration should be taken if a wind turbine needs to be sited within the above limits. Agreement from National Grid will be required.

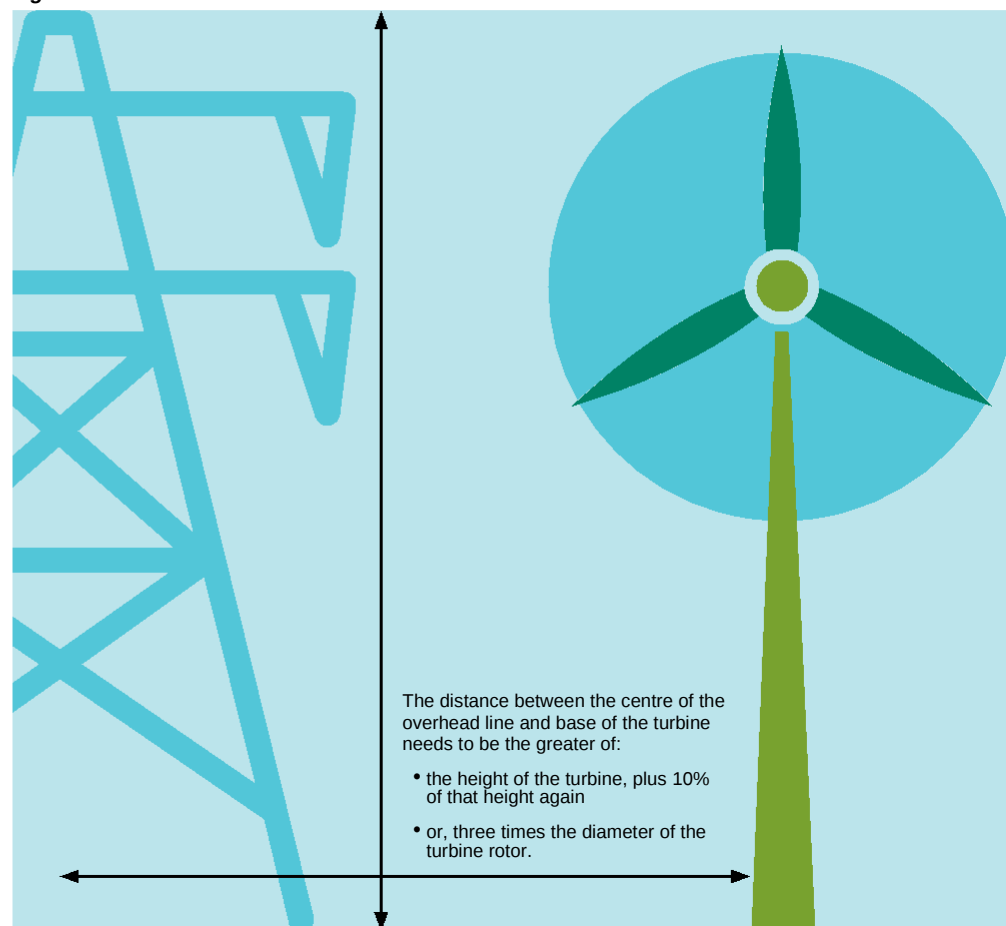
Commercial and housing developments

National Grid has developed a document called *Design guidelines for development near pylons and HVO power lines*, which gives advice to anyone involved in planning or designing large-scale developments that are crossed by, or close to, overhead lines.

The document focuses on existing 275kV and 400kV overhead lines on steel lattice towers, but can equally apply to 132kV and below. The document explains how to design large-scale developments close to high-voltage lines, while respecting clearances and the development's visual and environmental impact.

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Diagram not to scale



Turbines should be far enough away to avoid the possibility of toppling onto the overhead line



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The advice is intended for developers, designers, landowners, local authorities and communities, but is not limited to those organisations.

Overall, developers should be aware of all the hazards and issues relating to the electrical equipment that we have discussed when designing new housing.

As we explored earlier, National Grid's assets have the potential to create noise. This can be low frequency and tonal, which makes it quite noticeable. It is the responsibility of developers to take this into account during the design stage and find an appropriate solution.

Solar farms

While there is limited research and recommendations available, there are several key factors to consider when designing Solar Farms in the vicinity of Overhead Power Lines.

Developers may be looking to build on arable land close to National Grid's assets. In keeping with the safety clearance limits that we outlined earlier for solar panels directly underneath overhead line conductors, the highest point on the solar panels must be no more than 5.3m from the lowest conductors.

This means that the maximum height of any structure will need to be determined to make sure safety clearance limits aren't breached. This could be as low as 2m. National Grid will supply profile drawings to aid the planning of solar farms and determine the maximum height of panels and equipment.

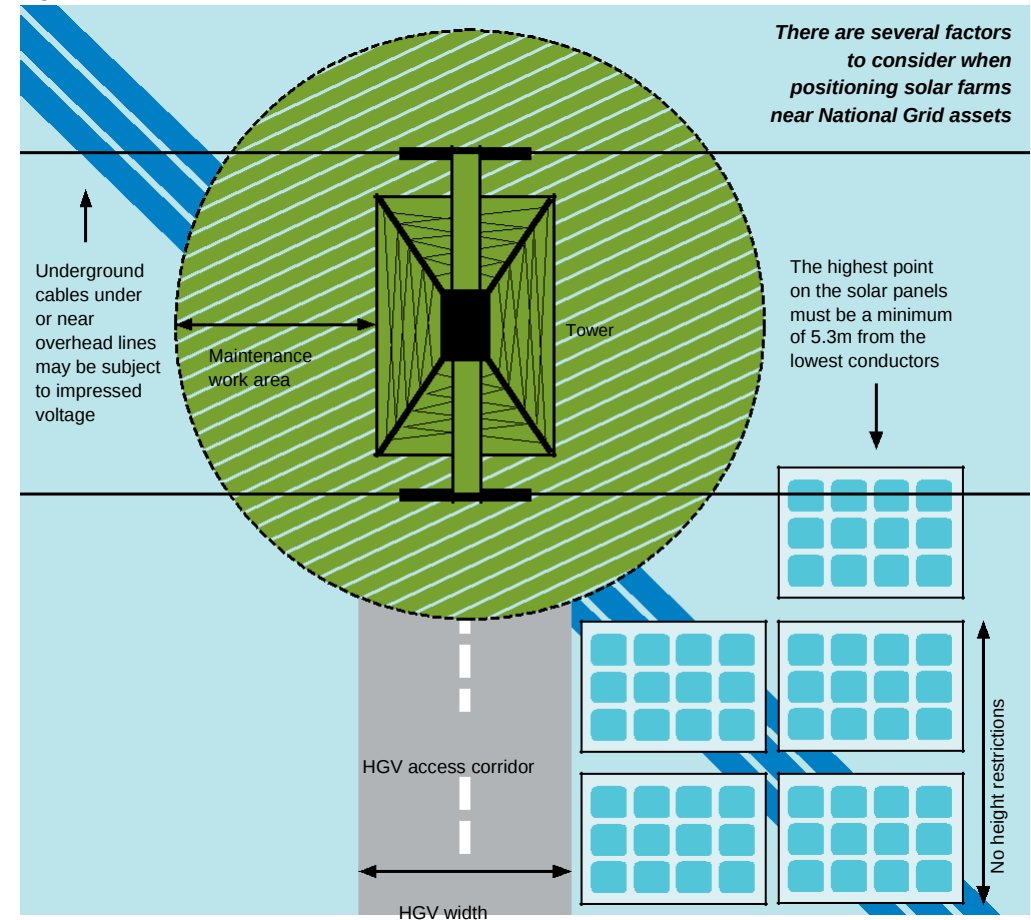
Solar panels that are directly underneath power lines risk being damaged on the rare occasion that a conductor or fitting falls to the ground. A more likely risk is ice falling from conductors or towers in winter and damaging solar panels.

There is also a risk of damage during adverse weather conditions, such as lightning storms, and system faults. As all our towers are earthed, a weather event such as lightning can cause a rise in the earth potential around the base of a tower. Solar panel support structures and supply cables should be adequately earthed and bonded together to minimise the effects of this temporary rise in earth potential.

Any metallic fencing that is located under an overhead line will pick up an electrical charge. For this reason, it will need to be adequately earthed to minimise microshocks to the public.

For normal, routine maintenance and in an emergency National Grid requires unrestricted access to its assets. So if a tower is enclosed in a solar farm compound, we will need full access for our vehicles,

Diagram not to scale



Including access through any compound gates. During maintenance – and especially re-conductoring – National Grid would need enough space near our towers for winches and cable drums. If enough space is not available, we would require solar panels to be temporarily removed.



Asset protection agreements

In some cases, where there is a risk that development will impact on National Grid's assets, we will insist on an asset protection agreement being put in place. The cost of this will be the responsibility of the developer or third party.

Contact details

Emergency situations

If you spot a potential hazard on or near an overhead electricity line, do not approach it, even at ground level. Keep as far away as possible and follow the six steps below:

- Warn anyone close by to evacuate the area
- Call our 24-hour electricity emergency number: 0800 404 090 (Option 1)¹
- Give your name and contact phone number
- Explain the nature of the issue or hazard
- Give as much information as possible so we can identify the location – i.e. the name of the town or village, numbers of nearby roads, postcode and (ONLY if it can be observed without putting you or others in danger) the tower number of an adjacent pylon
- Await further contact from a National Grid engineer

¹ It is critically important that you don't use this phone number for any other purpose. If you need to contact National Grid for another reason please use our Contact Centre at www2.nationalgrid.com/contact-us to find the appropriate information or call 0800 0014282.

