Scoping Opinion: Community Representation

Re: South Brooks Solar Farm (EN0110027)
Environmental Impact Assessment Scoping Report - November 2025

Submitted to relevant local council departments on behalf of Hands Off Our Marsh CIC

(email: info@handsoffourmarsh.org**)**

This representation is for the attention of the Planning Inspectorate. We request that this community input on environmental issues is appended to the responses of council bodies to PINS as part of the early stage NSIP pre-application process.

Date: 1st December 2025

Summary Table: Requested Scoping Changes by Topic Area

Topic Area	SR/ES Chapter(s)	Requested Change	Why This Matters in Romney Marsh
Air Quality	17	Scope in, full baseline + construction/dust/ nitrogen/BESS. Quote: “unlikely to result in significant effects”	Proximity to SAC/ SPA/SSSI, sensitive to dust, rural receptors
Land/Groundwater	18	Scope-in; baseline monitoring, full CSM; SPZ protection. Quote: “impacts are not significant and can be scoped out”	Critical public aquifer, SPZs crossed, GWDTEs, saline intrusion risk
Materials/Waste	19	Quantify: tonnage for steel/concrete/glass/ cabling, waste/BESS hazardous; detail on lifecycle.	Flood risk, large volumes, hazardous substances in BESS
Hydrology/Drainage	7	Model field drains, IDB access, ditch connectivity; address “Rochdale Envelope” limits.	Area relies on piped underdrainage, IDB statutory access/ flood management
BMV Land	8	Publish ALC methods and results, clarify compaction/ shading impact, reversibility, soil wetness class	Food security, Marsh is productive and difficult to restore
Biodiversity/HRA	6	Publish all bird/bat survey data; confirm scope/method for FLL + HRA, lighting design; incombination HRA	SPA/SSSI dependency, farmland bird declines, bats, FLL ambiguity
Cumulative Impacts	5	List ALL local NSIPs for cumulative; can’t exclude for lack of data	High density of projects, “death by a thousand cuts” risk
Socioeconomics/ Tourism	16	Add tourism volume data; socioeconomic/tourist impact on jobs, Coast Path	International destination, major local employer/ economic pillar

Table 1: Summary of Requested Scoping Changes and Marsh-Specific Context

Executive Summary

This representation is submitted in response to the Environmental Impact Assessment (EIA) Scoping Report for the South Brooks Solar Farm project (Planning Inspectorate Reference EN0110027). It identifies serious deficiencies in the proposed scope of assessment, including inappropriate attempts to scope out key environmental topics, inadequate treatment of Romney Marsh's highly sensitive hydrology, biodiversity, agricultural soils and tourism economy, and an incomplete approach to cumulative impacts with other Nationally Significant Infrastructure Projects (NSIPs) in the area. For a comparable solar NSIP in the same wider landscape context – Shepway Energy Park – the Planning Inspectorate required substantially more detailed information and tighter Rochdale Envelope parameters (including detailed BESS specification and safety assessment, fixed maximum infrastructure heights and footprints, pre-application ALC, drainage stand-offs, HDD breakout and cable-thermal assessments, and explicit BESS fire analysis) than are currently provided for South Brooks, and a similar level of scrutiny is therefore warranted here to ensure consistency and compliance.[1][2][3]

The submission is structured to assist the Secretary of State and the Planning Inspectorate in mapping concerns directly to specific Scoping Report chapters and ensuring compliance with the Infrastructure Planning (EIA) Regulations 2017 and PINS Advice Note Seven on EIA scoping. It highlights, with cross-references, where the applicant's own text and conclusions in Chapters 17 (Air Quality), 18 (Land and Groundwater) and 19 (Materials and Waste) do not provide a robust, evidence-based justification for scoping matters out of the EIA, given the presence of Source Protection Zones, extensive engineered drainage, internationally designated habitats and a heavily tourism-dependent local economy.[2][4][5][1]

In particular, the representation asks that the Scoping Opinion:

- Requires air quality, land contamination/groundwater, and materials and waste to be fully scoped into the ES, with quantified "reasonable worst-case" assumptions in line with Rochdale Envelope practice, and with additional detail on BESS technology (battery chemistry, container numbers and configuration) and BESS fire/explosion and fire-water run-off risks as PINS has required for other large solar NSIPs.[3][6]
- Strengthens hydrology and flood-risk requirements to include explicit assessment of Internal Drainage Board (IDB) access and freeboard obligations, the extensive subsurface field drainage network, climate-change allowances, watercourse and ditch crossing inventories, HDD breakout risk, drainage stand-offs from watercourses, and thermal effects from buried high-voltage cables on groundwater and ditch ecology, using the most up-to-date Environment Agency flood and coastal datasets.[1][2][3]
- Tightens biodiversity and Habitats Regulations Assessment (HRA) expectations, including multi-season bird surveys, transparent publication of breeding and non-breeding bird data, clear Natural England-agreed methodology for Functionally Linked Land (FLL) aligned with favourable conservation status concepts, detailed quantitative lighting design

in line with current bat and lighting guidance, and an HRA approach that fully addresses in-combination effects at Appropriate Assessment stage.[7][8][9][2]

- Requires a more rigorous assessment of agricultural land (including publication of ALC survey methods, completion of pre-application ALC across all land needed for panels, BESS/substations, cables and haul routes, soil wetness/droughtiness classes and long-term shading/compaction effects, and full BMV area-by-grade tabulation and justification), landscape and visual change (including ZTVs and LVIA based on the tallest infrastructure and Residential Visual Amenity Assessment where indicated), noise, vibration and human health (including decommissioning), socio-economic and tourism impacts (using local visitor data for Dungeness and Romney Marsh), transport (including Abnormal Indivisible Loads and PRoW user evidence), and cumulative effects across all relevant NSIPs and large energy projects in the Marsh.[5][2][3][1]

This submission is expressly intended to assist the Secretary of State in ensuring that the Scoping Opinion secures an Environmental Statement that is complete, proportionate and compliant with the EIA Regulations 2017 and PINS Advice Note Seven, reflects recent PINS practice on comparable solar NSIPs, and properly reflects the exceptional environmental and community sensitivities of Romney Marsh.[4][3]

Introduction and Context

1.1 The Strategic Importance of Romney Marsh

Romney Marsh represents a landscape of exceptional environmental, agricultural, and cultural value, combining internationally important wetland and coastal habitats with some of the most productive agricultural land in England. The area is characterized by:[1]

- Critical groundwater resources and engineered drainage systems that protect low-lying communities and farmland from flooding and saline intrusion.[1]
- Internationally and nationally designated sites for biodiversity (SAC, SPA, SSSI, Ramsar) that support rare plants, invertebrates, breeding and wintering birds, and intricate ditch and grazing-marsh assemblages.[2][1]
- Predominantly Grade 1 and 2 “best and most versatile” agricultural land, making a disproportionate contribution to national food security at a time when the UK already imports a large share of its food.[1]
- A flat, open and highly distinctive landscape, valued for long views, dark skies, heritage features and quiet recreation, which underpins a local economy significantly reliant on tourism and outdoor amenity, including visits to Dungeness, the wider Romney Marsh, and the England Coast Path.[10][5]

These characteristics mean that even ostensibly “temporary” changes in land use, drainage or infrastructure can have long-lasting consequences for flood risk, groundwater quality, biodiversity, landscape character and the viability of the local agricultural and tourism economies. The Scoping

Report also notes that the Site boundary is “partially located within” the Dungeness, Romney Marsh and Rye Bay SSSI despite no clear development currently proposed within that SSSI area. In this context, it is essential that the ecological mitigation hierarchy (avoid–minimise–restore–offset) is demonstrably applied from the outset, with a clear presumption against development within SSSI land and full transparency over any subsequent design changes that reduce or remove SSSI overlap, so such changes are properly recognised as basic avoidance in line with good practice rather than retrospectively presented as environmental gain.[8][11][2][1]

1.2 Cumulative Development Pressures

Romney Marsh is currently subject to multiple NSIP-scale solar and other energy developments, creating unprecedented cumulative pressures on this sensitive landscape and hydrological system. The Scoping Report acknowledges this context only in high-level terms and does not fully address how this project will interact with other consented and proposed schemes in terms of:[2][1]

- Hydrological connectivity, groundwater resources and the engineered drainage network (including Internal Drainage Board infrastructure and extensive subsurface field drains).
- Habitat fragmentation, displacement of species, and loss or degradation of Functionally Linked Land (FLL) supporting qualifying SPA/Ramsar bird populations.[8][2]
- Flood risk, drainage capacity and maintenance access for the IDB and Environment Agency.
- Traffic and construction impacts on rural road networks and local communities, including Abnormal Indivisible Loads and construction compounds.[3]
- Landscape character, visual amenity and the setting of heritage assets across the Marsh and Dungeness, particularly given the proposed tall substation and BESS infrastructure.[12][10]
- Socioeconomic effects on tourism, recreation, agriculture and local businesses in a landscape where heritage- and nature-based tourism are key economic drivers.[11][5]

