

This Report will be made public on 18 February 2026

Report Number: **OS/25/14**

**To:** Overview And Scrutiny Committee  
**Date:** 26 February 2026  
**Status:** Non-Key  
**Responsible Officers:** Andrew Byrne, Principal Planning Officer  
Adrian Tofts, Strategy & Policy Manager  
**Cabinet Member:** Councillor Jim Martin, Cabinet Member for Otterpool Park and Planning Policy  
Councillor Stephen Scoffham, Cabinet Member for Climate, Environment and Biodiversity

**SUBJECT:** **NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT (NSIP) SCHEMES ON THE ROMNEY MARSH**

**SUMMARY:** This report is prepared in response to the e-petition on solar farm developments discussed by full Council on 1 October 2025. The report outlines the NSIP process and highlights the role that host local authorities have in the process. National policy is summarised and the report outlines the role that local authorities have if a consent is granted. There is also discussion of the potential for a community benefits policy.

**RECOMMENDATIONS:**

1. To receive and note report OS/25/14; and,
2. To provide observations and feedback to support any further consideration of the matter by the Council.

## 1. INTRODUCTION

1.1 At the meeting of full [Council](#) held on 1 October 2025 an e-petition titled 'Stop industrial-scale solar sprawl on Romney Marsh' was discussed. The petition received a total of 414 signatures.

1.2 The petition stated: *"We the undersigned petition the council to oppose the spread of oversized solar and battery storage NSIP schemes on Romney Marsh's prime agricultural crop-producing land."* A number of reasons were given in justification including: loss of high value agricultural land; loss of farming employment and skills; loss of rural character; impact on ecology; impact on the local economy; the risk of fire; impact on the setting of historic churches; and impact on views from the Kent Downs National Landscape.

1.3 Full council resolved to:

*"Refer the petition to the Overview and Scrutiny Committee, as the case may be, for their observations before deciding whether to examine the issues raised by the petition."*

This report has been drafted in response to the Council resolution.

1.4 There are currently three large-scale solar projects being developed in the Romney Marsh area of the district. These are:

- South Kent Energy Park - proposed by Low Carbon, on land either side of the A250 near Old Romney, to deliver approximately 500 megawatts (MW) of electricity.
- Shepway Energy Park - proposed by SSE Renewables, on land north and east of Newchurch, to deliver approximately 200MW of electricity.
- South Brooks Solar Farm - proposed by EDF Power Solutions and PS Renewables, on land around Lydd, to deliver approximately 500MW of electricity.

1.5 All three schemes are in the early stages of development, and so the generating capacity and site area may change as the schemes are amended. However, because of their scale they will be determined under the Nationally Significant Infrastructure Projects (NSIP) process.

1.6 In addition to the above, there are two smaller solar proposals being proposed that, because of their scale, fall within the responsibility of Folkestone & Hythe District Council as the decision-maker. These are:

- Land opposite Marten, Farm, St. Mary's Road, Romney Marsh - proposed by Enviromena (ref: [25/0542/FH](#)). This was granted planning permission by Planning and Licensing Committee on 20 January 2026.
- Otterpool Park - proposed by SNRG. This proposal has not yet progressed to planning application stage.

1.7 More information about these schemes is provided on the council's [webpage](#), 'Solar projects in the Folkestone & Hythe district'. A map showing the approximate extent of the schemes is provided as **Appendix 1** to this

report. More detailed maps of the three large scale NSIP solar projects, as provided on each developer's website, are attached as **Appendices 4, 5 and 6**.

- 1.8 This report focuses on the consenting regime for deciding the three large-scale solar proposals outlined in paragraph 1.4 and highlights the inputs that local authorities can have into the process. There is also discussion in Section 8 about the potential for a community benefits policy.

## **2. WHAT ARE NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS (NSIPs)?**

- 2.1 The Planning Act 2008 created a new decision-making regime for large-scale infrastructure projects. Projects above certain size thresholds are assessed through the Nationally Significant Infrastructure Projects (NSIP) regime and are decided by the relevant Secretary of State (SoS); below these thresholds, projects continue to be assessed under the Town and Country Planning Act and are decided by local authorities. The aim of the NSIP regime is to streamline decision-making for such projects, making it fairer and faster for communities and developers alike.

- 2.2 The Planning Act 2008 defines five categories of infrastructure project that fall within the NSIP regime:

- Energy – power stations, solar and wind farms, pylons and pipelines.
- Transport – airports, seaports, highways and railways.
- Water – dams, reservoirs and pipelines.
- Wastewater – wastewater treatment works, sewerage systems and storage facilities.
- Waste – hazardous waste facilities and incinerators.

- 2.3 The 2008 Act sets out the thresholds for defining nationally significant infrastructure proposals for these categories of project; for solar energy generation the threshold is 100MW (this was 50MW but the threshold was increased by The Infrastructure Planning (Onshore Wind and Solar Generation) Order 2025 on 31 December 2025).