Routine enquiries

Email:
assetprotection@nationalgrid.com

Call Asset Protection on:
0800 0014282

Opening hours:
Monday to Friday 08:00-16:00

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(2) Vertical Axis indicates meters above OS GB Datum 2m distance between minor marks/box

X & Y Co-ordinate of tower base. Route & Tower Number Tower Type

Span Length (m)

Height of Conductor Attachment Point Above OS GB

Bottom Conductor Displayed at Max Sag

5.3m Clearance line at Max Orange dashed line

7.3m Clearance line at Max Sag Blue dashed line

5.3m Clearance line at Max Swing Orange dashed line

Lidar Data showing Buildings, Roads, Vegetation etc.

North Arrow

OHL Plan View & Downward Looking Imagery

Section Operating Voltage, Conductor Type, Conductor Name, Bundle Configuration & Sagging Condition

(1) Vertical & Horizontal Scale – can be used in conjunction with a ruler to take measurements.

IMPORTANT: NOTE HORIZONTAL & VERTICAL SCALES DISTANCE (1) MAY DIFFER FROM HORIZONTAL & VERTICAL GRID MARKS SCALE/BOX DISTANCE (2).

Generic Data Origin of Drawing

Key for LIDAR Data

ENA43-8 Clearance to Objects at 400kV

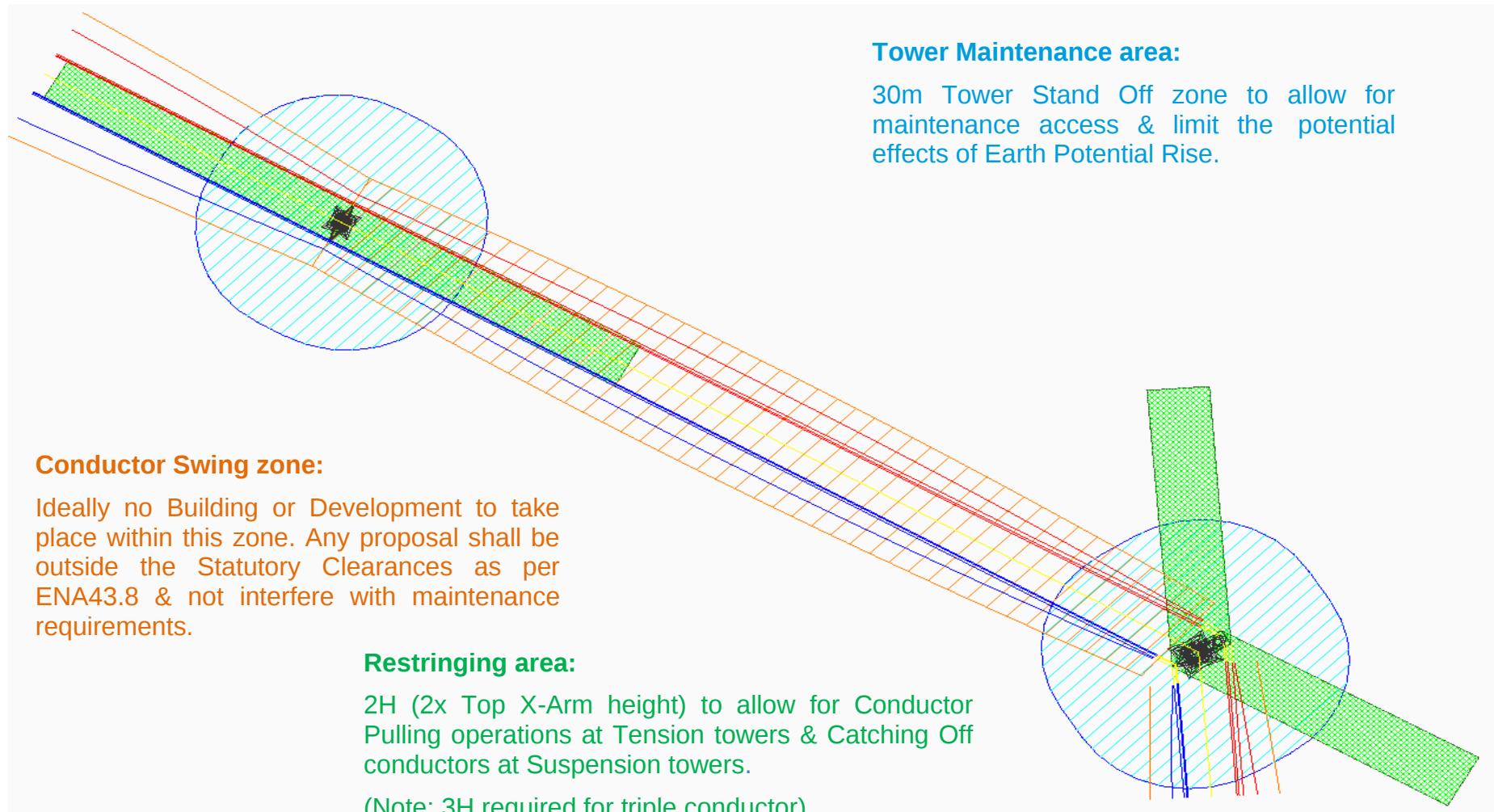
Swing & Sag Diagram

NG Drawing Specific Data

15 APPENDIX B



OHL Tower Stand Off & Reconductoring Area



██████████
Lead Development Liaison Officer
██████████
██████████

██████████
Development Liaison Support Officer
██████████
██████████

Customer Connections Site Solutions (CCSS)
Land, Planning and External Affairs (LPEA)
National Grid Electricity Transmission (NGET)
██████████

SUBMITTED ELECTRONICALLY:
SouthKentEnergyPark@planninginspectorate.gov.uk

06 July 2026

Dear Sir/Madam

RE: APPLICATION BY South Kent Energy Park Limited (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE South Kent Energy Park (THE PROPOSED DEVELOPMENT)

SCOPING CONSULTATION RESPONSE

We refer to your letter dated 8th June 2026 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET).

Having reviewed the scoping report, I would like to make the following comments regarding NGET existing or future infrastructure in close proximity to the current red line boundary.

NGET has high voltage electricity substations and overhead transmission lines within close proximity the scoping area. The overhead lines form an essential part of the electricity transmission network in England and Wales.

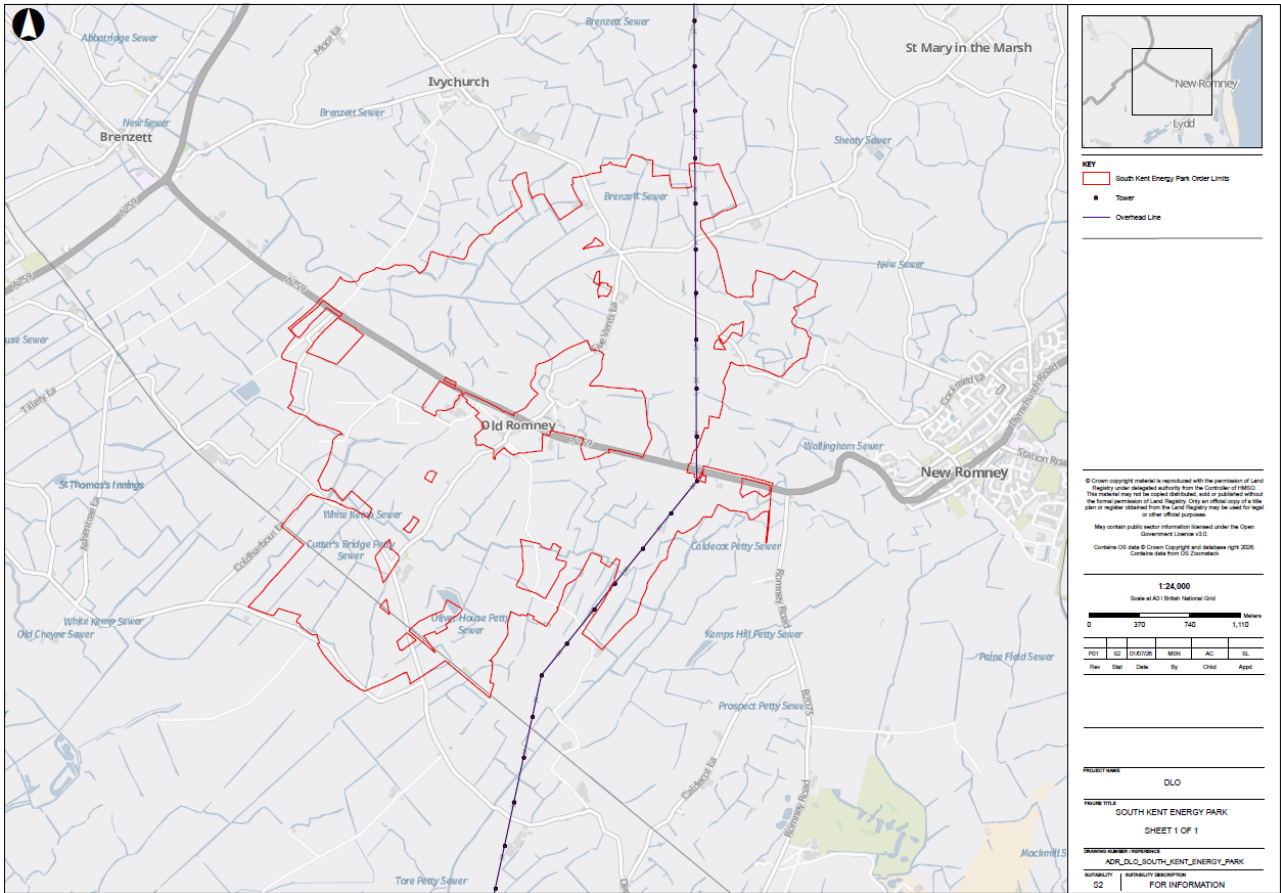
Existing Infrastructure

Overhead Lines

VO ROUTE 400 kV OHL	DUNGENESS - SELLINDGE 1
	DUNGENESS - SELLINDGE 2

We enclose a plan showing the location of NGET's apparatus in the scoping area.

