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21st January 2022

The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

FAO: Michele Gregory

Dear Ms Gregory,

Planning Act 2008 – Section 51

Application for a Development Consent Order for Sunnica Energy Farm

RE: Advice following issue of decision to accept the application for examination

On behalf of Sunnica Ltd (the Applicant) I would like to thank you for the advice received under section 51 of the Planning Act 2008 following the decision to accept the application for the development consent order for the Sunnica Energy Farm for examination. I enclose the Applicant's response to the points raised in the advice letter provided by the Planning Inspectorate on 16th December 2021.

1.1 Consultees identified on a precautionary basis

1.1.1 The Applicant confirms that it will be serving notice on the bodies listed in Box 6 of the Section 55 checklist when it serves notice of the accepted application under section 56(2)(a) of the Planning Act 2008.

1.2 Habitats Regulations Assessment – Breckland Special Protection Area (SPA)

1.2.1 In response to the Planning Inspectorate's request for an update on the progress regarding the discussions referred to in the Habitats Regulations Assessment (HRA), further information is provided in this paragraph.

1.2.2 Further discussions with consultation bodies have consisted of a telephone conversation with Natural England on the 8th March 2021 and a workshop with Natural England, RSPB, Suffolk Wildlife Trust, West Suffolk District Council, Cambridgeshire County Council, East Cambridgeshire District Council, Suffolk County Council and Beds, Cambs and Northants Wildlife Trust on the 26th March 2021. At these meetings the Applicant presented how the Scheme design had evolved and taken on board comments received on the PIER. In particular, it was agreed that the Stone-curlew population present within and surrounding the Order limits does not conform to the standard guidance on nest site location, as

provided by Natural England in their statutory response to the PEIR, and that it is appropriate to base the proposed offsetting habitats on the distribution demonstrated by the Applicant's surveys and supported by RSPB data.

1.2.3 It was also agreed that the overall provision of land allocated for offsetting was sufficient for the population present and the locations of this land broadly appropriate. The Applicant has taken on board these discussions and devised a package of embedded land specifically for Stone-curlew within the Order limits. These discussions have also included habitat creation and management, the details of which are within the "offsetting habitat provision for stone curlews specification", which forms part of the application and is included in Schedule 10 of the draft DCO (documents and plans to be certified).

1.2.4 The Applicant is proposing to record the outcome of these discussions in a Statement of Common Ground, which it will be progressing during the pre-examination and examination stages.

1.3 Advice in relation to Flood Risk Assessment (FRA)

1.3.1 In response to the Planning Inspectorate's three requests in relation to Appendix 9C Flood Risk Assessment of the Environmental Statement [APP-095], the Applicant has undertaken a minor update to the document to provide further clarity on these points. This is provided as Revision 1 of Appendix 9C Flood Risk Assessment of the Environmental Statement [APP-095] and is referred to as the "updated FRA" for the purposes of this letter. Responses to the three requests are provided below, with signposts to the location of the relevant information provided within the updated FRA.

1.3.2 In response to the Planning Inspectorate's first request, a sentence has been added to paragraph 4.1.14 of the updated FRA which specifically confirms the values used to assess climate change in the FRA.

1.3.3 In response to the Planning Inspectorate's second request, Chapter 9 of the Environmental Statement [APP-041] includes details of a water storage lagoon adjacent to E22. The FRA has been updated to include reference to this water storage lagoon in Table 12. All other features noted are outside of the Order limits and not raised features, with the exception of storage reservoirs near E03, E08, E09, E10 and E33. These would flow away from the site towards the River Kennett if they failed. The FRA has been amended to make this clear, in paragraphs 4.1.10 and 4.1.11.

1.3.4 In response to the Planning Inspectorate's third request, sea level rise is discussed in sections 4.1.27 to 4.1.32. Paragraph 4.1.28 notes the estimate has been derived via the Environment Agency's online sea level rise tables. A table (Table 17) has been included to provide visual clarity and additional text has been included in paragraphs 4.1.28 to 4.1.30 of the updated FRA to summarise the approach.

1.4 Minor errors and omissions

Location Plan

1.4.1 The Sunnica Energy Farm Location Plan [APP-014] has been updated (Revision 1) with a clearer base map showing landmarks similar to that provided in Figure

1-1 of the Environmental Statement [APP-129]. It has not been possible to use the exact base map that was used in Figure 1-1 of the Environmental Statement [APP-129] at the 1:2,500 scale, but the base map in the updated plan does provide the same level of detail in terms of landmarks and labels.

Land and Crown Land Plans and Works Plans

- 1.4.2 Revision 1 of the Land and Crown Land Plans [APP-006], Works Plans [APP-007] and Access and Rights of Way Plans (ARoW) [APP-008] are provided to address the advice provided by the Planning Inspectorate. Although a request was not made to update the ARoW plans, these plans have the same base mapping (and associated cut lines) as the Works Plans (but, for the avoidance of doubt, no other plans). As such, in updating the cut lines for the Works Plans, the same changes are required for the ARoW plans. As such the Applicant is submitting updated versions of both sets of plans. As a consequence of the changes to the cut lines on the ARoW plans a handful of minor amendments will be required to Schedules 4, 5, 6 and 7 of the draft DCO to update cross references to sheets of the ARoW where the features on the ARoW referred to in those Schedules have moved to a different sheet or are now displayed on more than one sheet. The Applicant intends to address these minor amendments in its first updated draft DCO that is submitted to the examination, once commenced.

Environmental Statement

- 1.4.3 Revision 1 of Figure 9-1 of the Environmental Statement [APP-188] is provided to address the advice provided by the Planning Inspectorate.

The Guide to the Application [APP-002] has also been updated to Revision 1 to reflect the updated versions of the documents referred to in this letter. The Applicant can also confirm that it will update Schedule 10 (Documents and Plans to be certified) of the draft DCO [APP-019], to reflect the aforementioned updated documents, at the first Examination deadline which requires an update to the overall DCO.

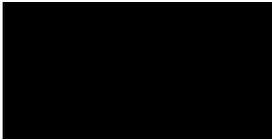
The Applicant would also like to take this opportunity to inform PINS that a number of Statement of Common Grounds (SOCGs) are in the process of being prepared with key consultees, including:

- Each of the affected local authorities (Suffolk County Council, Cambridge County Council, West Suffolk County Council and East Cambridgeshire District Council);
- Environment Agency;
- Natural England;
- Historic England;
- Highways England;
- RSPB; and
- the Newmarket Horsemen.

In addition, to those consultees listed above the Applicant is also considering preparing SoCGs with key Parish Councils and opposition groups and will confirm this with PINS at the earliest opportunity. It is not the Applicants intention to prepare SoCGs with those consultees who the Applicant will enter into Protective Provisions with.

I trust this addresses the advice provided by the Planning Inspectorate in the letter dated 16th December 2021. If we can be of any assistance, please do not hesitate to contact us using the details provided below

Yours sincerely,



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