- 2.4 Figure 1 below illustrates the location of NSIP applications across the country and the stage they had reached (at September 2025). As can be seen, there were a large number of projects in eastern areas of the country and off the coast, reflecting the prevalence of proposals for offshore energy schemes and connecting onshore infrastructure. Of the 273 applications then live, the great majority (some 68 per cent) were energy schemes. Transport projects accounted for 27 per cent of the total. Water schemes accounted for around three per cent of the total. Waste, wastewater and other schemes each accounted for only one per cent or less of the total.

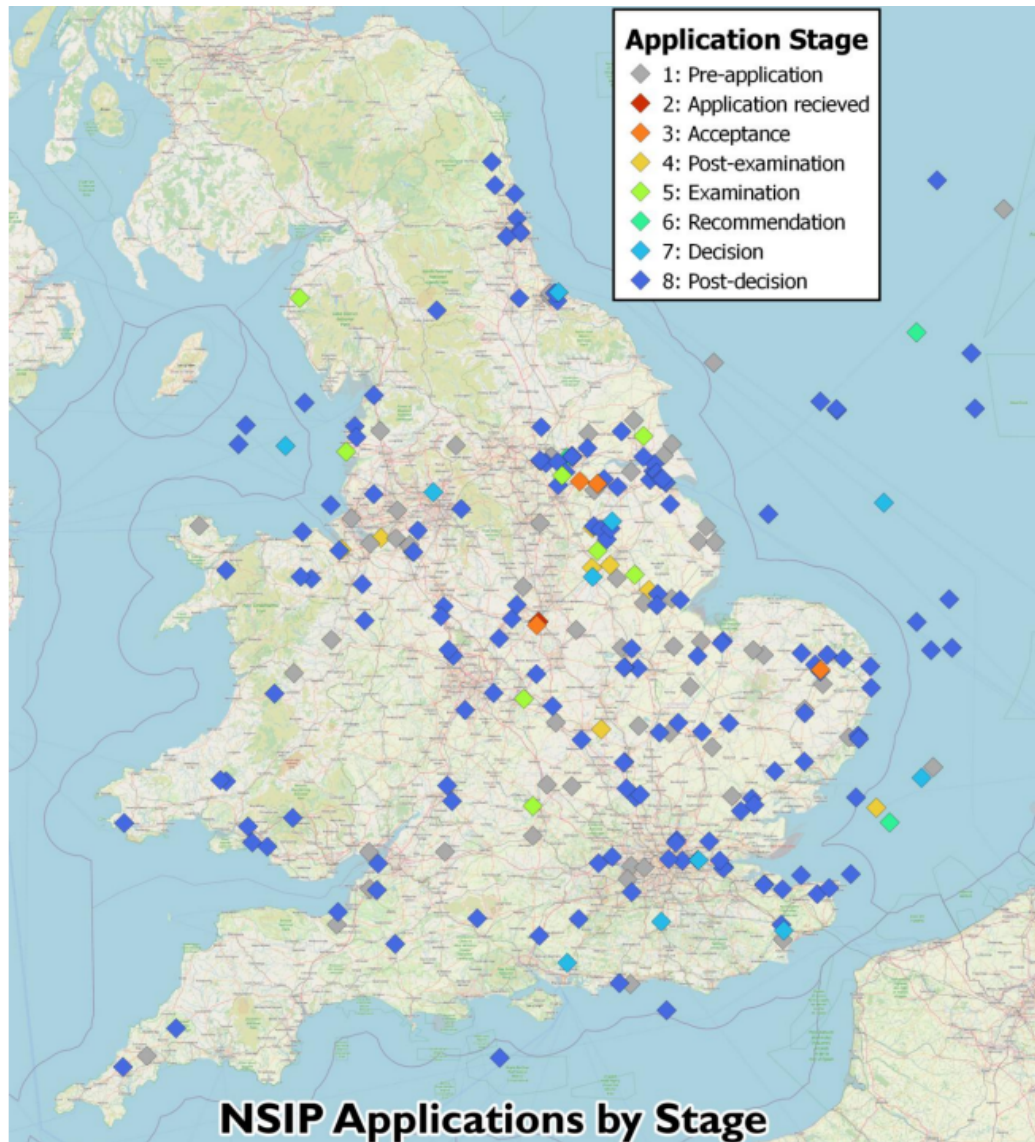


Figure 1: Nationally Significant Infrastructure Project (NSIP) schemes by stage (as at September 2025).

2.5 PINS provides a schedule of all [live NSIP](#) projects on its website, which can be searched by name, location and stage reached. At the time of writing, 271 projects are listed.