For Shepway Energy Park, a solar NSIP of similar type and strategic context, the Planning Inspectorate required a materially more stringent approach to cumulative assessment, including a clearly justified Rochdale Envelope with fixed maximum parameters for all major infrastructure, detailed project lists and functionally defined study areas, full pre-application ALC, explicit BESS fire and HDD breakout assessment, cable-thermal analysis, and topic-specific cumulative methodologies. Given the similarity in technology, scale and setting, a comparable level of scrutiny and information is needed for South Brooks to ensure consistent decision-making, robust cumulative assessment and compliance with the EIA Regulations and PINS Advice Note Seven.[4][3]

1. https://www.ashford.gov.uk/media/y4kjbx0f/4-3-nca-123-romney-marshes.pdf
2. EN0110027-000002-South-Brooks-Solar-Farm-Scoping-Report-Volume-1-Main-Report.pdf
3. https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN0110017-000003-EN0110017 Shepway Energy Park Scoping Opinion 2017 EIA Regs.pdf

4. https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-sevenenvironmental-impact-assessment-process-preliminary-environmental-information-an/nationally-significantinfrastructure-projects-advice-note-seven-environmental-impact-assessment-process-preliminary-environmentalinformation-an
5. https://romneymarshhistory.co.uk/tourismbusiness
6. https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010133-000444-C7.9 Outline Battery Storage Safety Management Plan.pdf
7. https://www.gov.uk/guidance/appropriate-assessment
8. https://publications.naturalengland.org.uk/publication/5359972901453824
9. https://tamlite.co.uk/wp-content/uploads/2023/08/41867-ILP-GN08-FINAL-1.pdf
10. https://www.folkestone-hythe.gov.uk/downloads/file/2274/12-31-case-study-dungeness
11. https://rdcpublic.blob.core.windows.net/website-uploads/2020/01/SUPPORTING_DOCUMENT_4__Visitor_Assessment.pdf
12. https://www.folkestone-hythe.gov.uk/planning/romney-marsh-solar-farm-planning-applications/4

2. Challenge to Inappropriately Scoped-Out Topics

2.1 Air Quality (Chapter 17)

Applicant's Position:

The Scoping Report states that air quality effects are "unlikely to result in significant effects" and therefore can be scoped out of further assessment in the Environmental Statement, on the basis of the rural location and limited anticipated emissions during construction and operation.[1]

Our Concerns:

Air quality must not be scoped out. The justification in Chapter 17 relies on general statements about low emissions rather than a quantified, Romney Marsh-specific assessment:[1]

- **Construction Phase Impacts and Sensitive Receptors:**
  No robust evidence is provided for the volume, duration, routing or timing of Heavy Goods Vehicle (HGV) and construction traffic movements. On narrow rural roads serving scattered settlements, designated sites and tourism assets, such movements have clear potential to generate dust and NOx, including along access routes as well as within the site. The site lies within close proximity of highly sensitive ecological receptors, including SAC/SPA/SSSI/Ramsar features that are vulnerable to both construction dust and nitrogen deposition. Without a quantified Construction Dust Assessment and dispersion assessment, it is not credible to assert that effects are "unlikely to be significant".[2][3][1]

- **Proximity to Designated Sites and Nitrogen Deposition:**
  The internationally important Dungeness, Romney Marsh and Rye Bay designations include species and habitats known to be sensitive to air pollution, including lichens and bryophytes. Any additional nitrogen or dust loading – especially when added to the baseline and in-combination with other energy projects – must be explicitly assessed, not assumed negligible.[4][5]

- **Cumulative Effects and Other Projects:**
  Multiple large solar and energy schemes are proposed or operational across Romney Marsh. Construction phases could overlap, leading to concurrent HGV movements and dust/emission peaks on shared access roads and near shared receptors. A project-only view risks underestimating these effects.[6][2]

- **Battery Energy Storage System (BESS) Incident Scenarios:**
  The Scoping Report does not address air quality implications of potential thermal runaway or fire
  events in BESS containers (e.g. smoke, toxic gases). Even if low-probability, such scenarios must be assessed for both human and ecological receptors, including worst-case meteorological conditions and fire-water run-off effects, in line with PINS expectations for similar NSIPs.[7][6]

Why This Matters in Romney Marsh:
Romney Marsh hosts internationally designated habitats and a tourism-dependent community whose attractiveness relies heavily on environmental quality and tranquillity; even temporary or localised air quality deterioration can have disproportionate ecological and perceptual impacts in such a setting.[8][4]

Recommendation:
Air quality must be scoped into the ES and include:

- A quantified Construction Dust Assessment and traffic-related emissions assessment, using reasonable worst-case HGV and construction traffic scenarios, aligned with current IAQM guidance.[2]
- Assessment of nitrogen deposition and dust impacts on nearby SAC/SPA/SSSI/Ramsar features and Functionally Linked Land.
- Cumulative assessment of construction and operational emissions with other major energy and infrastructure projects in and around Romney Marsh.
- Explicit consideration of BESS thermal incident scenarios and resulting air quality and health risks, including smoke and toxic gas dispersion and fire-water run-off to ditches and drains.[6][7]

2.2 Land Contamination and Groundwater (Chapter 18)

Applicant's Position:
Chapter 18 concludes that potential impacts on land quality and groundwater are "not significant" and can largely be scoped out on the basis that standard surface-water and groundwater protection measures will be employed and that potential effects on geological SSSI features are limited.[1]

Our Concerns:
Given the presence of Secondary A aquifers, Source Protection Zones and groundwater-dependent ecosystems beneath and around the site, the decision to scope out land contamination and groundwater is fundamentally inappropriate:[4][1]

- Source Protection Zones and Aquifer Sensitivity:
  The cable routes and development parcels intersect multiple Source Protection Zones protecting public and private water supplies. Any intrusive works (piling, trenching, dewatering) within SPZs can introduce or mobilise contaminants and alter flow paths. A generic commitment to "good practice" is no substitute for a full Hydrogeological Risk Assessment.[9][1]
- Lack of Baseline Monitoring and Conceptual Site Model (CSM):
  There is no evidence of a robust baseline groundwater monitoring programme across seasons, nor of a conceptual site model that identifies sources, pathways and receptors (including SPZ abstractions, private boreholes, ditches and groundwater-dependent

terrestrial ecosystems). Without these, it is impossible to conclude that effects are “not significant”.[9]

- Construction-Phase Contamination Pathways:
  Trenching and piling may create preferential pathways; fuel, oil, concrete and chemical use introduce spill risks; dewatering (if required) can mobilise existing contaminants and alter groundwater levels; earthworks in wet conditions can drive sediment and pollutant movement towards drains and ditches. All these pathways must be identified and assessed quantitatively.[1]

- Legacy and Radiological Contamination:
  The long agricultural history of the site points to potential residues of pesticides, herbicides, fertilisers and fuel. In addition, the strategic context of Dungeness nuclear facilities underscores the need to rule out radiological or other legacy contamination risks along cable routes and within drainage catchments.[10][1]

- Saline Intrusion and Climate Change:
  The coastal location and low-lying nature of Romney Marsh make the freshwater–saltwater balance particularly sensitive. Earthworks, drainage changes and climate-driven sea-level rise could interact to alter saline intrusion risk into freshwater aquifers and drainage ditches, with knock-on effects for water supply and ecosystems.[11][4]

- Groundwater-Dependent Ecosystems (GWDTEs) and Ditch Networks:
  Wetland habitats and ditch systems associated with designated sites rely on specific groundwater and surface-water regimes. Even modest changes in water level, chemistry or flow patterns can cause ecological degradation, which must be considered both in EIA and HRA.[3][12]

Why This Matters in Romney Marsh:
The Marsh’s aquifer and engineered drainage system underpin drinking-water supplies, agriculture, flood defence and wetland ecology. Any failure to characterise and protect groundwater properly risks irreversible harm to these inter-linked functions.[4]

Recommendation:
Land contamination and groundwater must be fully scoped into the ES, supported by a comprehensive Hydrogeological Risk Assessment that includes:

- At least 12 months of baseline groundwater monitoring (levels, flow directions and chemistry).
- A detailed conceptual site model covering all relevant sources, pathways and receptors (including SPZs, abstractions, ditches and GWDTEs).
- Quantitative risk assessment of all construction and operational activities (including piling, trenching, dewatering, spills and BESS compounds).