In addition, GIS shapefiles of approximate locations of our national electricity transmission network are freely available from here: <https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/network-route-maps>. You can also check if your works will affect our transmission network by using the Line search website: ██████████



New infrastructure

The National Energy System Operator (NESO) took over the electricity network planning responsibility from National Grid Electricity System Operator Limited (NGESO) on the 1st October 2024. Please consult with NESO separately from NGET where further information on the strategic need or capacity is sought.

Please refer to the Holistic Network Design (HND) and the NESO website to view the strategic vision for the UK's ever growing electricity transmission network.

Onshore Infrastructure

East Kent Node A

East Kent Node A is a planned 400kV substation in Kent being developed as part of wider network reinforcement and customer connection works.

It should be noted that there may be further interactions with additional new strategic infrastructure where the projects are in their early development.

NGET requests that all existing and future assets are given due consideration given their criticality to the high-voltage transmission of electricity across the UK. We remain committed to working with the promoter in a proactive manner, enabling both parties to deliver successful projects wherever reasonably possible. As such we encourage that ongoing discussion and consultation between both parties is maintained on interactions with existing or future assets, land interests, connections or consents and any other NGET interests which have the potential to be impacted prior to submission of the Proposed DCO.

The Great Grid Upgrade is the largest overhaul of the electricity grid in generations, we are in the middle of a transformation, with the energy we use increasingly coming from cleaner greener sources. Our infrastructure

projects across England and Wales are helping to connect more renewable energy to homes and businesses. To find out more about our current projects please refer to our network and infrastructure webpage [REDACTED]

[REDACTED] Where it has been identified that your project interacts with or is in close proximity to one of NGET's infrastructure projects, we would welcome further discussion at the earliest opportunity.

These projects are all essential to increase the overall network capability to connect the numerous new offshore wind farms that are being developed, and transport new clean green energy to the homes and businesses where it is needed.

The following points should be taken into consideration.

Specific Comments – Electricity Infrastructure:

- NGET's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. NGET recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 5 (2019)".
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines, then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors. When those conductors are under their worst conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above.
- NGET high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide NGET full right of access to retain, maintain, repair and inspect our assets. Hence, we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with NGET prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

Further Advice

NGET requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address:

[REDACTED]

We hope the above information is useful. If you require any further information, please do not hesitate to contact the Land Development Liaison team. In the meantime, we look forward to receipt of further information and consultation relating to potential impacts on our assets.

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity customer services.

Yours faithfully,

[REDACTED]

Lead Development Liaison Officer
Customer Connections Site Solutions (CCSS)
Land, Planning and External Affairs (LPEA)

[REDACTED]

Development Liaison Support Officer
Customer Connections Site Solutions (CCSS)
Land, Planning and External Affairs (LPEA)

From: [REDACTED]
Sent: 16 June 2026 10:57
To: South Kent Energy Park <SouthKentEnergyPark@planninginspectorate.gov.uk>
Cc: Planning SE <planningse@nationalhighways.co.uk>; Spatial Planning <SpatialPlanning@nationalhighways.co.uk>; 'transportplanning@dft.gov.uk' <transportplanning@dft.gov.uk>
Subject: NH Response NH/26/16598 EN0110035 - South Kent Energy Park - EIA Scoping Consultation and Notification

Dear Ms Glassop

Thank you for your email of 08 June, consulting National Highways on the above EIA Scoping case, seeking a response no later than 6 July 2026.

Background

National Highways is the government owned company which operates, maintains and improves the SRN as the strategic highway company appointed under the provisions of the Infrastructure Act 2015 and in accordance with the [REDACTED] issued by the Secretary of State for Transport.

National Highways is a statutory consultee to the planning process. It has a specific obligation to deliver economic growth through the provision of a safe and reliable SRN in line with the provisions set out in [DfT Circular 01/2022: The strategic road network and the delivery of sustainable development](#).

National Highways Initial comments

We note the details of the proposals are:

- The development proposal is for the construction, operation (and maintenance) and decommissioning of solar photovoltaic (PV) generating panels, interconnecting cables, associated Battery Energy Storage System(s) (BESS), a 'National Grid Substation', a 'South Kent Energy Park (SKEP) Main On-Site Substation' and 'Additional On-Site Substations' and other supporting

infrastructure including fencing, access tracks, drainage, and biodiversity and landscape enhancements.

- The site is located land parcels north and south of Old Romney and the A259 in Kent
- The SRN in the vicinity comprises the A259/A2070 between Rye and Ashford. The closest SRN junction is probably the A259/A2070 junction at Brenzett.
- It will be noted that the A259 from Brenzett to New Romney is a Kent County Highways road.

EIA Scoping comments

We have no comments on the need for an EIA per se nor non SRN related topics/ matters to be covered. These are matters for other statutory consultees.

However, any EIA submission as part of an application will need to detail transport along with access proposals. The EIA and planning requirements can often be somewhat different and both aspects will need to be fully addressed.

We will be concerned with proposals that have the potential to impact on the safe, reliable and/or efficient operation of the SRN (the tests set out in DfT C1/22 and MHCLG NPPF2024), due to

- a) The traffic attracted to, generated by or rerouted as a result of proposals and/or
- b) the construction, operation or maintenance of a site adjacent to the SRN.

Given the site will be accessed via the SRN and the centre of the main site is circa 2.6km, we will require sufficient evidence to be submitted with regards (a) and (b)

We confirm we have had initial engagement with the applicant and will continue to do so with regards the implications of the proposed development on the SRN.

With regards the expected documentation (TA, TP, CTMP etc), as mentioned above it needs to chime between documents and be available preferably before submission but certainly before examination, to be appropriately detailed, and to include

- Reference to and demonstration of compliance with DfT C1/22 Strategic road network and the delivery of sustainable development
<https://www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development>
- More detailed reference to and the implications of the proposals for the Strategic Road Network (modelling etc)
- More details through either Construction Traffic Management Plans and/or Operational Management Plans of how any traffic impacts will be managed, differentiating between construction, operational and de-construction phases and between different types of traffic eg staff, construction workforce, deliveries (including abnormal loads)
- More details of the traffic implications across any proposed construction period, including peaks and what they comprise
- Clarification of routing to site; particularly if it could vary and hence the SRN impacts will vary
- Identification of any SRN junctions requiring works to facilitate access (we reserve the right to raise the requirement for works once we more fully understand the proposals)

There may well be EIA related elements to all of the above.

There may be other matters that we will need to review but do not anticipate impacts on the SRN arising from them. For example, glint & glare are unlikely to be an issue given the distance from SRN and site's likely south-facing orientation.

We hope these comments assist, but if any party has any queries regarding them, please contact us via planningse@nationalhighways.co.uk .

Regards

[REDACTED], Assistant Spatial Planner

South East Region, Operations Directorate

National Highways

Office: 0300 470 1563

Mobile: [REDACTED]

Web: www.nationalhighways.co.uk

For information about our engagement with the planning system please visit
<https://nationalhighways.co.uk/our-roads/planning-and-the-strategic-road-network-in-england/>

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National Highways Limited | General enquiries: 0300 123 5000 | National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park, Birmingham B32 1AF |
<https://nationalhighways.co.uk> | info@nationalhighways.co.uk

Registered in England and Wales no 9346363 | Registered Office: Three Snowhill, Snowhill Queensway, Birmingham, B4 6GA

Consider the environment. Please don't print this e-mail unless you really need to.

From: [REDACTED]
Sent: 10 June 2026 10:42
To: South Kent Energy Park <SouthKentEnergyPark@planninginspectorate.gov.uk>
Cc: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Subject: RE: EN0110035 - South Kent Energy Park - EIA Scoping Consultation and Notification [SG41642]

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Sirs,

We refer to the consultation for the South Kent Energy Park. NATS operates the air traffic beacon, known as the LYDD DME in the vicinity of the proposal. While NATS anticipates no major impact from the development, we note that part of the installation is in close proximity to the beacon, that NATS's licence requires it to safeguard. As the beacon is part of the UK Air Traffic Infrastructure, NATS must ensure its operation is not degraded and that any development in the vicinity, is undertaken within the safeguarding constraints.

Accordingly, NATS would advise the Applicant to remain engaged with NATS in respect of the detailed design of the installation, within a 200m range of the LYDD DME. Beyond 200m from the site (50.999700°, 0.878611°) NATS would be supportive of installations of 4m elevation and beyond that rising to heights not exceeding a 1:50 slope originating from the base of the beacon. Beyond the beacon's operation, NATS has no other concerns and will be happy to liaise with the applicant once more details are available.