### 3. HOW ARE DECISIONS ON NSIP SCHEMES MADE?

3.1 Permissions for NSIP schemes are granted through development consent orders (DCOs). Decisions are made by the relevant SoS; for large-scale solar schemes, this is the Secretary of State for Energy Security and Net Zero. The SoS is advised by the Planning Inspectorate (PINS). PINS Inspectors form the Examining Authority (ExA) for schemes. Host local authorities (the district/borough and county councils for the areas where the proposal is located) and neighbouring authorities are statutory consultees in the process.

3.2 A DCO is a Statutory Instrument that may grant a wide range of powers (see paragraphs 7.1-7.4). DCOs are drafted by the applicant and subject to scrutiny through the examination process.

#### 4. WHAT ARE THE STAGES IN THE NSIP DECISION-MAKING PROCESS?

4.1 There are six main stages in the NSIP decision-making process. These are outlined in Figure 2 below. More detail is given in the sections that follow.

Avg 1–2 years	Max. 28 days	Circa 3 month	Max. 6 months	Max. 3 months	Max 3 months (plus 6 wks)
1. Pre-application	2. Acceptance	3. Pre-examination	4. Examination	5. Recomm'd'n	6. Decision (& window for JR)
Duty on applicant to consult on proposals, work begins on detailing impacts	Applicant applies to PINS who decide if to accept  Key docs: DCO, Planning Statement, Explanatory Memorandum	ExA appointed,  Persons register as an Interested Party & make Relevant Reps  Prelim meeting held	A written process – ie IP Make WR (views in writing), local authorities thru LIR, SoCG. responding to questions, tight deadlines!	ExA must prepare a report and make a recommend'n to SoS	SoS decides whether to grant or refuse and after this there is a 6 week period for any challenges in High Court

Figure 2: Outline of the NSIP process with estimated time periods for each stage

##### Pre-application stage

4.2 The NSIP regime is a front-loaded process and therefore pre-application consultation on the project by the applicant is a key requirement. The pre-application stage has no set time-period, beyond a minimum consultation period of 28 days, and consultation may be carried out several times as the scheme is refined.

4.3 Before submitting an application to PINS, the applicant is required to carry out extensive consultation. This involves providing information about the proposals to various statutory and non-statutory bodies and the wider community, responding to questions, listening to suggestions, and taking these into account to inform the proposals. This does not mean that the applicant must agree with or accept the comments, but the applicant must show that they have given them proper consideration.

4.4 The pre-application stage is the best time to influence the project, as once an application has been submitted to PINS the application then moves forward to be determined under a strict timetable. Parish and Town Councils, community groups and local residents are advised to make their comments known at this early stage and to propose any amendments or mitigation that could improve the schemes. It is not normally possible for substantial changes to be made to an application once it has been submitted. It is therefore a matter of judgement by the promoter how long to develop the scheme at pre-application stage.

- 4.5 Before formal consultation is carried out, the applicant is required to prepare a Statement of Community Consultation (SOCC), having consulted relevant local authorities beforehand. The SOCC details the consultation the applicant intends to undertake with the local community.

#### Acceptance stage

- 4.6 Once the pre-application stage has been completed and the scheme is finalised, a formal application can be submitted to PINS, which has 28 days to decide whether the application meets the criteria for acceptance.

#### Pre-examination stage

- 4.7 If accepted, an Examining Authority (consisting of either a single Inspector or panel of Inspectors) is appointed to examine the application. The public will be able to register with PINS and provide their views on the scheme during the pre-examination stage, which typically lasts for around three months.

#### Examination stage

- 4.8 PINS then has six months to carry out a formal public examination of the proposals. The Examining Authority will consider all the important and relevant matters, including representations from interested parties. The government has produced a suite of National Policy Statements (NPSs) which are used as the primary basis for making decisions on NSIP schemes (see paragraphs 6.3-6.13 below).

#### Recommendation stage

- 4.9 After the close of the examination, the Examining Authority must prepare a report on the application to the SoS within three months giving its recommendations on the suitability of the proposals.

#### Decision and judicial review

- 4.10 On receipt of the report from PINS, the SoS has three months to make the decision whether to grant or refuse development consent. When the decision has been issued there is a six-week period in which it may be challenged in the High Court.
- 4.11 The total application period, from acceptance to decision, lasts for approximately 15 months. However, as outlined, the initial pre-application phase may last one to two years, depending on the complexity of the scheme and whether it goes through multiple consultation stages.

## **5. WHAT IS THE ROLE OF A HOST LOCAL AUTHORITY IN THE NSIP PROCESS?**

- 5.1 The government has published [advice for local authorities](#) on their role in the NSIP process. The advice states that local authorities have an important role to play:

- *providing the applicant with a local perspective on the proposed project*
- *if consent is granted, they may need to monitor and enforce some parts of the Development Consent Order (DCO)*
- *if consent is granted, they may be the authority to discharge certain requirements (like conditions attached to a planning permission), or they may act as a consultee for a requirement.”*

5.2 **Appendix 2** provides a diagram showing how host local authorities can input into each stage of the NSIP process. Folkestone & Hythe District Council, as a host authority to the three large scale schemes, will have the opportunity to comment on the proposals at the different stages, as set out below.