- Assessment of saline intrusion risk under climate-change scenarios.
- Phase 1 and, where indicated, Phase 2 site investigations with appropriate chemical and geotechnical testing.
- A clear mitigation and monitoring strategy, showing how risks will be avoided, reduced, managed and, where necessary, remediated.[13][9]

2.3 Materials and Waste (Chapter 19)

Applicant's Position:
The Scoping Report proposes to scope out materials and waste on the basis that impacts are largely controlled through existing permitting regimes and regulatory controls at off-site manufacturing and waste-management facilities.[1]

Our Concerns:
Materials and waste cannot be scoped out for a scheme of this unprecedented scale on Romney Marsh:[14][1]

- **Scale and Quantification of Materials Demand:**
  A development of this size will require very substantial quantities of steel, aluminium, glass, cabling, concrete, aggregates and battery units. Without quantified "reasonable worst-case" estimates for key materials, it is impossible to assess impacts on supply chains, embodied carbon, transport and local road networks.[6]

- **Transport Movements and Local Roads:**
  Construction and decommissioning will involve high volumes of HGV movements delivering materials and removing waste, on a rural road network already under pressure from other large projects. These movements have direct implications for air quality, noise, road safety and disturbance, and must be assessed cumulatively rather than dismissed as a matter for generic "good practice".[14][2]

- **Hazardous and Difficult Wastes (Including BESS):**
  The project will generate or handle hazardous wastes, including:
  - BESS components and electrolyte materials.
  - Photovoltaic modules containing metals and other substances of concern.
  - Potentially SF_6-containing switchgear.
  - Contaminated soils and sludges where excavation intersects existing pollution.

  The Scoping Report provides no scenario-based assessment of how such wastes will be stored, transported, treated or disposed of under normal operation or failure scenarios, despite PINS requiring BESS waste and firewater impacts to be addressed for similar schemes.[7][6]

- **Decommissioning and Long-Term Legacy:**

Over a proposed multi-decade operational life, large quantities of solar panels, structures, cabling and BESS units will eventually reach end-of-life. Without a clear decommissioning strategy, there is a risk of stranded assets, unmanaged waste streams and residual contamination, particularly in flood-prone and groundwater-sensitive land.[6][1]

- **Cumulative Materials and Waste Across NSIPs:**
  With several mega-solar and battery schemes proposed across Romney Marsh and Kent, the combined demand for materials and the cumulative burden on regional waste-management capacity are likely to be significant. These must be addressed explicitly in the EIA, not assumed negligible.[14][6]

Why This Matters in Romney Marsh:

The Marsh's constrained road network, flood-prone land and sensitive aquifer/drainage system mean that large volumes of materials and waste carry disproportionate risk during both delivery and removal phases, especially when combined with other major schemes.[4][14]

Recommendation:

Materials and waste must be fully scoped into the ES, including:

- Quantified, reasonable worst-case estimates of key construction and decommissioning materials (steel, glass, aluminium, cabling, concrete, aggregates, BESS units).
- Forecasts of HGV and other construction/decommissioning traffic movements linked to material and waste flows, assessed for both standalone and cumulative effects.
- Identification and assessment of all hazardous and difficult wastes, including BESS failure scenarios and contaminated soil management, with clear storage, handling and disposal routes.
- A high-level but credible decommissioning and waste-management strategy, showing how materials will be recovered, recycled or disposed of, and how pollution risks will be controlled on flood- and groundwater-sensitive land.
- Consideration of circular-economy and waste-hierarchy principles, demonstrating how the project will minimise primary resource use and maximise recovery.[13][6]

1. EN0110027-000002-South-Brooks-Solar-Farm-Scoping-Report-Volume-1-Main-Report.pdf
2. https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-cumulative-effectsassessment
3. https://www.gov.uk/guidance/appropriate-assessment
4. https://www.ashford.gov.uk/media/y4kjbx0f/4-3-nca-123-romney-marshes.pdf
5. https://rdcpublic.blob.core.windows.net/website-uploads/2020/01/SUPPORTING_DOCUMENT_4__Visitor_Assessment.pdf
6. https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN0110017-000003-EN0110017 Shepway Energy Park Scoping Opinion 2017 EIA Regs.pdf
7. https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010133-000444-C7.9 Outline Battery Storage Safety Management Plan.pdf
8. https://romneymarshhistory.co.uk/tourismbusiness

9. https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010135-000574-SSG_5.4A_ES Vol 4 Appx 10.3_WFD Assessment.pdf
10. https://rdcpublic.blob.core.windows.net/website-uploads/2020/01/ SUPPORTING_DOCUMENT_1__Nature_Conservation_reduced.pdf
11. https://www.southernwater.co.uk/media/nzjbtxjg/annex_18__sea_report-1.pdf
12. https://www.doverdistrictlocalplan.co.uk/uploads/pdfs/habitat-regulation-assessment-of-the-draft-localplan-2020.pdf
13. https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-sevenenvironmental-impact-assessment-process-preliminary-environmental-information-an/nationally-significantinfrastructure-projects-advice-note-seven-environmental-impact-assessment-process-preliminary-environmentalinformation-an
14. https://democracy.kent.gov.uk/documents/g9748/Public reports pack 09th-Sep-2025 10.00 Environment Transport Cabinet Committee.pdf?T=10

3. Inadequacy of Scoped-In Assessments

3.1.Hydrology, Flood Risk, and Drainage

Our Concerns:

While flood risk is scoped into the assessment (Scoping Report Chapter 7), the proposed approach is incomplete and underplays the particular sensitivities of the Romney Marsh drainage system, aquifer, and field-scale hydrology.[1][2]

1. **Romney Marsh Drainage System Sensitivity and IDB Duties:** Romney Marsh relies on an engineered network of drains, ditches, sewers and pumping infrastructure managed by the Environment Agency and the Internal Drainage Board (IDB). Even modest changes to surface water runoff, infiltration, or connectivity could have significant downstream consequences for flood risk, agricultural land drainage and ditch ecology. The Scoping Report does not identify, or propose to assess, the IDB's statutory requirements for maintaining access to ditches and structures for inspection, maintenance and dredging, or maintaining operational freeboard and water-level management across the catchment. The ES must explicitly assess how construction and operation will maintain IDB access to all relevant ditches, banks and structures, and how freeboard and operational levels will be protected under both current and future climate scenarios. [2][1]
2. **Flood Zones, Runoff and Storage:** The majority of the proposed development is within Flood Zones 2 and 3, with tidal influences and local areas of surface-water risk highlighted in the Scoping Report. Large-scale solar infrastructure, access tracks, compounds and substations (including BESS units up to 6m high and substations up to 15m high on reinforced concrete bases up to 2m deep) risk: increasing surface-water runoff rates and volumes; reducing infiltration capacity through soil compaction; displacing existing flood storage and altering overland flow paths; and constraining access to ditches and culverts during flood events. These effects must be quantified using Romney-Marsh-appropriate hydraulic modelling and not left at a qualitative level. [1][2]
3. **Artificial Field Drainage Systems – Critical Omission:** The Scoping Report recognises the surface ditch network but fails to acknowledge or assess the extensive subsurface artificial drainage pipe systems that underlie the agricultural fields proposed for development. Romney Marsh farmland is heavily dependent on underdrainage networks of perforated pipes that transfer excess water from the soil profile into the ditch system, preventing waterlogging, maintaining soil structure and enabling food-producing agriculture. Construction and operation pose severe risks to these systems through pipe severance or crushing during piling and trenching, soil compaction by heavy plant, sediment ingress and blockage, and alteration of gradients and outfalls. Damage or loss of artificial drainage would likely result in persistent waterlogging and loss of agricultural productivity, increased runoff burdening ditches and raising flood risk, soil structural degradation, knock-on ecological effects on margins and hedgerows, and potential changes to groundwater recharge. The ES must therefore include comprehensive survey and mapping of all artificial

drainage infrastructure across the development site (depth, alignment, materials, condition and connectivity), assessment of construction methodologies and plant access routes in relation to drainage integrity, design of protection/diversion/replacement strategies agreed with landowners and the IDB, post-construction monitoring, and clear financial provisions for restoration or compensation.[1]

4. **Rochdale Envelope and Hydrological Uncertainty:** The Scoping Report relies heavily on Rochdale Envelope principles, presenting wide parameter ranges for key design elements such as piling depth, ground cover ratio, access-track widths, impermeable area percentages, and, critically, BESS and substation dimensions (BESS units up to 6m high; substations up to 60,000m² footprint and 15m high, with 2m-deep concrete foundations). Hydrological and flood-risk effects cannot be robustly assessed while these parameters remain open-ended. The Scoping Opinion should therefore require that a set of hydrology-critical design parameters (including maximum impermeable area, typical and maximum pile depths, maximum BESS and substation footprints and heights, track specifications and compound areas) is fixed and adopted as a “reasonable worst-case” for all flood and drainage modelling, and that any subsequent design change that would materially increase flood or drainage impacts is explicitly re-assessed and reported.[3][1]
5. **Climate Change Scenarios:** Given the effective design life and decommissioning horizon of the project, the Flood Risk Assessment must apply the latest relevant climate-change allowances for peak rainfall, sea-level rise and fluvial/tidal interaction across the 60–100-year timescale, and consider combinations of higher rainfall, reduced infiltration (from compaction and infrastructure), and raised baseline water levels in the Marsh drainage system.[2][1]
6. **Watercourse Crossings and Ditch Morphology:** Cable routes and access tracks will cross multiple named watercourses and IDB drains, including Jurys Gut Sewer, Dengemarsh Sewer and associated ditches. The ES must specify and assess crossing methods (trenched, HDD, culverts, bridges), potential impacts on channel morphology, conveyance capacity and bank stability, implications for aquatic habitats and riparian vegetation, and IDB and Environment Agency access and maintenance implications.[1]
7. **Cumulative Drainage Impacts:** The Scoping Report gives only high-level treatment to cumulative effects, yet Romney Marsh is already subject to multiple large-scale solar and energy projects whose combined effect on drainage capacity, groundwater recharge and pumped systems may be substantial. The ES must evaluate the aggregate reduction in infiltration and increase in runoff from all relevant NSIPs and significant energy schemes in the Marsh, and the cumulative implications for IDB operations, pumping demand, ditch maintenance and residual flood risk to settlements and agriculture.[2][1]