NATS LTD

Safeguarding Office

4000 Parkway

Whiteley

Fareham

Hampshire

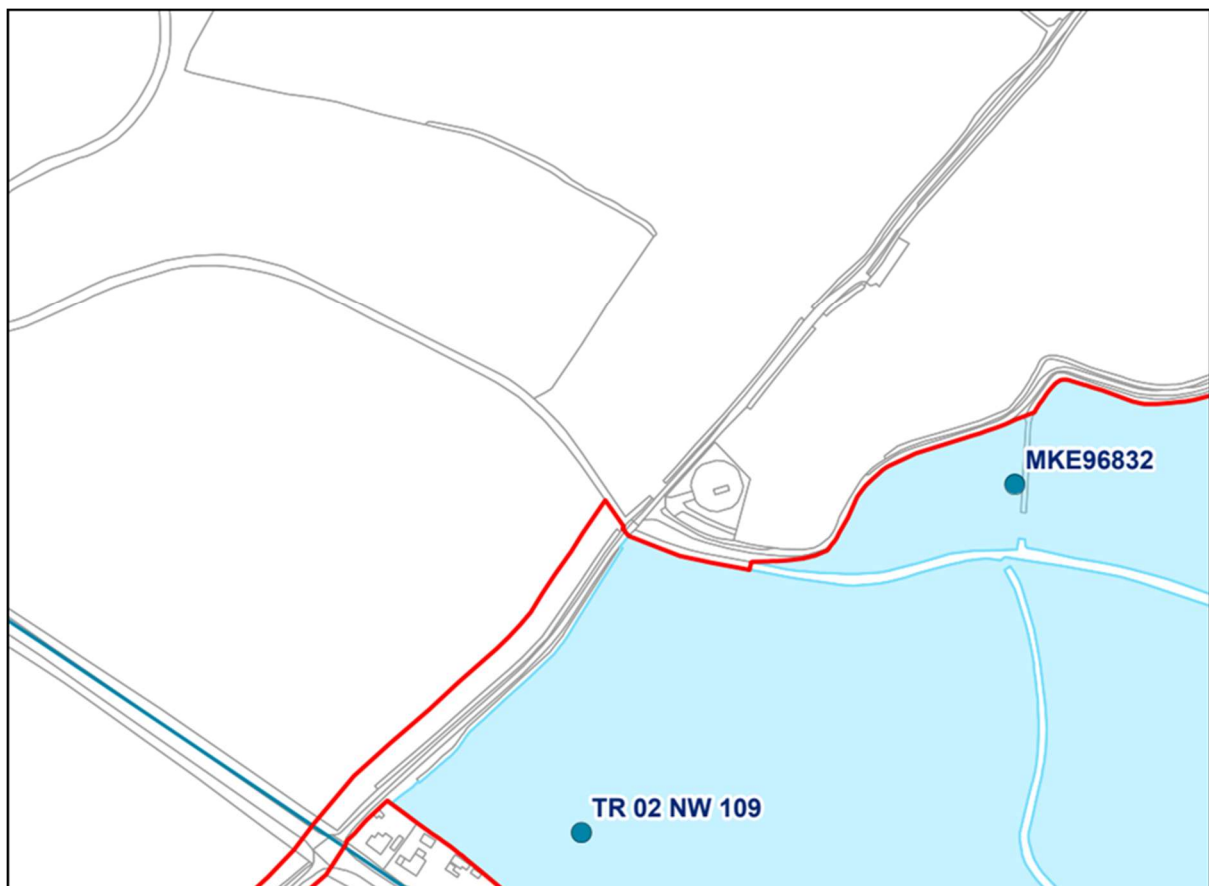
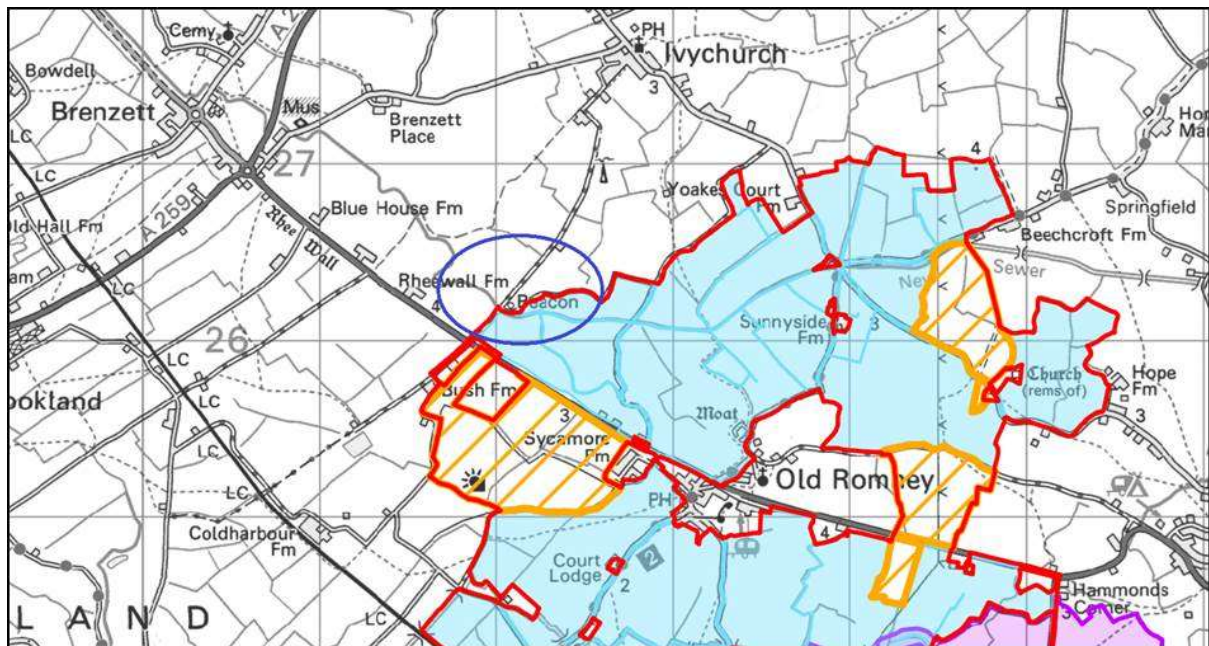
PO15 7FL

T: 01489 444 687

E: [REDACTED]

Regards

[REDACTED]



[REDACTED]

ATC Systems Safeguarding Engineer

[REDACTED]

[REDACTED]

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL

[REDACTED]

NATS Internal

Date: 17 June 2026
Our ref: 550313
Your ref: EN0110035



██████████
Planning Inspectorate
Environmental Services
Infrastructure Decisions and Applications Service
Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

Consultations
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 900

By email only, no hard copy to follow

SouthKentEnergyPark@planninginspectorate.gov.uk

Dear ██████████

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11

Proposed application by South Kent Energy Park Limited (the applicant) for an Order granting Development Consent for the South Kent Energy Park (the proposed development)

Scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested Proposal:

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 08 June 2026, received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the opportunity to provide advice on the scope of the Environmental Statement and we recommend that a robust assessment of environmental impacts and opportunities, based on relevant and up to date environmental information, should be undertaken prior to an application for a Development Consent Order (DCO).

We have provided our detailed advice on scoping the Environmental Statement in the attached Annex and will be pleased to work with the applicant on the detailed assessment of impacts in the coming months.

For any further advice on this consultation please contact me by email to
██

Yours sincerely

[REDACTED]

Senior Officer, Sussex and Kent Team

Annex A – Natural England’s advice on the EIA Scoping request for the South Kent Solar proposal

General principles

- 1.1 Regulation 11 of the Infrastructure Planning Regulations 2017 - (The EIA Regulations) sets out the information that should be included in an ES to assess impacts on the natural environment. This includes:
- A description of the development – including physical characteristics and the full land use requirements of the site during construction, operational and decommissioning phases given the project is for a limited period of time
 - Appropriately scaled and referenced plans which clearly show the information and features associated with the development
 - An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
 - A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided¹.
 - Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
 - A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), cultural heritage and landscape and the interrelationship between the above factors
 - A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
 - A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
 - An outline of the structure of the proposed ES

2 Cumulative and in-combination effects

- 2.1 Natural England notes the list of projects to be considered as part of the cumulative and in-combination assessment within the Environmental Statement.
- 2.2 In addition to the projects within the EIA Scoping Report, Natural England advise it may be appropriate to include the decommissioning of the nuclear power stations at Dungeness which are at the pre-application stage.
- 2.3 The cumulative impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of

¹ National Infrastructure Planning [Advice Note Seven, Environmental Impact Assessment, Process, Preliminary Environmental Information and Environmental Statements](#) (see Insert 2 – information to be provided with a scoping request)

projects should be included in such an assessment (subject to available information):

- a. existing completed projects
- b. approved but uncompleted projects
- c. ongoing activities
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

3 Environmental data

- 3.1 Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.
- 3.2 Detailed information on the natural environment is available at www.magic.gov.uk. This includes shapefiles for designated sites and protected landscapes.
- 3.3 Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#) which will be helpful to the applicant.
- 3.4 We do not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local Wildlife Trust, local geo-conservation group or other recording society.

