



ENVIRONMENTAL IMPACT ASSESSMENT SCOPING CONSULTATION

South Kent Energy Park

Produced by Kent County Council (KCC)

August 2026

Introduction

This report has been prepared by Kent County Council (KCC) as a statutory consultee, in accordance with advice and requirements set out in the Planning Act 2008 and Government Guidance – Environmental Impact Assessment: Handbook for Scoping Projects as published May 2002.

The Guidance states that an Environmental Impact Assessment (EIA) is a “process carried out to ensure that the likely significant environmental effects of certain projects are identified and assessed before a decision is taken on whether a proposal should be allowed to proceed”.

The Guidance states that Scoping provides an opportunity for developers and their consultants to identify and assess the key environmental impacts and issues of concern, facilitated by thorough consultation with, among others, planners, statutory and non-statutory consultees, non-governmental organisations (NGOs) and the public.”

Lead Local Flood Authority

Kent County Council (hereafter referred to as the County Council) as Lead Local Flood Authority (LLFA), notes that the applicant has confirmed that the Proposed Development constitutes EIA Development and that Water Environment is proposed as a standalone chapter within the Environmental Statement (ES). The Scoping Report indicates that a Flood Risk Assessment (FRA), hydrological assessment and associated drainage strategy will be undertaken and reported as part of the ES.

The County Council has no preference as to whether flood risk and surface water drainage matters are presented within the ES or as standalone supporting documents.



However, it is essential that a proportionate FRA and surface water drainage strategy are submitted in support of the Development Consent Order (DCO) application.

On this basis, the County Council considers that the scope of the ES and supporting application documentation should include full consideration of flood risk, surface water management and sustainable drainage provision, supported by an FRA and detailed surface water drainage strategy.

Biodiversity

The County Council has the following comments to make on the submitted scoping report:

Protected/Notable Species

The submitted scoping report has detailed that the following surveys are current ongoing/completed:

- Extended UK Habitat Classification Survey (carried out 2022, 23, 25 and 26)
- Habitat condition assessment (ongoing)
- Hedgerow surveys (carried out 2023 and currently carrying out area not surveyed)
- Pond Assessments (carried out 2023 and currently carrying out area not surveyed)
- Amphibians (carried out in 2022/23 and currently being refreshed)
- Reptile surveys (to be carried out)
- Breeding bird survey (carried out 2022/2023 and currently carrying out area not surveyed)
- Non-breeding bird survey (2022-2026)
- Bat survey
 - Assessment of bat habitat (to be carried out)
 - Roost assessments (to be carried out where required)
 - Activity surveys (carried out 2022/2023 and to be carried out within out area not surveyed)
- Invertebrate scoping survey (carried out 2023 and currently carrying out area not surveyed)
- Badger survey (began 2023 and 2026)
- Riparian mammal survey (otter and water vole) (began 2023, ongoing)
- Invasive nonnative plant species – in progress

The County Council is satisfied with the range of surveys proposed but highlights that as part of the wintering bird surveys it would have expected nocturnal surveys for golden plover to have been carried out.



The results of all required surveys, assessment of impacts and details of any mitigation required must be submitted as part of the DCO process. The County Council asks that the submission demonstrate that the principles of the mitigation proposed within the scoping report can be implemented.

The County Council advises that a review of best practice and scientific studies be implemented to inform the design – for example we highlight the below regarding Bats and Solar Farms (other studies will be available for other species). There is fairly limited scientific data regarding the effect of solar farms on bats. However, a recent research article on this subject was published in June 2023 ([Renewable energies and biodiversity: Impact of ground-mounted solar photovoltaic sites on bat activity - Tinsley - 2023 - Journal of Applied Ecology - Wiley Online Library](#)). This article indicates that *“ground-mounted solar photovoltaic developments have a significant negative effect on bat activity, and should be considered in appropriate planning legislation and policy. Solar photovoltaic developments should ...[have]...appropriate mitigation (e.g. maintaining boundaries, planting vegetation to network with surrounding foraging habitat) and monitoring should be implemented to highlight potential negative effects.”*

The June 2023 document highlights a number of papers relating to bats and solar farms and we highlight the following conclusions of various papers: A key potential direct impact is that bats may collide with solar panels, as bats perceive smooth, horizontal surfaces as water, and will approach such surfaces attempting to drink (Greif & Siemers, [2010](#); Greif et al., [2017](#); Russo et al., [2012](#)). The indirect impacts of solar panels on bats may be subtler, with panels potentially increasing reflective temperature at night following a day of hot weather and also altering microclimate by blocking sunlight, rainfall and affecting drainage potentially reducing the availability of invertebrate prey (Froidevaux, Louboutin, et al., [2017](#); Horváth et al., [2010](#); Pizzo, [2011](#)). In addition bats may actively avoid solar PV sites, as a consequence of habitat loss and fragmentation as solar energy can require large land footprints (Pang et al., [2014](#)). A recent comparison of bat activity in solar farms and adjacent habitats in Hungary indicated that while some bat species may exploit solar farms others avoid them (Szabadi et al., [2023](#)).

We note that the recommendations from the June 2023 research paper include: maintaining boundaries, planting vegetation to network with surrounding foraging habitat and undertaking monitoring to measure the effectiveness of mitigation and compensation measures implemented. KCC would expect these measures to be included as part of the application.

Biodiversity Net Gain

The County Council considers that a BNG assessment demonstrating a minimum of 10% BNG will be required as part of any submission. Plans must be included demonstrating that the proposed BNG is achievable.



It must demonstrate that the BNG has considered additionality in accordance with the guidance ([What you can count towards a development's biodiversity net gain - GOV.UK](https://www.gov.uk/guidance/what-you-can-count-towards-a-development-s-biodiversity-net-gain)).

The County Council asks that the BNG assessment has regard to the design of the proposed solar panels so it can fully consider the vegetation creation possible and achievable within the site.

The County Council would like to remind the applicant of the BNG mitigation hierarchy which is to retain, create or enhance habitat on site within the first instance. Paragraph 9.6.14 of the scoping report states *it is currently anticipated that the Proposed Development would seek to deliver BNG within the Main Site, through the implementation of measures such as field boundary enhancements and the establishment of appropriate grassland habitats*. It is advised that the plans must demonstrate that this is achievable and any retained habitat will be protected during the construction period.

The County Council asks that a draft Habitat Management and Monitoring Plan be submitted to demonstrate that the proposed habitats can be managed appropriately. It is advised that the management plan must demonstrate that it has taken in to consideration any restrictions associated with management under the solar panels or the fencing.

Designated Sites

The scoping report has confirmed its proximity to locally, nationally and internationally designated sites including Dungeness, Romney Marsh and Rye Bay SSSI, SPA and Ramsar, and Dungeness SAC.

The County Council would advise that a Shadow Habitat Regulations Assessment (HRA) be submitted as part of any application. The results of the species surveys and the conclusions of other specialist reports (including noise and air quality) must inform the HRA.

The County Council highlights that the results of the bird surveys will confirm if the site provides functionally linked land and the results of the surveys must inform the design of the proposed solar farm. The applicant is reminded of the mitigation hierarchy which is avoid, mitigate, compensate and therefore in the first instance, the application must try to avoid the impact.

Conclusion

The County Council will continue to engage positively with the applicant as the examination advances and trusts that the information provided in this response to the



Environmental Impact Assessment Scoping Report will be considered and acted upon as South Kent Energy Park progresses.

If you require any further information, then please contact [REDACTED] - Principal Strategic Energy and Infrastructure Officer ([REDACTED]@kent.gov.uk).