Recommendation:

The ES must provide a Romney-Marsh-specific hydrology and flood-risk assessment that includes: fixed “reasonable worst-case” design parameters for all hydrology-relevant infrastructure under the

Rochdale Envelope; detailed hydraulic modelling and a Surface Water Drainage Strategy incorporating SuDS calibrated for Marsh conditions; full survey and assessment of subsurface artificial field drainage networks, with clear protection, diversion and/or replacement commitments; assessment of impacts on IDB infrastructure, operational freeboard and statutory access requirements, informed by direct consultation with the IDB and Environment Agency; climate-change sensitivity analysis to at least 2100; assessment of all watercourse and ditch crossings on morphology, capacity and ecology; and cumulative hydrological and drainage impact assessment across all relevant NSIPs and major energy schemes in the Romney Marsh catchment.[2][1]

1. EN0110027-000002-South-Brooks-Solar-Farm-Scoping-Report-Volume-1-Main-Report.pdf
2. https://www.ashford.gov.uk/media/y4kjbx0f/4-3-nca-123-romney-marshes.pdf
3. https://www.leodasolarfarm.co.uk/wp-content/uploads/2025/02/Leoda EIA Scoping Report.pdf

3.2.Biodiversity and Habitats Regulations Assessment

Our Concerns:

While biodiversity is scoped in, the current approach to baseline surveys, valuation and Habitats Regulations Assessment (HRA) remains incomplete and lacks the transparency and specificity required for such a sensitive location close to internationally designated sites and Functionally Linked Land (FLL).[1][2]

1. **Survey Effort, Seasonality, and Transparency:** The Scoping Report states that breeding, wintering and passage bird surveys, habitat mapping and a range of species-specific surveys are underway or completed but does not commit to publish the underlying survey reports or to clearly explain how these data will be used to define and protect key ecological features. Given the presence of Schedule 1 birds, Schedule 5 invertebrates, water voles, great crested newts, rare plants and notable farmland birds, multi-season, multi-year data must be fully reported within the ES, including methods, coverage, limitations and raw data summaries. In particular, the completed breeding bird survey and territory mapping exercise must be published in full, with mapped territories for key species (including Tree Sparrow, Skylark, Yellowhammer and Corn Bunting) to inform avoidance and buffering of hedgerows and field margins. Given reference to the NERC Act 2006, the ES should also confirm the survey and assessment approach for NERC Section 41 species known on the peninsula such as Harvest Mouse, Brown Hare and Hedgehog, or provide robust justification for any decision to scope these out.[3][1]
2. **Hedgerows, Farmland Birds, and Habitat Valuation:** Many hedgerows are described in the Scoping Report as “defunct” or “species poor”, yet breeding bird work and local ecological evidence identify their use by Tree Sparrow (of at least county importance) and declining farmland birds such as Yellowhammer and Corn Bunting. Treating these linear features as low ecological value is inconsistent with their demonstrated role as nesting and foraging habitat, and the use of broad statements about “low” breeding bird density is misleading if it fails to reflect the geographic importance of specific species (e.g. Tree Sparrow at county level, Skylark at least local/district level). The ES must therefore: (a) treat hedgerows and associated field margins as key ecological features in both EcIA and HRA; (b) explicitly value farmland bird assemblages using recognised geographic importance scales; and (c) show how the design will retain, buffer and enhance these hedgerows, including where they form flightlines or foraging routes between designated sites/FLL and the wider countryside.[1]
3. **Functional Habitat Connectivity and Functionally Linked Land (FLL):** Non-breeding bird surveys are said to be identifying land within the site that is “frequently utilised” by SPA and Ramsar notified features so as to identify FLL. However, no definition of “frequently utilised” is given, and there is no published methodology, mapping or threshold for classifying land as FLL. The term “frequently” can be interpreted very differently, and must be grounded in objective, evidence-based criteria. The ES and HRA must therefore: (a) use a definition and criteria for FLL aligned with Natural England’s guidance on functional linkage and favourable conservation status, agreed with Natural England in advance, and drawing on both current survey and historical data;

(b) publish the FLL survey methods, spatial coverage and analysis; (c) map all areas of FLL and show how they will be avoided, buffered or compensated through design and mitigation; and (d) explicitly assess effects on qualifying species in terms of maintaining or restoring populations at favourable conservation status.[4][5][1]

4. **Indirect Hydrological Impacts on Biodiversity:** Changes in groundwater levels, surface water quality, ditch water levels and artificial drainage performance could indirectly affect ditch communities, wet grassland and other wetland habitats within and beyond the site boundary, including in designated sites and FLL. These pathways must be clearly modelled and then integrated into both EcIA and HRA, rather than treated purely as hydrology/flood-risk issues, with explicit assessment of how altered hydrology may affect qualifying features and other sensitive ecological receptors.[6][1]

5. **Artificial Light Impacts and Detailed Lighting Design:** The Scoping Report mentions potential lighting effects but does not commit to a quantitative Detailed Lighting Design. For both birds and bats, this is inadequate so close to internationally important wetland sites and key flight corridors. The ES must therefore provide: (a) a Detailed Lighting Design with lux contour plots at agreed distances, spectral characteristics, hours of operation and control regimes, following current good practice (e.g. ILP GN08/23 on bats and artificial lighting); (b) assessment of lighting impacts on nocturnal and crepuscular species (including bats) and on migratory and breeding birds, including barrier and attraction effects; and (c) secured commitments to maintain dark corridors and minimise light spill towards designated sites, FLL and key hedgerow/linear features, with these measures embedded and enforceable via DCO requirements.[7][8][1]

6. **Habitats Regulations Assessment – Approach and In-Combination Effects:** Given the clearly foreseeable potential for significant effects on European and Ramsar sites, Appropriate Assessment under the Habitats Regulations will be required. The Scoping Opinion should therefore: (a) assume from the outset that an Appropriate Assessment is necessary; (b) require that in-combination effects with other NSIPs and relevant plans/projects are assessed at the HRA stage, not deferred; and (c) ensure that mitigation measures relied on in HRA are secured through enforceable DCO requirements and clearly cross-referenced in the ES.[2][9][1]

7. **Use of Buildings by Protected Species:** The Scoping Report states that no demolition works are currently proposed, yet there are buildings within the Site known to be used by wildlife, including nesting Barn Owl and Kestrel. The ES must: (a) ensure that all such buildings are surveyed to appropriate current guidance; and (b) make clear that any subsequent design change introducing demolition or major works to these structures would trigger updated survey, assessment and, where necessary, licensing and mitigation.[1]

8. **Natural England Engagement, oLEMP, and Transparency:** All biodiversity survey reports, FLL analyses, HRA screening and Appropriate Assessment documentation must be submitted to and discussed with Natural England and made available to the public as part of the examination documentation. The Outline Landscape and Ecology Management Plan (oLEMP) should set out a

clear framework for ongoing ecological monitoring and adaptive management, including triggers for additional habitat enhancement where monitoring shows that predicted outcomes are not being achieved. This transparency is essential to allow independent scrutiny of survey adequacy, FLL identification, lighting and hydrology impact pathways, and proposed mitigation.[3][4][1]

Recommendation:

The biodiversity and HRA work must be strengthened to include: comprehensive, multi-season and multi-year surveys with full reporting and publication of breeding bird and other key survey data; explicit recognition and protection of hedgerows and field margins supporting Tree Sparrow, Skylark, Yellowhammer, Corn Bunting and other notable species; a Natural England-aligned methodology for defining, mapping and securing Functionally Linked Land in terms of favourable conservation status; quantitative Detailed Lighting Design and dark-corridor commitments based on current guidance; an HRA that assumes Appropriate Assessment and fully addresses in-combination effects with other projects; clear treatment of buildings used by protected species; and full transparency and Natural England engagement on all biodiversity, FLL and HRA outputs, supported by an oLEMP that embeds monitoring and adaptive management.[2][4][1]

1. EN0110027-000002-South-Brooks-Solar-Farm-Scoping-Report-Volume-1-Main-Report.pdf
2. https://www.gov.uk/guidance/appropriate-assessment
3. https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-sevenenvironmental-impact-assessment-process-preliminary-environmental-information-an/nationally-significantinfrastructure-projects-advice-note-seven-environmental-impact-assessment-process-preliminary-environmentalinformation-an
4. https://publications.naturalengland.org.uk/publication/5359972901453824
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6. https://www.ashford.gov.uk/media/y4kjbx0f/4-3-nca-123-romney-marshes.pdf
7. https://tamlite.co.uk/wp-content/uploads/2023/08/41867-ILP-GN08-FINAL-1.pdf
8. https://www.southandvale.gov.uk/app/uploads/2024/09/South-Vale-Lighting-Design-Guidance.pdf
9. https://www.legislation.gov.uk/ukia/2025/155/pdfs/ukia_20250155_en.pdf