#### Pre-application stage

5.3 At the pre-application stage the local authority is encouraged to work with the applicant to shape the proposals and address local concerns. The government advice states that the local authority:

*“... should engage with the applicant even if they disagree with the project in principle. Early engagement with the applicant will not undermine any objections or submissions they may make during the next stages of the NSIP process.”*

5.4 At this stage, the local authority can begin to consider any mitigation that may be needed to reduce or resolve the impacts that may be caused by the construction, operation and decommissioning of the development. The advice states that the local authority *“can also identify where the project could support its strategic objectives and discuss this with the applicant, for example on skills and economic policies.”*

5.5 The applicant will prepare a draft DCO for submission to PINS which will be in the form of a Statutory Instrument (SI). The local authority should review the content of the DCO and any provisions in proposed articles. As part of this assessment, the local authority should consider the implications of the proposed development on the local area. It should consider the ‘DCO requirements’ (similar to conditions attached to a planning permission) to assess whether the requirements are precise, enforceable, necessary and relevant. If the local authority considers that the draft DCO should be amended, they should provide the Examining Authority with alternative or new wording.

5.6 At this stage, the local authority can begin to develop the content of its Local Impact Report (LIR) (see paragraphs 5.15 to 5.17).

5.7 Local authorities should provide the applicant with information to help inform the consultation by commenting on the applicant’s statement of community consultation (SOCC).

5.8 The Examining Authority will ask the local authority for its views on the applicant’s consultation. The advice states that local authorities should monitor the statutory consultation the promoter undertakes; this will inform

the local authority's response to the Examining Authority (see paragraph 5.13).

- 5.9 Members of the local community are encouraged to engage with the applicant and submit their comments directly to them. The advice states that the local authority *“should not carry out their own consultation about the NSIP to avoid confusion about where feedback should be sent.”*
- 5.10 The local authority may seek to agree a Statement of Common Ground (SOCG) with the applicant to help the Examining Authority understand what matters are agreed between the parties, what matters are not agreed and what is still being negotiated. Areas of disagreement may be documented in a Principal Areas of Disagreement Summary Statement (PADSS). The advice states that the applicant should begin to negotiate early in the process and should submit a draft SOCG with the application information. The parties may continue to work on the SOCG throughout the pre-examination and examination stages and a final SOCG should be submitted by the applicant before the close of the examination.

#### Acceptance stage

- 5.11 Once the applicant has submitted the application, PINS has up to 28 days to decide whether it meets the standard required to be accepted.
- 5.12 If the application is accepted by PINS, the advice states that the local authority should review the application documents as soon as they are published. The local authority should continue to engage with the applicant regarding the DCO and SOCG. The local authority should also continue to consider the content of its Local Impact Report.
- 5.13 At this stage the local authority is invited to submit an ‘adequacy of consultation representation’ to state whether it considers that the applicant has complied with its pre-application consultation duties. The advice states that: *“Any comments should be about the pre-application consultation only and not about the project itself.”* The local authority may wish to include any concerns about the consultation which have been raised by members of the public in its representation. The local authority has 14 days to submit its representation from receipt of PINS’ request proforma.

#### Pre-examination stage

- 5.14 The advice states that the local authority should continue to engage with the applicant during the pre-examination stage. The applicant and local authority should seek to reach agreement on as many issues as possible before the start of the examination; the issues should be documented through the SOCG and PADSS (see paragraph 5.10).
- 5.15 The local authority should begin to prepare its Local Impact Report (LIR). The advice emphasises that the LIR:

*“... is a technical evidence-based assessment of all the impacts. The LIR is therefore not the document where the local authority should set out its objections or support for the application.”*

- 5.16 The advice adds that the local authority should only include representations from community groups:

*“... where they are relevant to impacts which the local authority wants to highlight. Local authorities should encourage those who have submitted the representations to submit a relevant representation to the Planning Inspectorate and register as an interested party so that their comments can be considered by the Examining Authority.”*

- 5.17 The advice includes a list of potential topics for inclusion in the LIR, which includes: information about the area, its characteristics and constraints; likely impacts of the proposal; an appraisal of the project’s compliance with local planning policy; consideration of the draft DCO and control measures; and an assessment of any DCO obligations and their impact on the area.
- 5.18 Alongside the LIR, the local authority should submit a ‘relevant representation’ on the planning merits of the proposed development. It should consider where it supports or does not support the application and what it considers the issues and effects to be. The representation should include details of any mitigation the local authority considers appropriate. The representation should be supported by relevant evidence, for example the data and methodologies relied on.
- 5.19 At this stage, the Examining Authority will make its ‘initial assessment of the principal issues’ arising from the application (IAP1) and begin to draft a timetable for the examination. The Examining Authority will call a preliminary meeting to discuss how the application will be examined; it may invite local authorities to provide written comments about the form the examination should take.
- 5.20 The Examining Authority will then publish the draft examination timetable. The local authority is encouraged to consider its staff resources and how it will meet the examination deadlines and advise the Examining Authority about any major local events that could affect the timetable. The advice stresses that, given the six-month duration of the examination, the timetable is likely to include deadlines and events during school holiday periods.