4 Biodiversity and geodiversity

General advice

- 4.1 The assessment will need to include a full consideration of the impacts resulting from the proposal upon sites and features of nature conservation interest as well as opportunities for nature recovery through biodiversity net gain (BNG). There might also be strategic approaches and opportunities to take into account.
- 4.2 Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [REDACTED] and an [REDACTED] have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Designated nature conservation sites

Habitats sites

- 4.3 The development site is within close proximity to, and may impact, the following

internationally designated nature conservation sites:

- Dungeness Special Area of Conservation (SAC)
- Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA)
- Dungeness, Romney Marsh and Rye Bay Ramsar site

4.4 The ES should thoroughly assess the potential for the proposal to affect the above sites and this includes consideration of the following impact pathways:

- Any direct impacts to the sites resulting from the proposal
- Indirect impacts to habitats and species associated with the designated sites including from noise, air quality and hydrological impact pathways
- Impacts to functionally linked land for mobile species associated with the designations (including breeding and non-breeding birds, water voles and great crested newts)

4.5 Article 6 (3) of the Habitats Directive requires an appropriate assessment where a plan or project is likely to have a significant effect upon a European Site, either individually or in combination with other plans or projects. Natural England will be pleased to work with the applicant on the scope of any required appropriate assessment during the pre-application period.

4.6 Natural England notes that Scoping Report details that the connection to the electricity grid is yet to be confirmed. Section 1.1.8 of the Scoping Report details that the connection is likely to be 'within the vicinity of the existing Dungeness to Sellindge 400 kV overhead line' and Section 1.1.10 details that 'On the basis of information currently available to the Applicant, it is reasonably foreseeable that the EKCNA substation could be located within the DCO Site Boundary'. Natural England welcomes this clarity which should avoid direct impacts to the designated sites at Dungeness. If, as the proposal evolves, the connection to the grid changes then any additional impacts will need to be fully assessed within the Environmental Statement.

4.7 The European site conservation objectives provide useful information to inform the impact assessment and they are available at <http://publications.naturalengland.org.uk/category/6490068894089216>.

4.8 Evidence Plans are a useful mechanism NSIP applicants can use to agree what information should be provided to the Planning Inspectorate and Natural England when undertaking Habitats Regulations Assessment (HRA). Agreeing the evidence-needs of the project early prior to applying for Development Consent will help reduce delays in the process. We would be pleased to work with the applicant on an evidence plan if they feel it would be helpful.

Sites of Special Scientific Interest

4.9 The development site lies in close proximity to the Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest and the ES should include a full assessment of any direct and indirect effects of the development on the features of special interest and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects.

4.10 Please also see our comments above in Paragraph 4.6 regarding the cable connection options to the grid.

Regionally and Locally Important Sites

- 4.11 The Environmental Statement should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group and protected under the NPPF (paragraph 192 and 193). The Environmental Statement should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks.

Protected species

- 4.12 The Environmental Statement should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.
- 4.13 The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the Environmental Statement. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.
- 4.14 Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures may provide useful guidance. A separate protected species licence from Natural England or Defra may also be required.
- 4.15 We recommend that the applicant should check to see if a mitigation licence is required using Natural England guidance on licensing [Natural England wildlife licences](#). Applicants can also make use of Natural England's charged service [Pre Submission Screening Service](#) for a review of a draft wildlife licence application. Natural England then reviews a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation to the relevant Secretary of State in granting a DCO. See [Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning](#) for details of the LONI process.

District Level Licensing for great crested newts

- 4.16 Natural England is aware that great crested newt populations are present in close proximity to the application site.
- 4.17 Where strategic approaches such as District Level Licensing (DLL) for great crested newt are used, a Letter of No Impediment (LONI) will not be required. Instead, the developer will need to provide evidence to the Examining Authority (ExA) on how and where this approach has been used in relation to the proposal, which must include a

counter-signed Impact Assessment and Conservation Payment Certificate (IACPC) from Natural England, or a similar approval from an alternative DLL provider.

- 4.18 The DLL approach is underpinned by a strategic area assessment which includes the identification of risk zones, strategic opportunity area maps and a mechanism to ensure adequate compensation is provided regardless of the level of impact. In addition, Natural England (or an alternative DLL provider) will undertake an impact assessment, the outcome of which will be documented in the IACPC (or equivalent).
- 4.19 If no great crested newt surveys have been undertaken, Natural England's risk zone modelling may be relied upon. During the impact assessment, Natural England will inform the applicant whether their scheme is within one of the amber risk zones and therefore whether the Proposed Development is likely to have a significant effect on great crested newts.
- 4.20 The IACPC will also provide additional detail including information on the Proposed Development's impact on great crested newts and the appropriate compensation required.

Priority Habitats and Species

- 4.21 Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.
- 4.22 Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [REDACTED]
- 4.23 An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.
- 4.24 The ES should include details of:
- Any historical data for the site affected by the proposal (e.g. from previous surveys)
 - Additional surveys carried out as part of this proposal
 - The habitats and species present
 - The status of these habitats and species (e.g. whether priority species or habitat)
 - The direct and indirect effects of the development upon those habitats and species
 - Full details of any mitigation or compensation measures
 - Opportunities for biodiversity net gain or other environmental enhancement

Biodiversity net gain

- 4.25 The Environment Act 2021 includes NSIPs in the requirement for Biodiversity Net Gain (BNG), with the biodiversity gain objective for NSIPs defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat. It is the intention that BNG should apply to all terrestrial NSIPs accepted for examination from November 2026. This includes the intertidal zone but excludes the subtidal zone (an approach to marine net gain is being developed but this will not form part of mandatory BNG). Projects that span both offshore and onshore will be subject to BNG requirements for the onshore components only. Some organisations have made public BNG commitments, and some projects are already delivering BNG on a voluntary basis.

5 Landscape

Nationally designated landscapes

- 5.1 The development site lies in close proximity to both the High Weald and Kent Downs National Landscapes, and the Environmental Statement should therefore consider whether the proposal will result in significant impacts.
- 5.2 Public bodies have a duty to seek to further the statutory purposes of designation in carrying out their functions (under section 245 of the Levelling Up and Regeneration Act 2023). This duty also applies to proposals outside the designated area but impacting on its natural beauty so are likely to be applicable to this development.
- 5.3 Full consideration should be given to the direct and indirect effects on this designated landscapes, particularly the effect upon their purpose for designation. The management plan for the designated landscape may also have relevant information that should be considered in the EIA.

Landscape and visual impacts

- 5.4 The environmental assessment should refer to the relevant [National Character Areas](#). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.
- 5.5 The Environmental Statement should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute (LI) and Institute of Environmental Management and Assessment (IEMA) in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.
- 5.6 A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in Guidelines for Landscape and Visual Impact Assessment 2013 (3rd edition) produced by LI and IEMA. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the

natural beauty of the area and its designation status.

- 5.7 The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.
- 5.8 To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.
- 5.9 The National Infrastructure Commission has also produced [Design Principles for National Infrastructure - NIC](#) endorsed by Government in the National Infrastructure Strategy.

6 Connecting people with nature

- 6.1 The ES should consider potential impacts on access land, common land, public rights of way and national trails, in line with NPPF paragraph 104 and there will be reference in the relevant National Policy Statement. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.
- 6.2 Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

7 Soils and agricultural land quality

- 7.1 Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).
- 7.2 The following issues should be considered and, where appropriate, included as part of the ES:
- The degree to which soils would be disturbed or damaged as part of the development.

- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any BMV agricultural land would be impacted.

7.3 This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

7.4 Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

8 Air quality

8.1 Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg)^[1]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO_x and SO₂ against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

8.2 The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or

^[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

SNAPs, which may be being developed or implemented to mitigate the impacts of air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System

██████████

- 8.3 Natural England has produced guidance for public bodies to help assess the impacts of road traffic emissions to air quality capable of affecting European Sites. [Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations - NEA001](#)

From: Planning Clerk <planning.clerk@newromney-tc.gov.uk>

Sent: 23 June 2026 12:00

To: South Kent Energy Park <SouthKentEnergyPark@planninginspectorate.gov.uk>

Cc: [REDACTED]
[REDACTED]

Subject: Response from New Romney Town Council for the Scoping Opinion for South Kent Solar Farm.

You don't often get email from planning.clerk@newromney-tc.gov.uk. [Learn why this is important](#)

Dear Sir/Madam,

New Romney Town Council writes in response to the Planning Inspectorate's request for comments on the scoping opinion for the South Kent Energy Park.

The Town Council respectfully requests that the comments and matters set out below are included within the scoping document. These issues are of significant importance to both New Romney Town Council and the local community, and the Council considers it essential that they are fully taken into account as part of the scoping process.

The Council would be grateful for confirmation that these matters will be included and considered accordingly.

107/2026-27 **REQUEST FROM THE PLANNING INPSPECTORATE TO COMMENT ON THE SCOPING OPINON FOR SOUTH KENT ENERGY PARK**

The Committee considered the request for comment and as a result, it was:

PROPOSED BY: Councillor Rivers

SECONDED BY: Councillor Carey

RESOLVED UNANIMOUSLY – that the Clerk respond to the Planning Inspectorate to confirm that New Romney Town Council considers it important that the scoping opinion includes consideration of the following key matters:

- 1. Landscape and visual impact on Romney Marsh.**
- 2. Impact on agricultural land and food production.**
- 3. Effects on internationally important wildlife sites.**
- 4. Heritage and setting impacts around Old Romney.**
- 5. Battery storage safety and emergency planning.**

6. Construction traffic and local road impacts.
7. Whether biodiversity enhancement proposals adequately offset impacts.
8. Whether the local impacts are justified by the national benefits of renewable energy generation.

The Town Council requests that these matters be included by the Planning Inspectorate at its earliest convenience.