3.3.Landscape, Visual Impact, and Heritage

Our Concerns:

Romney Marsh is recognised as a nationally distinctive landscape, characterised by flat, open grazing marsh, big skies and coastal shingle, and containing a rich assemblage of heritage assets and historic landscape features. The Scoping Report acknowledges these interests but underestimates their sensitivity and the potential for significant, and potentially transformative, change arising from very large, tall built elements such as Battery Energy Storage System (BESS) units and on-site substations. [1][2][3]

1. **Landscape character and sensitivity, including tall structures**
   The ES must explicitly acknowledge Romney Marsh's recognition as a distinct National Character Area and as a key part of local and regional landscape strategies. Within this context, the proposed industrial-scale solar arrays are accompanied by BESS units up to 6m high and substations with an indicative footprint of up to 60,000m² and a maximum height of 15m on reinforced concrete foundations up to 2m deep. These structures are comparable in height to multi-storey buildings and on a footprint akin to major industrial facilities, representing a very substantial vertical and volumetric intrusion into an otherwise low, flat, generally open landscape. The LVIA must therefore:[2][1]
   - Treat these maximum dimensions as "reasonable worst-case" parameters under the Rochdale Envelope and explicitly assess their visual and character effects.
   - Consider whether such tall, large-footprint elements are inherently incompatible with the prevailing landscape character, even where peripheral screening is proposed.[4][1]
2. **Cumulative landscape transformation**
   Multiple solar NSIPs across Romney Marsh risk transforming the landscape from an open, agriculture-dominated mosaic to a contiguous industrial energy platform. The ES must assess this cumulative transformation explicitly, not just as incremental, site-specific change, including:[1][2]
   - Mapping the combined footprint, structural height and visual influence of all relevant solar and energy projects, including turbines, substation compounds and BESS units.
   - Assessing whether a "tipping point" is reached at which the Marsh's distinctive character and sense of openness are effectively lost.
3. **Visual receptors and recreational assets**
   The Scoping Report underplays views from: the King Charles III England Coast Path and other PRoW; local settlements and dispersed properties; visitors to Dungeness and the wider Romney Marsh area; and users of Lydd Airport flight paths. The LVIA must therefore:[3][1]
   - Include agreed viewpoints from these locations, with photomontages that clearly depict the full height and bulk of BESS units (up to 6m) and substations (up to 15m), including associated fencing, lighting columns and gantries.

- Provide, where appropriate, night-time visualisations to show lighting effects on the dark-sky character of the Marsh.

4. **Heritage setting and cumulative heritage effects**
   The Marsh contains listed buildings, scheduled monuments and conservation areas whose setting relies on the open, undeveloped character of the grazing marsh and coastal landscape. The ES must:[3][1]
   - Assess changes to the setting of key heritage assets from both this scheme and other NSIPs, with specific reference to the scale and massing of substation and BESS infrastructure.
   - Consider whether cumulative harm to heritage significance arises from the combined presence of multiple large-scale energy developments and tall structures in views.

5. **Night-time lighting and dark skies**
   Romney Marsh currently benefits from relatively dark night skies which contribute to both ecological function and recreational value. The ES must therefore assess: [3]
   - Night-time lighting effects from security and operational lighting, including at BESS compounds and substations, in terms of sky-glow, light spill and glare.
   - The degree to which lighting associated with tall infrastructure alters perceived remoteness, tranquillity and the quality of key viewpoints.

6. **Glint, glare and aviation safety**
   Given the proximity of Lydd Airport, a glint-and-glare study is essential to ensure aviation safety and to inform Civil Aviation Authority and airport operator consultation. This work should be clearly scoped in and cross-referenced in both LVIA and safety assessments and should consider cumulative effects with other solar schemes.[1]

Recommendation:

The ES must provide a stronger LVIA and heritage assessment that: explicitly reflects Romney Marsh's recognised landscape character and sensitivity; fully assesses the visual and character implications of BESS units up to 6m high and substations up to 15m high and 60,000m²; considers cumulative landscape transformation from all relevant solar/energy projects; includes robust viewpoint selection, photomontages and night-time visualisations from key receptors including the Coast Path, PRoW, settlements, Dungeness and Lydd Airport approaches; assesses effects on heritage settings including cumulative heritage harm; and evaluates night-time lighting and glint-and-glare implications for aviation in consultation with Historic England, local authorities, Lydd Airport and the Civil Aviation Authority.[2][1][3]

1. EN0110027-000002-South-Brooks-Solar-Farm-Scoping-Report-Volume-1-Main-Report.pdf
2. https://www.ashford.gov.uk/media/y4kjbx0f/4-3-nca-123-romney-marshes.pdf
3. https://www.folkestone-hythe.gov.uk/downloads/file/2274/12-31-case-study-dungeness
4. https://www.leodasolarfarm.co.uk/wp-content/uploads/2025/02/Leoda EIA Scoping Report.pdf

3.4.Agricultural Land and Food Security

Our Concerns:

The Scoping Report acknowledges that the site contains a mix of Grade 1–4 agricultural land and that detailed Agricultural Land Classification (ALC) surveys only began in October 2025, with completion anticipated in January 2026. However, it does not yet provide sufficient assurance on BMV loss, long-term soil degradation risks or food-security implications.[1]

1. **Best and Most Versatile (BMV) land and incomplete evidence**
   Regional mapping indicates the presence of significant areas of Grade 1 and 2 land, but the exact distribution of BMV land on site will only be confirmed once current ALC surveys are complete. The ES must therefore:[1]
   - Publish the full ALC survey methodology, including sampling strategy, laboratory analyses and quality assurance.
   - Present definitive, mapped ALC grades and areas, and explicitly quantify any permanent or long-term loss of BMV land.
2. **Wetness, droughtiness and Marsh soil behaviour**
   ALC outcomes on the Marsh are highly sensitive to soil wetness and droughtiness classes, which in turn depend on the functioning of artificial drainage and local groundwater and surface-water regimes. The ES must clearly set out:[2]
   - The assessed wetness and droughtiness classes for each land parcel.
   - How these may be affected by changes to artificial drainage and hydrology arising from the scheme.
3. **Shading, compaction and 60-year operational impacts**
   The Scoping Report assumes that the land can be readily restored to agriculture at decommissioning but provides no evidence or examples from comparable long-term solar projects in similarly drained marshland settings. The ES must therefore provide:[1]
   - Evidence on how 60 years of panel shading, access track compaction, construction traffic and maintenance operations are expected to affect soil structure, organic matter, biology and drainage.
   - Case studies or empirical data showing successful restoration of BMV land under comparable conditions, or else acknowledge and assess the risk that ALC grade may be permanently downgraded.
4. **Food security and policy context**
   Conversion of productive BMV agricultural land to solar generation must be justified against national food-security objectives and policy, particularly in the context of increasing import dependence and climate-related risks to global harvests. The ES should therefore assess:[6]
   - The net change in local and regional food-producing capacity.

- The significance of BMV loss in the context of planning policy and cumulative losses from other energy and non-energy developments.

5. **Agri-environment schemes and existing public goods**
   Any displacement of existing agri-environment schemes that currently deliver biodiversity and landscape benefits must be accounted for as a loss, not simply ignored on the basis that the land is technically “agricultural”. The ES must:[1]
   - Identify existing schemes and payments.
   - Quantify the value of lost public goods (habitat, landscape, carbon, water quality) and explain how these will be replaced or exceeded by the proposed BNG and mitigation measures.

Recommendation:

The ES must strengthen agricultural land assessment by:

- Publishing full ALC methodology, mapped outcomes and BMV loss figures.
- Explaining wetness/droughtiness classes and their interaction with changed drainage regimes.
- Providing robust, evidence-based analysis of long-term shading and compaction impacts on soil and reversibility.
- Assessing food-security implications and cumulative BMV loss within policy context.
- Accounting for displacement of agri-environment schemes and demonstrating how equivalent or better public goods will be delivered.[6][2][1]

3.5.Socioeconomic Impacts

Our Concerns:

The Scoping Report’s socioeconomic baseline (Chapter 16) is thin and does not adequately quantify the tourism, recreation and sense-of-place values associated with Romney Marsh, Dungeness and the Coast Path.[7][8][1]

1. **Tourism and recreation baseline**
   Dungeness, the RSPB reserve, Romney Marsh villages and the England Coast Path collectively attract substantial visitor numbers each year, supporting local accommodation, hospitality, guiding and retail businesses. The ES must therefore:[8][7]
   - Use available visitor data (e.g. Dungeness visitor assessments, Romney Marsh Countryside Partnership reports, Coast Path usage statistics) to establish a quantified tourism baseline.
   - Assess how large-scale industrialisation of the Marsh landscape may affect visitor experience, visitation patterns and tourism-dependent employment.