#### Examination stage

- 5.21 The advice emphasises that the examination is largely a written process, however hearings may be held into the application, and interested parties will be able to expand on their submissions at the hearings.
- 5.22 The local authority may also wish to submit a written representation. This should not repeat the content of other submissions but provides an opportunity to submit further details or new evidence that may not have been available before or expand on any issues already raised.
- 5.23 The Examining Authority may request information from the local authority and other participants by issuing written questions.
- 5.24 During the examination, the Examining Authority will examine the applicant’s draft DCO *“to satisfy themselves that the construction and operation of the*

*project is sufficiently controlled and mitigated.*” The local authority will need to be satisfied that its responsibilities for enforcing and discharging the requirements in the draft DCO are clearly set out, should consent be granted.

5.25 There are three types of hearings that may be held:

- Open floor hearings - These are community-focused hearings for individuals and groups to put their views to the Examining Authority. Local councillors may wish to attend these hearings as community representatives, but the advice stresses that they must confirm in what capacity they are speaking, whether as a ward councillor, local resident or representative of the local authority.
- Issue-specific hearings – These are inquisitorial hearings where the Examining Authority will ask the participants questions about specific topics. The local authority is likely to be called on to participate in these hearings and may wish to engage specialist technical or legal support.
- Compulsory acquisition hearings – These are held if the Examining Authority considers it necessary to ask the applicant questions about its case for requesting the compulsory acquisition of land.

5.26 Accompanied site inspections may also be undertaken for the Examining Authority to view the application site and surroundings. The advice adds that: *“It is helpful if a representative from the local authority can attend so that they can be available to point out specific locations and features. They will also then have first-hand knowledge of what was seen.”*

#### Recommendation and decision stages

5.27 The local authority will not generally get involved at these stages. However, the SoS may invite interested parties to comment on certain matters at the decision stage.

## **6. WHAT LEGISLATION AND POLICIES APPLY FOR DECISION-MAKING?**

6.1 The definition and basis for decision-making on NSIPs is set out in the Planning Act 2008. Sections 14 and 15 of the Act define generating stations that generate electricity from wind or directly from sunlight with a capacity of over 100MW as qualifying as an NSIP project. S104 of the Act states that in determining such applications, the Secretary of State (SoS) must have regard to the following:

- Any relevant Nationally Policy Statement.
- Any duly submitted Local Impact Report.
- Any matters prescribed in relation to the development.
- Any other matters the SoS thinks are both important and relevant to the decision.

6.2 As currently proposed, the three proposed developments in the Romney Marsh area would all have a generating capacity of over 100 megawatts (see paragraph 1.4).

### National Planning Statements (NPSs)

- 6.3 These statements set out government policy on different types of national infrastructure development. For the purpose of applications made under the Planning Act 2008, NPSs are the primary policy for the Secretary of State's decision-making. The following NPSs would be most relevant to the three developments proposed in the Romney Marsh area:

### Overarching National Policy Statement for energy (NPS-EN1) (2025)

- 6.4 [EN1](#) sets out an overarching policy for energy. It sets out the general principles that should be applied in the assessment of development consent applications alongside the government's commitment to increasing renewable generation capacity. It specifies key government legislation and commitments to significantly reduce carbon emissions.
- 6.5 EN1 states that significant amounts of new large-scale energy infrastructure are required to meet government energy targets, and that the need for this is urgent. EN1 adds that wind and solar are the lowest cost ways of generating electricity and that a secure, reliable, affordable net-zero consistent system in 2050 is likely to be composed predominantly of this.
- 6.6 EN1 states that, in developing the necessary amounts of large-scale energy infrastructure to meet its energy objectives, this may not be without some significant residual adverse effects.
- 6.7 Part 4 of the NPS states that the SoS will start with a presumption in favour of granting consent to applications for energy NSIPs. It states that when weighing adverse impacts against its benefits, the SoS should take into account:
- Potential benefits, including the contribution to meeting net zero, energy infrastructure, job creation and environmental enhancements.
  - Its potential adverse impacts, including on the environment, considering long term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts.
- 6.8 EN1 provides advice on how an application should assess various impacts relating to energy infrastructure and how the SoS should consider these in determining an application.
- 6.9 EN1 states that where residual adverse effects would remain, even following proposed mitigation measures, the SoS should weigh these against the benefits of the proposed development. For projects which qualify as Critical National Priority infrastructure – which includes renewable electricity generation - it states that it is likely that the need case will outweigh residual effects in all but the most exceptional circumstances, unless such impacts present an unacceptable risk to human health, public safety, defence, irreplaceable habitats or flood risk.