Kind regards,



Planning Clerk

New Romney Town Council

Email: planning.clerk@newromney-tc.gov.uk

Tel: [REDACTED]

PRIVACY NOTICE:

By contacting the Town Council in writing or electronically, you are consenting to the use of your personal information for the purpose of communicating with you in respect of the relevant Council business to which you have referred in your original communication.

By replying to any Town Council communication in writing or electronically, you are consenting to the use of your personal information for the purpose of undertaking the Council business to which the communication relates.

For further information, please see New Romney Town Council's Privacy Statement on the Town Council website: [REDACTED]

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From: BeforeYouDig <BeforeYouDig@northerngas.co.uk>

Sent: 08 June 2026 14:00

To: South Kent Energy Park <SouthKentEnergyPark@planninginspectorate.gov.uk>

Cc: BeforeYouDig <BeforeYouDig@northerngas.co.uk>

Subject: RE: EXT:EN0110035 - South Kent Energy Park - EIA Scoping Consultation and Notification

Northern Gas Networks do not cover this area.

Please use this online tool to find out which gas distribution network you need to contact:

[REDACTED]

Kind regards,

[REDACTED]

Northern Gas Networks

1st Floor, 1 Emperor Way

Doxford Park

Sunderland

SR3 3XR

Before You Dig: 0800 040 7766 (option 3)

[REDACTED]



Get involved! Have your say in the future of your gas network and win great prizes, by taking part in our BIG customer survey at [REDACTED]. Keep posted to take part in a range of activities from workshops to roadshows. Together, we are the network.

Northern Gas Networks Limited (05167070) | Northern Gas Networks Operations Limited (03528783) | Northern Gas Networks Holdings Limited (05213525) | Northern Gas Networks Pensions Trustee Limited (05424249) | Northern Gas Networks Finance Plc (05575923). **Registered address:** 1100 Century Way, Thorpe Park Business Park, Colton, Leeds LS15 8TU. Northern Gas Networks Pension Funding Limited Partnership (SL032251). **Registered address:** 1st Floor Citypoint, 65 Haymarket Terrace, Edinburgh, Scotland, EH12 5HD. **For information on how we use your details please**

Tel: (01424) 787000 (Customer Services)
Your ref: EN0110035
Our ref: PE/0299/2025
Please ask for: [REDACTED]
Email: [REDACTED]
Date: 06/07/2026



Applicant: South Kent Energy Park Limited

Sent by e-mail only:

SouthKentEnergyPark@planninginspectorate.gov.uk

[REDACTED]
Chief Executive
Town Hall
Bexhill-on-Sea
East Sussex, TN39 3JX

Dear Sir/Madam

Reference	EN0110035
Proposal	Proposed application by South Kent Energy Park Limited (the applicant) for an Order granting Development Consent for the South Kent Energy Park.
Address	The Proposed Development is situated near Romney Marsh, to the north of Dungeness, Kent.

Thank you for consulting Rother District Council (RDC) concerning this Environmental Statement Scoping Opinion. In providing this response RDC recognise that the site of the proposed development takes place outside of Rother District and falls within the District of Folkestone and Hythe.

The closest environmental constraint is Dungeness, Romney Marsh and Rye Bay, which is a Site of Special Scientific Interest (SSSI), Ramsar site, and Special Protection Area (SPA), and is located approximately 660 m east of the DCO Site Boundary. Dungeness Special Area of Conservation (SAC) is located 2.7 km south of the DCO Site Boundary.

The DCO Site Boundary is approximately centred on National Grid Reference 603332, 125011. The total area of the DCO Site Boundary is approximately 859 ha and it is located approximately 2.5 km west of Romney Marsh, and bisected east-to-west by the A259.

Proposed development

The South Kent Energy Park comprises:

- Ground-mounted solar photovoltaic arrays;
- Battery Energy Storage Systems;
- On-site substations;
- Grid connection infrastructure;
- Underground cable routes;
- Temporary construction compounds;
- Internal access tracks;
- Ecological mitigation areas.

As a Nationally Significant Infrastructure Project, the application will be determined through the Development Consent Order process rather than by the local planning authority.

Cross-Boundary Issues relevant to Rother District Council

Although the development lies outside Rother District, several environmental receptors extend beyond administrative boundaries.

The principal matters of interest to Rother District Council include:

- Potential impacts on the High Weald National Landscape and wider landscape character, including Camber, Rye Harbour, Winchelsea, Fairlight
- Visual effects from elevated locations within eastern Rother.
- Impacts upon internationally designated habitats associated with the Dungeness, Romney Marsh and Rye Bay complex.
- Construction traffic impacts, particularly along the A259 corridor.
- Cumulative impacts alongside other major renewable energy proposals in Romney Marsh.
- Implications for tourism, recreation and the setting of heritage assets.

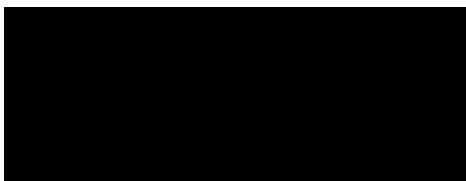
Particular attention should be given to cumulative visibility with other proposed renewable energy developments across Romney Marsh.

Conclusion

Rother District Council recognises the importance of renewable energy infrastructure in supporting national decarbonisation objectives. However, due to the scale of the South Kent Energy Park and its proximity to the East Sussex boundary, the Environmental Statement should robustly assess all potential cross-boundary environmental effects.

Particular attention should be given to landscape character, ecological connectivity, cumulative effects, transport impacts, flood risk, heritage setting and tourism. Rother District Council should remain engaged throughout the Development Consent Order process to ensure that potential impacts on communities and environmental receptors within the district are appropriately identified, assessed and mitigated.

Yours sincerely



Development Management Team Leader
Strategy and Planning



Environmental Services
Infrastructure Decisions and Applications Service
Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

Our ref
EN0110035

Date
15/06/2026

Contact
Tel [REDACTED]

Dear Sir/Madam,

South Kent Energy Park

Protection of Southern Water Assets

There are no public apparatus crossing the proposed development area. Hence, Southern Water would have no objection to the above CPO.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: [REDACTED] or by email at: [REDACTED]

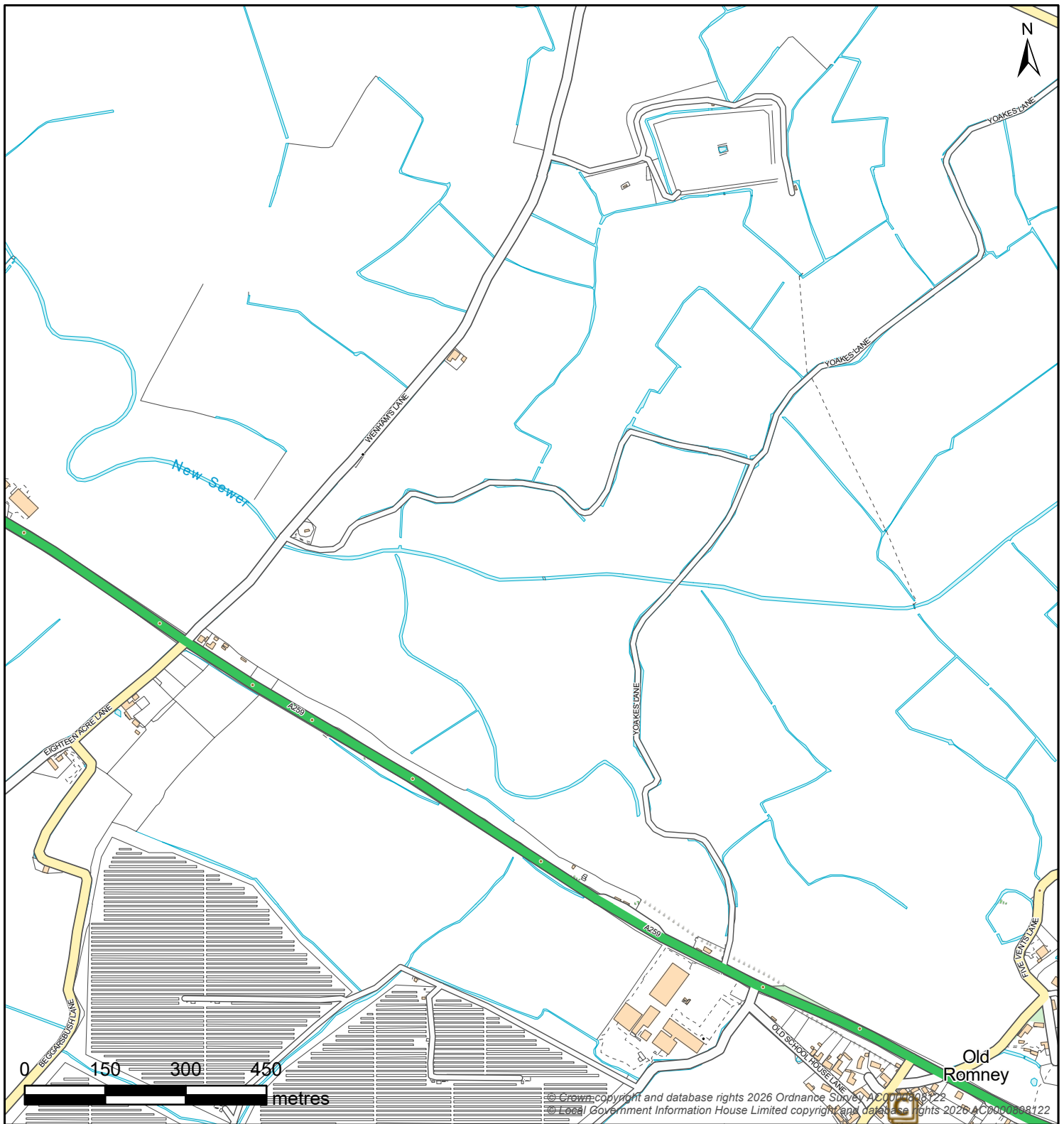
Yours faithfully,

Growth Planning Team
Developer Services

[REDACTED]

Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX
[REDACTED]

Southern Water Services Ltd, Registered Office: Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX Registered in England No. 2366670



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Controllable Valve			Flow Control			Inlet-Outfall	
Damboards	Penstock	Valve	Anti Flood Device	Pumped Anti Flood Device	Reflux Valve	Inlet	Outfall
Manhole							
BIF Bifurcation	Cascade	CP Catchpit	Head Of Public Sewer	IC Interceptor Chamber	Manhole	S Soakaway	WO Washout
Outfall Headworks		Overflow Chamber		Pipe Bridge		Pumping Station	
Outfall Headworks	CSO Combined Sewer Overflow	EMO Emergency Overflow	Emergency Overflow	Pipe Bridge	Micro Pumping Station	Pumping Station	
Sewer Level Monitor		Storage		Treatment Works		Weir	
Sewer Level Monitor	Storm Tank	Tidal Storage Tank		Treatment Works		Weir	Wastewater Site
Wastewater Pipe				Wastewater Use		Developer Services	
Culverted Water Course	Syphon	Foul	Combined	Sludge	Treated Effluent	Surface Water	Private
Drain	Tank Sewer	Trunk Sewer	Vacuum Main	Decommissioned Pipe	Build Over Agreement	Section 104	
Outfall	Overflow	Rising Main	Sewer		Catchment	Sub-Catchment	

Map Title: SW Print

Printed By: Isaac.Vowles

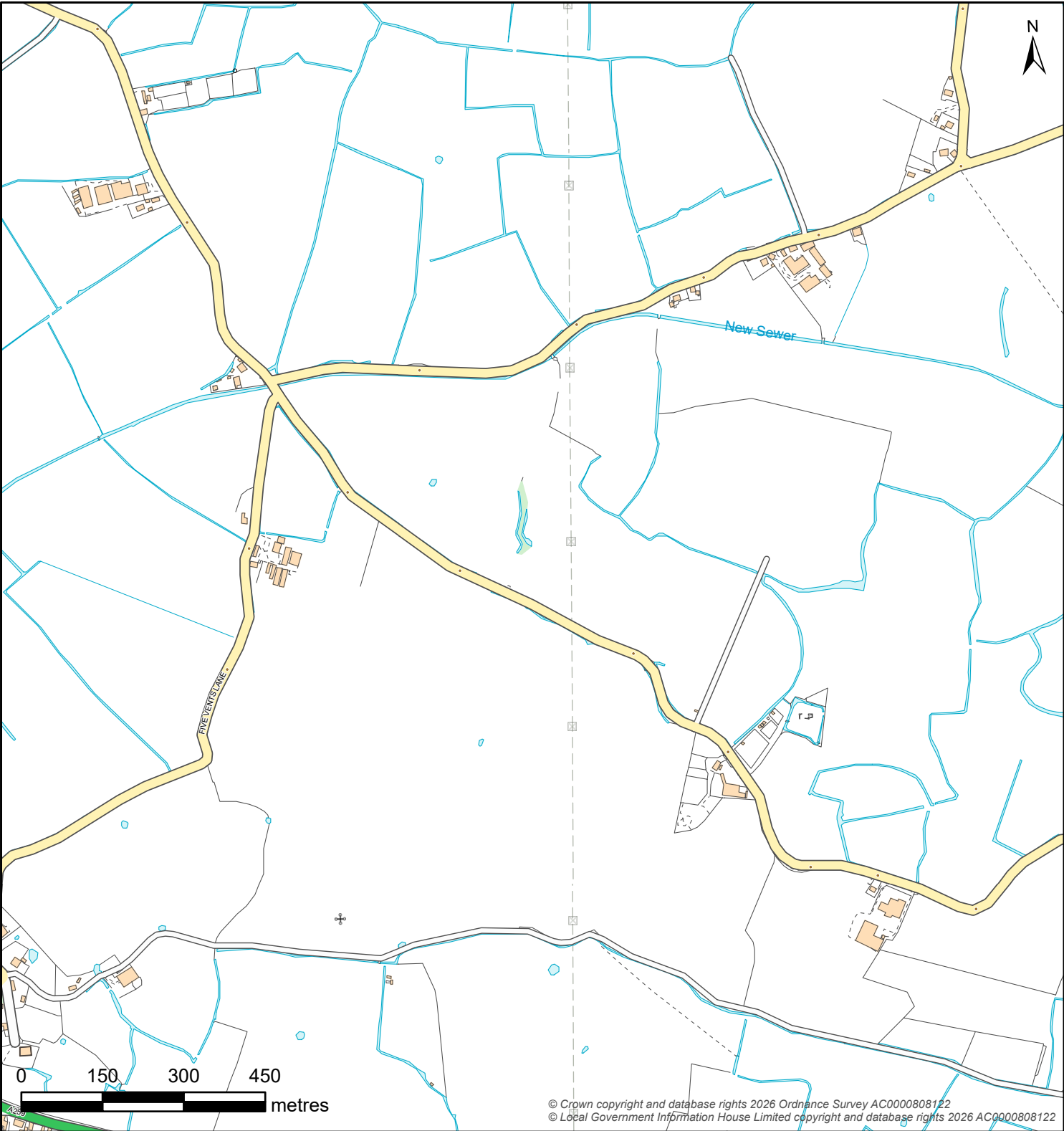
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Map Scale: 10000

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from
Southern Water.



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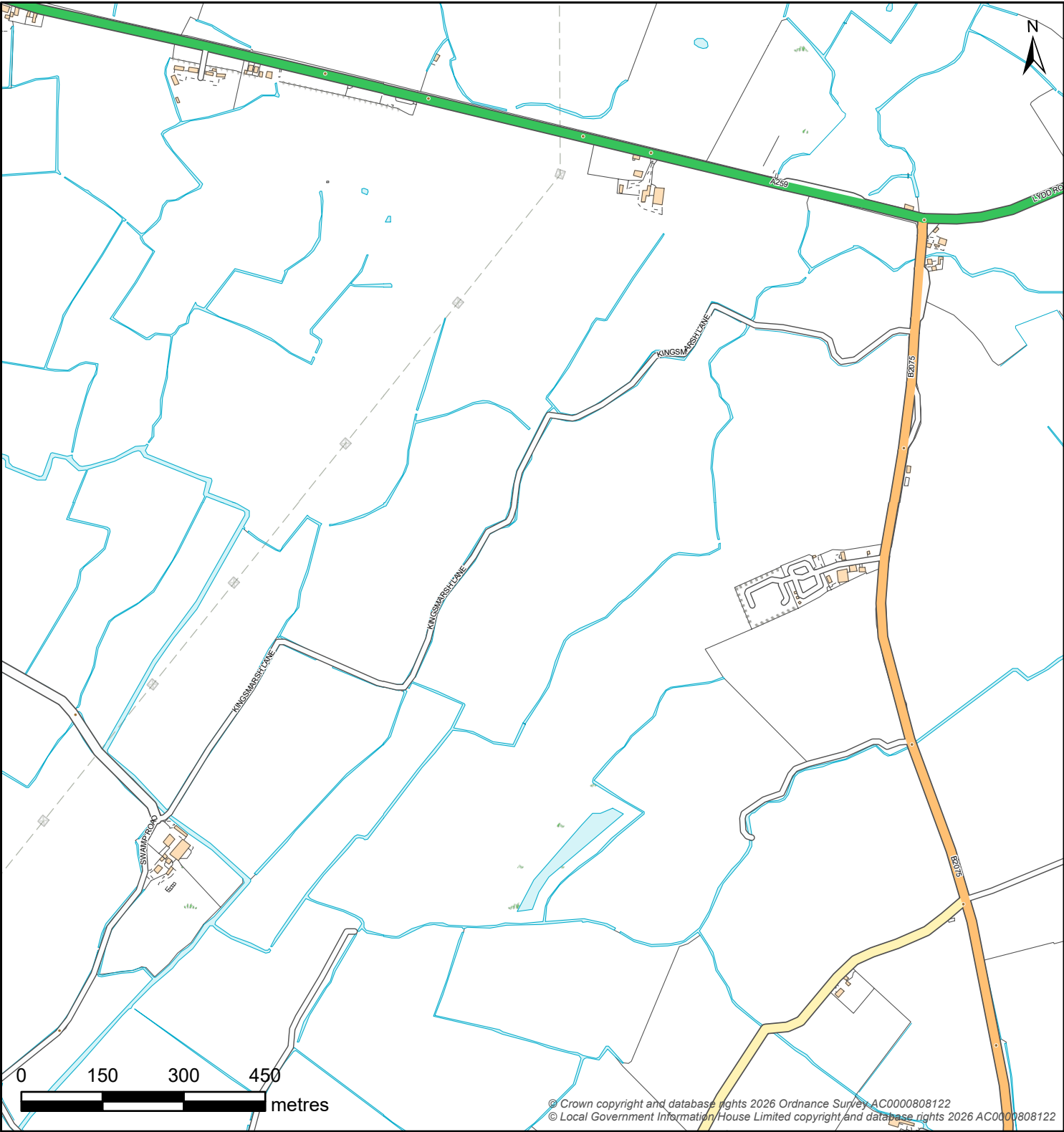
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Outfall Headworks		Overflow Chamber		Pipe Bridge		Pumping Station	
Outfall Headworks	CSO Combined Sewer Overflow	EMO Emergency Overflow	Pipe Bridge	Micro Pumping Station	Pumping Station		
Sewer Level Monitor		Storage		Treatment Works		Weir	
Sewer Level Monitor	Storm Tank	Tidal Storage Tank	Treatment Works	Weir	Wastewater Site		
Wastewater Pipe				Wastewater Use		Developer Services	
Culverted Water Course	Syphon	Foul	Combined	Sludge	Treated Effluent	Surface Water	Private
Drain	Tank Sewer	Trunk Sewer	Vacuum Main	Decommissioned Pipe	Build Over Agreement	Section 104	
Outfall	Overflow	Rising Main	Sewer		Catchment	Sub-Catchment	