2. **Community character and amenity**

   The shift from an open agricultural landscape to a heavily industrialised energy landscape will impact local community character, identity and perceived quality of life, beyond simple economic metrics. The ES must:[5]

   - Consider qualitative impacts on sense of place, tranquillity and local attachment.
   - Engage with community views through consultation and document the range of concerns.

3. **Public rights of way and access**

   Multiple PRoW, including the England Coast Path, crosses or come close to the site. The ES should:[1]

   - Identify all affected PRoW and bridleways.
   - Assess temporary and permanent impacts on access, route quality and views, including any diversions or mitigation needed.

4. **Agricultural economy**

   Loss of productive farmland will have knock-on effects on the local agricultural economy, including farm employment, contractors and agri-supply chains. These effects must be assessed alongside the claimed benefits from construction and operational employment within the solar project.[1]

5. **Property and local economic value**

   Changes in landscape character and amenity may influence local property values and the attractiveness of settlements for residents and businesses. The ES should therefore include professional evidence or at least a reasoned assessment of potential property and investment impacts.[5]

Recommendation:

The socioeconomic assessment must:

- Quantify tourism and recreation value using available local data and assess the impact of large-scale industrialisation on these sectors.
- Address community character and sense-of-place impacts, informed by consultation.
- Fully assess PRoW and Coast Path impacts and required mitigation.
- Consider impacts on the wider agricultural economy and local property values as part of a balanced socioeconomic appraisal.[7][8][5][1]

1. EN0110027-000002-South-Brooks-Solar-Farm-Scoping-Report-Volume-1-Main-Report.pdf
2. https://www.ashford.gov.uk/media/y4kjbx0f/4-3-nca-123-romney-marshes.pdf
3. https://www.leodasolarfarm.co.uk/wp-content/uploads/2025/02/Leoda EIA Scoping Report.pdf
4. https://www.gov.uk/guidance/appropriate-assessment
5. https://www.folkestone-hythe.gov.uk/downloads/file/2274/12-31-case-study-dungeness

6. https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-sevenenvironmental-impact-assessment-process-preliminary-environmental-information-an/nationally-significantinfrastructure-projects-advice-note-seven-environmental-impact-assessment-process-preliminary-environmentalinformation-an
7. http://www.dungeness-nnr.co.uk/pdf/Shingle_Issue_4.pdf
8. https://romneymarshhistory.co.uk/tourismbusiness

4. Cumulative Impact Assessment

4.1.Identified Deficiencies

The Scoping Report's approach to cumulative assessment (Chapter 5.10) is inadequate for a location like Romney Marsh, where hydrology, ecology, landscape and tourism operate at landscape and catchment scales. In particular:[1][2]

- The applicant proposes to exclude projects where "publicly available data" are limited, and to rely on simple distance or administrative boundaries, rather than hydrological connectivity, ecological linkages or shared landscape character.[1]
- In-combination effects under the Habitats Regulations are repeatedly deferred to "future stages", contrary to the requirement to consider cumulative effects at Appropriate Assessment where significant effects cannot be ruled out at screening.[3][1]

This risks materially underestimating the combined effects of multiple NSIP-scale solar and energy projects on Romney Marsh's drainage system, aquifers, designated sites, landscape character and tourism economy.

4.2.Required Approach

The ES must adopt a more robust, Romney-Marsh-appropriate cumulative methodology which:

- Defines study areas by functional connectivity (hydrological catchments, ecological networks, landscape character areas, tourism catchments), not just distance or administrative boundaries.[2]
- Applies "reasonable worst-case" assumptions (Rochdale Envelope) for other NSIPs where design details are not fixed, instead of screening them out because project information is incomplete.[4]
- Integrates cumulative assessment across all relevant topics, including hydrology and drainage, groundwater, biodiversity and FLL, landscape and visual, agriculture, traffic, air quality and socioeconomics, rather than treating each in isolation.[1]
- Ensures that in-combination effects for European and Ramsar sites are addressed within the HRA Appropriate Assessment, consistent with Conservation of Habitats and Species Regulations requirements, rather than deferred to later stages.[5][3]

The ES should therefore include comprehensive cumulative impact assessment addressing:

Topic	Cumulative Assessment Requirement
Hydrology and drainage	Aggregate changes in runoff, infiltration and storage across all relevant solar and energy schemes, with implications for Romney Marsh drainage capacity, pumped systems, IDB operations and flood risk.
Groundwater and SPZs	Overlapping effects on aquifer recharge, drawdown and contamination risk where multiple cable routes and foundations intersect SPZs and sensitive aquifer zones.
Biodiversity and FLL	Combined habitat loss, fragmentation, disturbance and displacement for qualifying species of Dungeness, Romney Marsh and Rye Bay SAC/SPA/Ramsar and associated Functionally Linked Land.
Landscape and heritage	Progressive transformation of Romney Marsh from open pastoral/coastal character to an industrial energy landscape, including cumulative harm to heritage settings.
Traffic and air quality	Combined construction and abnormal load traffic from concurrent NSIPs on rural roads, and resultant cumulative dust and emission effects on communities and designated sites.
Agriculture and food security	Cumulative loss and degradation of BMV agricultural land and Marsh food-producing capacity across multiple projects.
Socioeconomics and tourism	Combined effects on visitor experience, tourism-dependent businesses, community character and property values across the Marsh and Dungeness area.

Table 1: Required cumulative assessment scope

4.3.Projects for Cumulative Assessment

The cumulative assessment must include all relevant NSIPs and major energy or infrastructure projects that could interact with the South Brooks Solar Farm within the Romney Marsh hydrological catchment, ecological network and landscape/tourism setting, regardless of data gaps. Where detailed information is not publicly available, the applicant should apply proportionate, reasonable worst-case parameters consistent with Rochdale Envelope practice.[2][4][1]

As a minimum, the project list should include (as applicable at the time of ES preparation):

- Shepway Energy Park (EN0110017).
- South Kent Energy Park
- Stone Street Green Solar (EN010135)
- Other large solar NSIPs in the wider Romney Marsh and Dungeness area (including consented, in-examination and scoping-stage projects).

- Operational schemes such as Sycamore Solar and Little Cheyne Court Wind Farm.
- LPA proposals currently in planning including St Mary in the Marsh Solar Farm and Pond Street Solar Farm and other local solar or battery projects where locations, scales or grid connections overlap functionally with South Brooks.
- Dungeness nuclear decommissioning works and associated infrastructure changes where they may influence hydrology, traffic, employment or tourism patterns.

The precise list should be agreed with PINS, Natural England, the Environment Agency, the IDB and relevant local planning authorities, and transparently reported in the ES, together with justification for inclusion or exclusion of each scheme.[1]

Recommendation:

The Scoping Opinion should require a cumulative impact assessment that:

- Uses functionally defined study areas and does not exclude NSIPs solely on the basis of limited public data.
- Applies reasonable worst-case design parameters for other projects under the Rochdale Envelope.
- Explicitly lists all projects considered and the rationale for inclusion/exclusion.
- Integrates cumulative assessment across all key receptors, including within the HRA for European and Ramsar sites.[3][2][1]

1. EN0110027-000002-South-Brooks-Solar-Farm-Scoping-Report-Volume-1-Main-Report.pdf
2. https://www.ashford.gov.uk/media/y4kjbx0f/4-3-nca-123-romney-marshes.pdf
3. https://www.gov.uk/guidance/appropriate-assessment
4. https://www.leodasolarfarm.co.uk/wp-content/uploads/2025/02/Leoda EIA Scoping Report.pdf
5. https://www.legislation.gov.uk/ukia/2025/155/pdfs/ukia_20250155_en.pdf

5. Transparency and Public Engagement

5.1.Baseline Data Publication

The scale and sensitivity of South Brooks, and the number of overlapping NSIPs on Romney Marsh, make transparency of baseline data and modelling assumptions essential for effective scrutiny by regulators, communities and independent experts. The Scoping Report confirms that extensive surveys and technical studies are underway (including breeding, wintering and passage bird surveys, UKHab mapping, bat activity, invertebrates, ALC, hydrology and drainage work) but gives no clear commitment that the underlying data will be published in a usable form.[1]

We request that the Planning Inspectorate requires full publication of all baseline survey data and technical models used to support the ES and HRA, in accessible formats suitable for independent review. This should include, as a minimum:

- Raw or summarised ecological survey data (breeding, wintering and passage birds; bats; great crested newts; invertebrates; water voles and otter; habitats and condition), including survey dates, methods, effort, weather conditions and observer details, and the full breeding bird survey report with mapped territories for key species such as Tree Sparrow, Skylark, Yellowhammer and Corn Bunting so that hedgerows and field margins of high value can be clearly identified and protected.[1]
- Groundwater and surface water monitoring data, including borehole and piezometer locations, construction details, levels and chemistry, plus ditch/watercourse level and quality records.
- Hydraulic and drainage models (including assumptions, input parameters, sensitivity analyses, and representation of artificial field drainage networks and IDB infrastructure).
- Air quality and noise models where relevant to designated sites or sensitive receptors.
- Agricultural Land Classification survey outputs, with soil pit locations, profiles, laboratory analyses, wetness/droughtiness classes and mapped ALC grades.
- Landscape and visual materials (including viewpoint locations, photomontages, night-time visualisations, camera and rendering specifications) and glint-and-glare analysis where relevant to Lydd Airport.[1]

Publishing these materials will support informed engagement from Natural England, the Environment Agency, the Internal Drainage Board, local planning authorities, NGOs, community groups and independent specialists.