### National Policy Statement for renewable energy infrastructure (NPS-EN3) (2025)

- 6.10 [EN3](#) is specific to renewable energy infrastructure. It states that together with NPS EN1, it will provide the primary policy for decisions by the SoS on applications for nationally significant renewable energy infrastructure.
- 6.11 Part 2.10 is specific to solar photovoltaic generation. It states that the UK has huge potential for solar power as a cost effective, versatile and effective technology, that solar farms are one of the most established renewable electricity technologies in the UK and the cheapest form of electricity generation. They can be built quickly and may include associated infrastructure such as energy storage.
- 6.12 EN3 identifies factors that influence site selection and design, including irradiance and site topography, scale, connection to the national grid, proximity to dwellings, accessibility, public rights of way, security and lighting, land type and agricultural classification. It provides advice on technical considerations including capacity of a site, site layout, design and appearance, project lifetime (an upper limit of 40 years is typical) and decommissioning.
- 6.13 The NPS identifies relevant impacts related to solar farms to be considered as part of the application and determination including: biodiversity, ecology, geological conservation and water management; landscape, visual and residential amenity; glint and glare impacts; heritage impacts; construction impacts, including traffic and transport; and noise and vibration impacts. It includes factors that the SoS should take into account in decision-making, when assessing site selection, technical considerations and impacts.

#### Development Plan Policies

- 6.14 As a Host Authority, the council will have an opportunity to submit a Local Impact Report (LIR) as part of the examination of an NSIP application (see paragraphs 5.15-5.17). This will identify local development plan policies (the current adopted plans being the Core Strategy Review 2022 and the Places and Policies Local Plan 2020) that are capable of being important and relevant considerations under S105(2)(a) of the Planning Act 2008.
- 6.15 It is likely that the following development plan policies will be highlighted in a LIR:

#### Core Strategy Review 2022

- Policy SS1 – District Spatial Strategy
- Policy CSD4 – Green Infrastructure
- Policy CSD5 – Water and Coastal Environmental Management

#### Places and Policies Local Plan 2020

- Policy HB1 – General Design Considerations
- Policy NE1 – Enhancing and Managing Access to the Natural Environment
- Policy NE2 – Biodiversity
- Policy NE3 – Protecting the District’s Landscapes and Countryside
- Policy NE5 – Light Pollution

- Policy CC6 – Solar Farms
- Policy HW3 – Loss of Best and Most Versatile Agricultural Land
- Policy HE2 - Archaeology

6.16 Where a relevant local plan policy and designated NPS policy are in conflict, there is a presumption in favour of the NPS policy when the SoS makes his decision.

## **7. WHAT HAPPENS IF AN NSIP IS GRANTED?**

7.1 The SoS will grant a Development Consent Order (DCO). This is a Statutory Instrument (SI) which:

- Grants the development consent and some other required permissions for the approved project.
- Grants the power to compulsorily acquire land and rights, if required.
- Grants necessary powers in relation to highways works.
- Grants supplementary powers such as the discharge of water, authority to survey and investigate land, and works to protect buildings.
- Defines the works which have been approved.
- Sets out a list of requirements (equivalent to planning conditions) attached to the DCO which will control the construction, commissioning, operation and, if appropriate, the decommissioning of the approved works.

7.2 There is no right of appeal against an Order granting development consent. It can only be challenged by means of a claim for judicial review, which must be made during a period of six weeks, beginning with the day on which the Order or decision is published.

7.3 Applications for the approval of any requirements (conditions) will be submitted to Folkestone & Hythe District Council to assess and determine as the discharging authority (and other neighbouring authorities if the application site extends across local authority areas).

7.4 A DCO will include provision for an applicant to appeal against the decision of a discharging authority if a requirement is refused or not determined within statutory timescales.

## **8. COMMUNITY BENEFITS POLICY**

8.1 Folkestone & Hythe may wish to consider drafting and adopting a community benefits policy to help the council negotiate with the promoters of the large-scale solar schemes.

8.2 North Kesteven District Council in Lincolnshire currently has [six NSIP schemes](#) proposed for the district (five solar farms and one reservoir scheme). In 2024 the council adopted a [Large-Scale Solar Energy Community Benefits Policy](#) to assist its negotiations with promoters.