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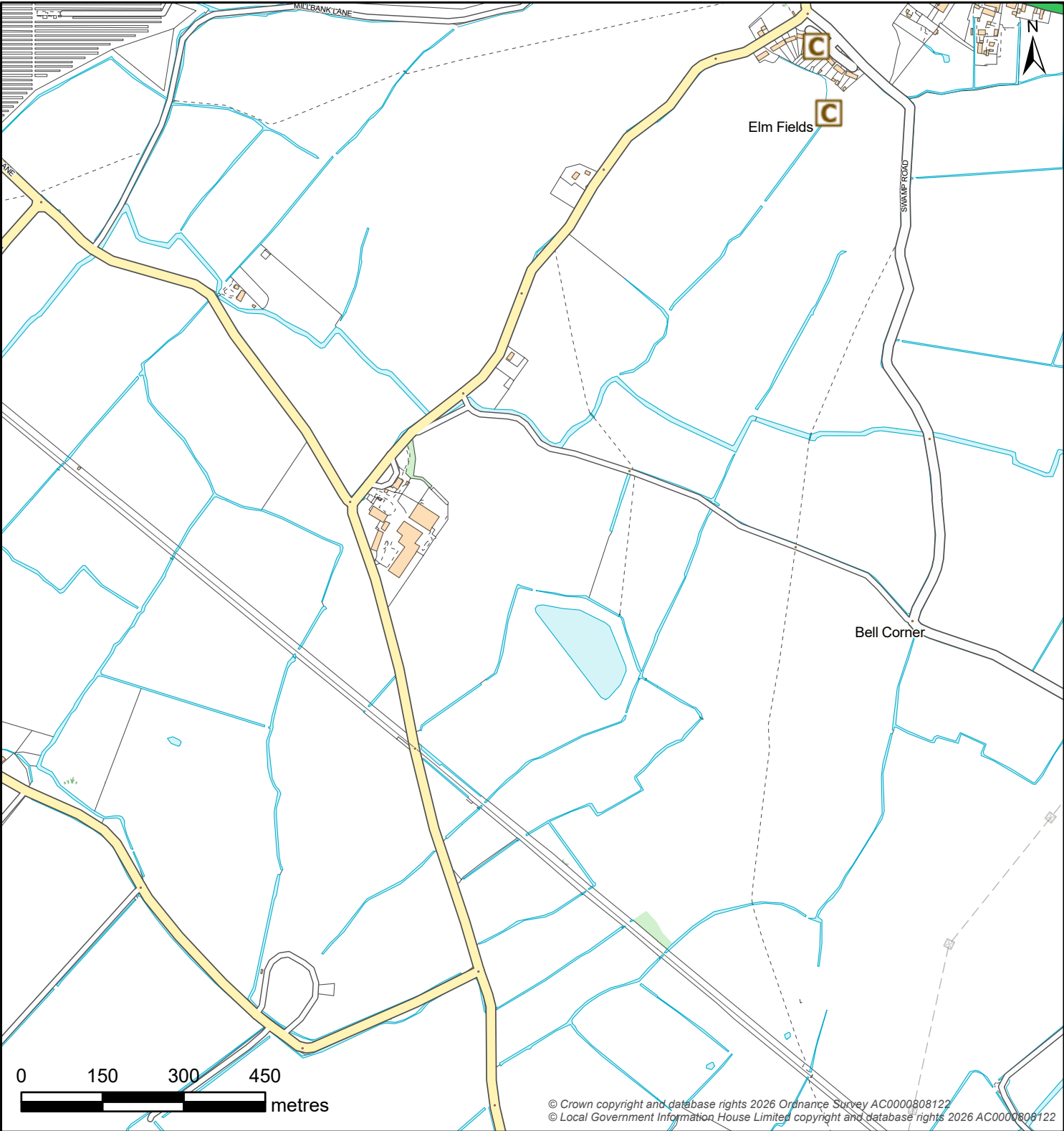
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Culverted Water Course	Syphon	Tank Sewer	Trunk Sewer	Foul	Combined	Sludge	Treated Effluent
Drain	Vacuum Main	Decommissioned Pipe		Surface Water	Private	Build Over Agreement	Section 104
Outfall						Catchment	Sub-Catchment
Overflow							
Rising Main							
Sewer							



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Sewer Level Monitor	Storm Tank	Tidal Storage Tank	Treatment Works	Weir	Wastewater Site		
Wastewater Pipe				Wastewater Use		Developer Services	
Culverted Water Course	Syphon	Tank Sewer	Trunk Sewer	Foul	Combined	Build Over Agreement	Section 104
Drain	Vacuum Main	Decommissioned Pipe	Sludge	Treated Effluent	Surface Water	Catchment	Sub-Catchment
Outfall			Private				
Overflow							
Rising Main							
Sewer							

Fro [REDACTED]

Sent: 09 June 2026 12:45

To: South Kent Energy Park <SouthKentEnergyPark@planninginspectorate.gov.uk>

Subject: Re: EN0110035 - South Kent Energy Park - EIA Scoping Consultation and Notification

Hi Deb

Thank you for taking the time to share these details with us.

I can confirm that Sphere Energy Connect has no assets in the vicinity of these works and have no comments to make at this time. We are a new IDNO business just entering the market and still completing Regulatory processes in order for us to operate an asset base within the UK.

Good luck with the project.

Thanks

[REDACTED]

From: [REDACTED]
Sent: 03 July 2026 16:00
To: South Kent Energy Park <SouthKentEnergyPark@planninginspectorate.gov.uk>
Subject: South Kent Energy Park - ES Scoping Consultation

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Dear Sir or Madam.

Thank you for consulting Thurrock Borough Council. The Council does not wish to make any comments on the proposed scope of the ES.

Yours faithfully,

[REDACTED]

[REDACTED] **I Principal Planning Officer I Place Directorate**

Thurrock Council, Civic Offices, New Road, Grays, RM17 6SL

www.thurrock.gov.uk

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From: [REDACTED]

Sent: 19 June 2026 08:41

To: South Kent Energy Park <SouthKentEnergyPark@planninginspectorate.gov.uk>

Subject: [External] EN0110035 - South Kent Energy Park - EIA Scoping Consultation and Notification

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Good morning,

Thank you for notification of the proposed South Kent Energy Park.

Our only comment relates to the need for the developer to ensure formal consultation with Lydd aerodrome and Cold Harbour microlight site (Kent Microlight Aircraft Club), at the earliest appropriate stage during the planning process. Responsibility for assessing the potential impact of proposed developments on aviation operations rests with the relevant aerodrome.

Kind regards,

[REDACTED]

[REDACTED]

Airspace Regulation (SARG)

UK Civil Aviation Authority

[REDACTED]



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UK Health Security Agency

Environmental Hazards and Emergencies Department
Seaton House, City Link
London Road
Nottingham, NG2 4LA

nsipconsultations@ukhsa.gov.uk
www.gov.uk/ukhsa

Your Ref: EN0110035
Our Ref: CIRIS 95336

■■■■■■■■■■
Environmental Advisor
The Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough SL1 4PN

25 June 2026

Dear ■■■■■■■■■■,

Nationally Significant Infrastructure Project South Kent Energy Park (EN0110035) Scoping Consultation Stage

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report, we wish to make the following specific comments and recommendations:

Environmental Public Health

We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be

covered elsewhere in the Environmental Statement (ES). We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*¹, setting out aspects to be addressed within the Environmental Statement¹. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

We note the Proposed Development includes Battery Energy Storage System (BESS) infrastructure. Whilst we recognise that at this time BESS locations are not fixed, we note the applicant's position in Appendix 17-A that systems will be located more than 30 metres from residential receptors in accordance with NFCC safety guidance, and that on this basis unplanned fire emissions modelling is not currently proposed. The minimum distance of 30 m is to protect against physical hazards and does not relate to a plume of emissions, so this justification is not considered sufficient.

Recommendations

The applicant has scoped out detailed modelling for a fire incident. We recommend that the applicant considers potential impacts from a fire incident to include plume and water run-off public health risks, having regard to NFCC guidance and in consultation with Kent Fire and Rescue Service.

In relation to air quality during construction, there is minimal justification for scoping out this assessment. We recommend that further screening is carried out to support this conclusion.

Yours sincerely,

On behalf of UK Health Security Agency

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

¹

[Redacted signature block]