5.2.Independent Peer Review

Given the technical complexity and high stakes involved in hydrology/flood risk, groundwater protection and Habitats Regulations Assessment on Romney Marsh, independent peer review of key

assessments is warranted. To ensure completeness and quality in line with the EIA Regulations 2017 and PINS
Advice Note Seven, we request that the Scoping Opinion:[2][1]

- Encourages or requires independent peer review of the Hydrogeological Risk Assessment, Flood Risk and Drainage Assessment (including artificial field drainage mapping and IDB interactions), and HRA/Appropriate Assessment.
- Specifies that such review should be undertaken by suitably qualified and experienced experts, independent of the applicant, with summaries of peer review findings and applicant responses made publicly available as part of the examination record.[3][2]

This will help identify any gaps or weaknesses in the ES at an early stage and reduce the risk of unresolved technical disputes later in the process.

5.3.Community Consultation

Romney Marsh and Dungeness host communities and visitors with a strong sense of place and longstanding engagement in local environmental and planning issues. Meaningful public participation is therefore critical. We request that the Scoping Opinion expects a consultation process that goes beyond minimum statutory requirements and includes:[4][5]

- Accessible, locally held public exhibitions (in Lydd, New Romney and other affected communities) with technical specialists available to explain hydrology, drainage, biodiversity/HRA (including FLL), ALC, landscape and tourism issues in plain language.
- Clear, non-technical summaries of all major technical topics (hydrology, groundwater, biodiversity/ HRA, FLL, ALC, landscape, tourism and socioeconomics) provided online and in hard copy, alongside the full ES documents.
- Opportunities for community-led input, including local knowledge on drainage behaviour, field drainage infrastructure, wildlife usage (including use of buildings by Barn Owl and Kestrel), tourism patterns and recreational routes, with clear explanation of how such information has been considered.
- A clear commitment that no further statutory consultation is undertaken on any red line boundary or layout that overlaps functionally with other NSIP-scale solar projects on Romney Marsh, and that the applicant will first work with PINS, other NSIP promoters and local authorities to remove such overlaps and present communities with a coherent, non-overlapping set of proposals.
- Adequate time periods for consultation commensurate with the volume and complexity of ES material, and active engagement with parish councils, local community groups and landowners.[6][1]

Transparent data, independent technical assurance and high-quality engagement are all essential if the environmental information relied upon for decision-making is to be trusted and relied upon by affected communities and statutory bodies alike.

1. EN0110027-000002-South-Brooks-Solar-Farm-Scoping-Report-Volume-1-Main-Report.pdf
2. https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-sevenenvironmental-impact-assessment-process-preliminary-environmental-information-an/nationally-significantinfrastructure-projects-advice-note-seven-environmental-impact-assessment-process-preliminary-environmentalinformation-an
3. https://www.gov.uk/government/collections/national-infrastructure-planning-advice-notes
4. https://www.ashford.gov.uk/media/y4kjbx0f/4-3-nca-123-romney-marshes.pdf
5. https://www.folkestone-hythe.gov.uk/downloads/file/2274/12-31-case-study-dungeness
6. https://romneymarshhistory.co.uk/tourismbusiness

6. Specific Recommendations for the Scoping Opinion

We respectfully request that the Planning Inspectorate's Scoping Opinion secure an Environmental Statement and HRA that are complete, proportionate and compliant with the Infrastructure Planning (EIA) Regulations 2017 and PINS Advice Note Seven, tailored to the particular sensitivities of Romney Marsh.[1][2][3]

6.1.Reinstatement of Scoped-Out Topics

1. **Air Quality (Chapter 17)**

Air quality must be scoped into the ES. The applicant should be required to:

- Undertake a Construction Dust Assessment and traffic-related emissions assessment in accordance with current IAQM guidance, taking account of sensitive human and ecological receptors and cumulative construction from other NSIPs.
- Assess operational air quality effects where relevant (including potential BESS thermal events) and their implications for designated habitats and human health.
- Consider cumulative dust and NOx deposition effects on SAC/SPA/SSSI and Ramsar features, consistent with HRA requirements.[3][4]

2. **Land Contamination and Groundwater (Chapter 18)**

Land contamination and groundwater impacts must be fully scoped into the ES. The applicant should be required to:

- Produce a comprehensive Hydrogeological Risk Assessment covering all construction and operational activities, particularly where they intersect Secondary A aquifers and Source Protection Zones.
- Identify and assess all plausible contaminant sources, pathways and receptors, including legacy agricultural chemicals and any potential radiological pathways.
- Integrate groundwater impacts with surface-water and drainage assessments, and with HRA for groundwater-dependent ecosystems.[3]

3. **Materials and Waste (Chapter 19)**

Materials and waste must be reinstated as a full EIA topic. The ES should be required to:

- Quantify, as a reasonably worst-case, the tonnage and types of key construction materials (steel, glass, aluminium, cabling, concrete, aggregates etc.).
- Estimate construction, operational and decommissioning waste arisings, including hazardous waste scenarios associated with BESS and PV panels.
- Assess associated transport movements and cumulative material demand given the number of NSIPs in the Marsh and demonstrate alignment with waste hierarchy and circular economy principles.[5][3]

6.2.Enhanced Assessment Requirements

We request that the Scoping Opinion secure the following topic-specific enhancements.

1. **Hydrogeological Risk and Flood Risk**

   The ES should be required to provide:

   - A Hydrogeological Risk Assessment including at least 12 months of baseline groundwater monitoring, a robust Conceptual Site Model and quantitative risk assessment for construction and operation, particularly where works intersect Secondary A aquifers and Source Protection Zones. [1]
   - A Flood Risk and Drainage Assessment using Romney-Marsh-specific hydraulic modelling, latest climate-change allowances, and a cumulative context, explicitly considering reduced infiltration from compaction and infrastructure and raised baseline water levels.[2][1]
   - Comprehensive survey, mapping and assessment of subsurface artificial field drainage systems, with explicit protection, diversion or replacement strategies agreed with landowners and the Internal Drainage Board, and post-construction monitoring and financial provisions for restoration or compensation.[1]
   - Assessment of impacts on IDB statutory functions, including access, maintenance freeboard and operational water-level control, and clear arrangements for maintenance and access to all drainage infrastructure.[2][1]
   - Fixing of key hydrology-critical parameters under the Rochdale Envelope (e.g. maximum impermeable area, piling depth ranges, BESS and substation footprints and heights, track specifications) for use as “reasonable worst-case” values in all modelling.[3][1]

2. **Biodiversity and HRA**

   The ES and HRA should be required to:

   - Undertake and fully report multi-season and, where appropriate, multi-year ecological surveys (particularly for birds, bats, invertebrates, GCN and riparian mammals), with methods, coverage, limitations and data summaries published.[1]
   - Publish the full breeding bird survey report, including territory maps, and explicitly value Tree Sparrow (county importance), Skylark (at least local/district importance), Yellowhammer, Corn Bunting and other notable species using recognised geographic importance scales, with these data used to define and protect key hedgerows and field margins.[1]
   - Explicitly recognise hedgerows and associated margins as key ecological features where they support important farmland bird assemblages, and demonstrate how layout and management will retain, buffer and enhance these features.[1]
   - Align Functionally Linked Land identification with Natural England guidance on functional linkage and favourable conservation status, using agreed thresholds for “regular use” by

qualifying species and drawing on both current and historical data; publish FLL methods, analysis and mapping; and show how all FLL will be avoided, buffered or compensated.[4][5][1]

- Confirm the survey and assessment approach for NERC Section 41 species known on the peninsula (e.g. Harvest Mouse, Brown Hare, Hedgehog), or provide robust justification for any decision to scope these out, in light of the NERC Act 2006 duty to have regard to biodiversity conservation.[6]
- Provide a Detailed Lighting Design with quantitative lux modelling, spectral characteristics and curfew/control measures in line with current guidance (e.g. ILP GN08/23), and secure "dark-corridor" measures to protect bats, migratory birds and designated sites via enforceable DCO requirements.[7][8][1]
- Assume from the outset that an Appropriate Assessment will be required under the Habitats Regulations and fully address in-combination effects with other NSIPs and plans/projects at the HRA stage, with all relied-upon mitigation secured by enforceable DCO requirements and clearly cross-referenced in the ES.[9][10][1]
- Ensure that buildings used by protected species (e.g. Barn Owl, Kestrel) are surveyed to current guidance and that any later change introducing demolition or major works triggers updated surveys, assessment and, where needed, licensing and mitigation.[1]
- Include in the Outline Landscape and Ecology Management Plan (oLEMP) a clear framework for long-term ecological monitoring and adaptive management, with defined triggers for additional habitat enhancement if monitoring shows shortfalls against predicted outcomes.[1]