- 8.3 North Kesteven's policy seeks community contributions of £500 per MW of generated energy per year from developers of large-scale solar schemes. The policy states:

*“Solar energy developers are expected to fund this figure, or greater if proposed, unless there are compelling reasons why a lower amount should be applied. This will be a matter for negotiation on an individual case by case basis.”* (Paragraph 28)

- 8.4 The council states on its website that:

*“... the proposal is for CBA [Community Benefit Agreement] funds to support the community local to the project as well as to provide financial support to deliver the Council's Climate Emergency Action Plan agenda. The management and distribution of CBA funds is anticipated to be led by a Special Purpose Vehicle, Community Investment Company or other community foundation ...”*

- 8.5 The policy gives examples of the range of projects that could be funded including: delivering community renewable energy schemes; supporting households to replace fossil fuel energy sources; assisting small businesses with decarbonisation projects; supporting relevant apprenticeships; delivering active travel schemes; delivering local biodiversity initiatives; engaging with schools to deliver net zero projects; and supporting energy efficiency measures in historic buildings (paragraph 50).

- 8.6 Of the large-scale solar schemes being developed in the Folkestone & Hythe district, early consultation materials for all three projects refer in general terms to community benefit funds. The Shepway Energy Park Public Consultation Brochure (Summer 2025) states that, although the scheme is at an early stage of development, the community benefit fund *“would total several million pounds over the project's operational life.”* The South Brooks Solar Farm Phase One Consultation brochure (September – October 2025) states:

*“A South Brooks community fund would be put in place at the start of the operation and last throughout the lifetime of the project. It would be managed by an independent third party with the total amount of funding based on the final installed capacity of the project. In line with our other DCO projects, we are proposing to provide £400 per megawatt per year of operation.”*

## **9. CURRENT POSITION**

- 9.1 All three large-scale solar schemes proposed in the district (Shepway Energy Park, South Kent Energy Park and South Brooks Solar Farm) have undertaken early engagement on their schemes. The scheme promoters are considering the feedback comments and are assessing what changes may need to be made to their schemes. All are currently proposing one period of formal consultation before submitting their applications to PINS.
- 9.2 The Shepway Energy Park and South Kent Energy Park are anticipating broadly similar timetables for submission of their schemes. The South Brooks Solar Farm is anticipating a slightly later timetable, following a few

months behind the other two schemes (see **Appendix 3**). Based on their consultation information, the scheme promoters are planning to undertake further consultation on their schemes in spring/summer 2026. Submission to PINS is anticipated at the end of 2026 to early 2027. Examinations are anticipated to begin in late 2026, with the examinations lasting until mid- to late-2027. The Examining Authority is expected to make recommendations in late 2027 or early 2028. It is anticipated that the SoS will make his decisions on the schemes in late 2027 and spring/summer 2028.

- 9.3 These timetables are broad and may be subject to change, particularly if the schemes are amended further and additional consultation is required. However, the council potentially faces the prospect of two, or possibly three, examinations taking place at the same time. The local community also faces the prospect of multiple consultations taking place in early to mid-2026.
- 9.4 At the time of writing this report, officers have provided comments to PINS on the draft Environmental Statements prepared by the promoters of the South Brooks Solar Farm and Shepway Energy Park schemes. (Comments received by PINS are available to view in the Planning Inspectorate's reports on the scoping opinions for the schemes, see: [South Brooks Solar Farm](#) and [Shepway Energy Park](#).)
- 9.5 In summary officers have to date:
- i. Urged PINS to consider the cumulative impacts of the schemes, rather than consider each in isolation.
  - ii. Raised issues of potential landscape impacts, including views from the Kent Downs National Landscape, and impacts on the setting of heritage assets.
  - iii. Raised potential impacts on the tourist economy and agriculture.
  - iv. Raised impacts on local roads of construction traffic.
  - v. Highlighted relevant local plan policies and guidance and the need to contact additional stakeholders, such as the Romney Marsh Area Internal Drainage Board.
  - vi. Raised other issues, such as the risk of fire and the potential impacts of glare on aircraft safety.
- 9.6 Officers have commented on the draft Statement of Community Consultation (SOCC) prepared for the Shepway Energy Park scheme. Officers' comments have:
- i. Urged the promoter to implement a wider consultation zone for leafleting local residents.
  - ii. Emphasised the need for the promoter to engage more fully with parish councils.
  - iii. Encouraged the use of videos and more engaging forms of media.
  - iv. Requested that the proposed timing of consultation events is extended into evenings to account for people with school-age children and those returning from work.

- v. Requested that hard copies of consultation materials are provided in all local libraries and parish council offices for people with limited internet access.
- vi. Suggested additional interest groups and organisations which should be consulted.

9.7 Officers are fully engaged in assessing the proposals as we are contacted by the scheme promoters and PINS. Officers are negotiating Planning Performance Agreements (PPAs) with the promoters to ensure that the council is adequately resourced to respond, and that it can commission legal and technical support (such as for landscape and visual appraisal) where necessary. Work will increase as formal consultations begin this year, the promoters prepare for submission, and the council begins to consider its Local Impact Reports and relevant representations.

## **10. CONCLUSIONS**

10.1 The preceding sections have outlined the NSIP process and the current status of the schemes being developed in the district.

10.2 Regarding the petition, Overview and Scrutiny Committee is particularly asked to note the following points:

- i. All three proposals are in early stages of development, and the schemes may be amended, both in terms of their generating capacity and site area, before they are submitted.
- ii. The district council is a statutory consultee in the process. The council has a specific role which is set out in legislation and guidance. Decisions are made by the Secretary of State within the framework of National Policy Statements.
- iii. Periods for responses are established by legislation and deadlines are set by the Examining Authority. The Examining Authority will not extend deadlines, so the council will need to respond quickly to requests.
- iv. The Local Impact Report (LIR) and relevant representations are key documents in the process. The local authority will provide technical assessment of the likely impacts of the projects through its LIRs. The council will give its views on the merits of the proposals in its relevant representations. The relevant representations provide the opportunity for the council to set out whether it objects to the applications and, if so, what particular areas are of concern. Relevant representations and LIRs will need to be supported by evidence.
- v. Residents and community groups are strongly encouraged to submit comments directly to the promoters through the forthcoming consultations and, when the applications are submitted, to register with PINS so that they can make their views known directly to the Examining Authority at the examinations.
- vi. Some authorities have adopted community benefit policies to secure local benefits from built schemes. Overview and Scrutiny Committee is asked to comment on this approach for Folkestone & Hythe district.

## 11. RISK MANAGEMENT ISSUES

11.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
That the views of Folkestone & Hythe District Council are not taken into account in the assessment of the solar schemes.	High	Medium	The council will fully engage in the consultation and examination process for the solar schemes. As set out in the report, the recommendation will be made by PINS and the decision will be made by the SoS within the framework of national policy.
That the NSIP process diverts significant resources from other priorities.	Medium	Low	The council is negotiating PPAs with the promoters of the schemes. Staff will log their time to ensure that the PPAs properly reflect the additional workload. Separate PPAs may be negotiated if the schemes are granted consent, to cover post-decision work.

## 12. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

### 12.1 Legal Officer's Comments (OS)

Section 1 of the Localism Act 2011 enables Councils to do anything an individual may do, unless prohibited by law. Section 111 of the Local Government Act 1972 grants a local Council power to do anything calculated to facilitate the discharge of its functions. The acts to be carried out by the Report are in consonance with the laws quoted above.

### 12.2 Finance Officer's Comments (SO)

As outlined in the report the council is negotiating Planning Performance Agreements (PPAs) with each scheme promoter. The PPAs are essential to ensure appropriate resourcing and that all additional costs (such as consultancy/ officer time) are fully recoverable. At this stage, provided that PPAs are agreed, no net additional financial implications are anticipated.

### 12.3 Diversities and Equalities Implications (AT)

No direct implications. It will be the responsibility of the promoters to ensure that the consultations are accessible for all to participate. The council can highlight how the consultation proposals may affect people with protected characteristics through its comments on the promoters' statements of community consultation (SOCCs).

PINS is responsible for running examinations - it will be the responsibility of PINS to ensure that the examination is accessible for all. The council can comment on the form the examination takes (paragraph 5.19) and can raise any potential impact on people with protected characteristics at this stage.

#### **12.4 Climate Change Implications (AT)**

No direct implications from this report. This report sets out the process for decision-making and the inputs that the council can have in the process.

The promotional materials for the schemes suggest that there would be a combined output of 1,200MW if all three schemes were built as currently proposed. This would be enough to power approximately 353,000 homes (based on average domestic electricity consumption per home in the UK). This would save approximately 225,000 tonnes of carbon emissions a year.

For comparison, the district council works with Kent County Council and the other Kent local authorities on the Kent Switch Together scheme, to promote the use of solar panels and battery storage. For the autumn 2024 scheme, which closed in June 2025, there were 308 solar PV installations on homes and community buildings across Kent, comprising 3,053 panels with a total installed capacity of approximately 1.31MW. This will deliver savings in carbon emissions of around 293 tonnes in the first year of operation.

This suggests that, to have an equivalent capacity to the three large-scale solar schemes (if built as currently proposed), there would need to be around 282,140 home installations, or installations on around 40 per cent of Kent's housing stock.

### **13. CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

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**Appendices:**

Appendix 1: Existing and proposed solar farm sites in Folkestone & Hythe District (approximate extent as at January 2026)

Appendix 2: The role of host local authorities in the NSIP process.

Appendix 3: Estimated timetables of NSIP schemes currently proposed for the Romney Marsh area (as at January 2026)

Appendix 4: Proposed NSIP - Shepway Energy Park map

Appendix 5: Proposed NSIP - South Brooks Solar Farm map

Appendix 6: Proposed NSIP - South Kent Energy Park map