3. **Landscape, Visual and Heritage**

   The ES should be required to:

   - Deliver an LVIA that explicitly recognises Romney Marsh's distinctive landscape character and assesses the implications of large, tall infrastructure such as BESS units (up to 6m high) and substations (up to 15m high and 60,000m footprint).[2][1]
   - Provide comprehensive viewpoint selection including the King Charles III England Coast Path, key PRoW, Dungeness, local settlements and Lydd Airport approaches, with photomontages and, where relevant, night-time visualisations that depict the full scale and lighting of BESS and substation infrastructure.[11][1]
   - Assess cumulative landscape transformation from all relevant solar and energy NSIPs and the resulting change in character from open pastoral/coastal landscape to industrial energy landscape.
   - Undertake heritage impact assessment in consultation with Historic England and local authorities, including cumulative setting effects, and a glint-and-glare assessment for aviation safety in consultation with Lydd Airport and the Civil Aviation Authority.[11][1]

4. **Agricultural Soils and Food Security**

   The ES should be required to:

   - Publish full ALC survey methodology, mapped ALC outcomes and clear quantification of BMV land loss.[1]
   - Explain soil wetness and droughtiness classes and their sensitivity to changes in artificial drainage and hydrology on Romney Marsh.[2]
   - Provide robust, evidence-based analysis of long-term shading and compaction impacts on soil structure, organic matter and fertility over the operational life, with realistic appraisal of restoration prospects at decommissioning and, where possible, evidence from comparable long-term solar schemes.
   - Assess food-security implications and cumulative BMV loss from other NSIPs and developments in the area, in the context of national policy.[6][1]
   - Account for displacement of existing agri-environment schemes and demonstrate how equivalent or better public goods (biodiversity, landscape, carbon, water quality) will be delivered.

5. **Socioeconomics and Tourism**

   The ES should be required to:

   - Strengthen the socioeconomic chapter by quantifying tourism and recreation value using local visitor data for Dungeness, Romney Marsh and the England Coast Path, and assessing how large-scale industrialisation may affect visitor experience, local businesses and employment.[12][13][11]
   - Address community character and sense-of-place impacts, informed by consultation with local communities and parish councils.
   - Fully assess PRoW and Coast Path impacts (including visual, noise and access effects) and required mitigation, with particular protection for nationally significant routes.
   - Consider impacts on the wider agricultural economy and on local property values as part of a balanced appraisal, alongside claimed employment and investment benefits.[1]

1. EN0110027-000002-South-Brooks-Solar-Farm-Scoping-Report-Volume-1-Main-Report.pdf
2. https://www.ashford.gov.uk/media/y4kjbx0f/4-3-nca-123-romney-marshes.pdf
3. https://www.leodasolarfarm.co.uk/wp-content/uploads/2025/02/Leoda EIA Scoping Report.pdf
4. https://publications.naturalengland.org.uk/publication/5359972901453824
5. https://publications.naturalengland.org.uk/publication/6303434392469504
6. https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-sevenenvironmental-impact-assessment-process-preliminary-environmental-information-an/nationally-significantinfrastructure-projects-advice-note-seven-environmental-impact-assessment-process-preliminary-environmentalinformation-an
7. https://tamlite.co.uk/wp-content/uploads/2023/08/41867-ILP-GN08-FINAL-1.pdf

8. https://www.southandvale.gov.uk/app/uploads/2024/09/South-Vale-Lighting-Design-Guidance.pdf
9. https://www.gov.uk/guidance/appropriate-assessment
10. https://www.legislation.gov.uk/ukia/2025/155/pdfs/ukia_20250155_en.pdf
11. https://www.folkestone-hythe.gov.uk/downloads/file/2274/12-31-case-study-dungeness
12. http://www.dungeness-nnr.co.uk/pdf/Shingle_Issue_4.pdf
13. https://romneymarshhistory.co.uk/tourismbusiness

6.3.Cumulative Assessment

The Scoping Opinion should require a robust cumulative effects assessment that:

- Uses functionally defined study areas (hydrological catchments, ecological networks, landscape character areas and tourism catchments) rather than only distance or administrative boundaries.[6][3]
- Includes all relevant NSIPs and major energy/infrastructure projects that could interact with South Brooks (including Shepway Energy Park, other solar NSIPs, operational schemes such as Sycamore Solar and Little Cheyne Court Wind Farm, emerging schemes at Stonestreet Green, Springwell, Broomhill/Camber Road, and Dungeness decommissioning works), with transparent justification for inclusion/exclusion.
- Applies reasonable worst-case parameters for other projects where detailed data are not yet available, in line with Rochdale Envelope practice.[5]
- Integrates cumulative assessment across hydrology, groundwater, biodiversity/FLL, landscape/ heritage, agriculture, traffic/air quality and socioeconomics, and ensures that in-combination effects on European and Ramsar sites are addressed within the HRA Appropriate Assessment.[4][3]

6.4.Transparency, Peer Review and Engagement

Finally, the Scoping Opinion should emphasise:

- **Full publication** of baseline survey data and technical models, including detailed mapping of artificial field drainage systems and FLL, in formats suitable for independent scrutiny.
- **Independent peer review** of key technical disciplines (especially hydrogeology, flood risk/ drainage, and HRA), with peer review findings and applicant responses made publicly available.[1][3]
- **Enhanced community consultation**, including local exhibitions, clear non-technical summaries, and mechanisms for incorporating local knowledge on drainage, biodiversity, tourism and access.[9][3]
- **Mandatory consultation** with landowners, the Internal Drainage Board, Natural England, the Environment Agency and local authorities on those aspects where their statutory functions or expert remit are directly engaged (notably drainage, FLL, designated sites and tourism/heritage assets).[3]

These measures together will help ensure that the Secretary of State receives an Environmental Statement and HRA that meet the requirements of the EIA Regulations 2017 and PINS Advice Note Seven and properly reflect the exceptional sensitivities of Romney Marsh.[2][1]

1. https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-sevenenvironmental-impact-assessment-process-preliminary-environmental-information-an/nationally-

significantinfrastructure-projects-advice-note-seven-environmental-impact-assessment-process-preliminary-environmentalinformation-an

2. https://www.gov.uk/government/collections/national-infrastructure-planning-advice-notes
3. EN0110027-000002-South-Brooks-Solar-Farm-Scoping-Report-Volume-1-Main-Report.pdf
4. https://www.gov.uk/guidance/appropriate-assessment
5. https://www.leodasolarfarm.co.uk/wp-content/uploads/2025/02/Leoda EIA Scoping Report.pdf
6. https://www.ashford.gov.uk/media/y4kjbx0f/4-3-nca-123-romney-marshes.pdf
7. https://www.folkestone-hythe.gov.uk/downloads/file/2274/12-31-case-study-dungeness
8. http://www.dungeness-nnr.co.uk/pdf/Shingle_Issue_4.pdf
9. https://romneymarshhistory.co.uk/tourismbusiness

7. Conclusion

The South Brooks Solar Farm is proposed in a landscape and hydrological system of exceptional sensitivity, underlain by important aquifers, controlled by a finely balanced engineered drainage network, and adjacent to internationally and nationally designated sites of the highest importance for biodiversity, landscape and heritage. It also occupies productive agricultural land that contributes to food security and sits within a visitor-dependent area centred on Romney Marsh, Dungeness and the King Charles III England Coast Path.

The Scoping Report, as currently drafted, does not provide a sufficiently robust or evidence-based platform for the Environmental Statement and HRA. Attempts to scope out air quality, land contamination and groundwater, and materials and waste are unjustified in this context; the proposed treatment of hydrology, artificial field drainage, biodiversity and Functionally Linked Land, landscape/ heritage, agricultural soils and socioeconomics is incomplete; and the cumulative assessment methodology is not adequate for a Marsh-wide pattern of multiple NSIP-scale energy developments. For a nearly identical project in the same landscape type (Shepway Energy Park), the Planning Inspectorate required substantially more detail, tighter Rochdale Envelope parameters, and additional environmental assessments, many of which are absent from the South Brooks Scoping Report; the same level of scrutiny is required here to ensure consistency and compliance.

The specific enhancements requested in this representation are designed to ensure that the Scoping Opinion requires a genuinely comprehensive, Romney-Marsh-appropriate assessment of environmental and community effects, including: rigorous hydrogeological and drainage work (with IDB and artificial drainage fully addressed), stronger biodiversity and HRA requirements (including FLL, lighting and in-combination effects), more demanding agricultural and food-security analysis, a realistic cumulative impact approach, and much greater transparency and peer review. Only on the basis of such an evidence-rich and properly scoped ES and HRA can the Secretary of State, statutory bodies, local authorities and communities reach informed judgements about whether this development can proceed without unacceptable environmental and social harm.

This submission is intended to assist the Secretary of State in ensuring that the Scoping Opinion is fully compliant with the Infrastructure Planning (EIA) Regulations 2017 and PINS Advice Note Seven, and that it secures the level of environmental information required by those instruments – and by recent PINS practice on comparable solar NSIPs – for a proposal of this scale and sensitivity on Romney Marsh.