

This matter is being dealt with by  
Anna Cartledge

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Our ref: 1.1249803.33.AC.JR

The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

15 March 2022

BY EMAIL:

[Sunnica@planninginspectorate.gov.uk](mailto:Sunnica@planninginspectorate.gov.uk)

CC ADDRESS: [info@sunnica.co.uk](mailto:info@sunnica.co.uk)

Dear Sirs

**Sunnica Energy Farm Development Consent Order Application (the "Application")**

**Our client: South Staffordshire Water PLC**

**Objection in response to notice of Acceptance of an application for a Development Consent Order ("the Order") by the Secretary of State for Business, Energy and Industrial Strategy) under section 56 of the Planning Act 2008 (the "Act") and as applicable Regulation 16 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017**

This letter is an objection to the Order as being promoted by Sunnica Ltd in order to facilitate the installation of solar photovoltaic generating panels and electrical battery storage technology on Sunnica East and Sunnica West, and associated infrastructure for connection to the national grid, including an extension to the Burwell National Grid Substation (the "**Scheme**"). This is in response to the notice sent by Sunnica Ltd dated 27th January 2022.

Please note that Shakespeare Martineau are appointed to act on behalf of South Staffordshire Water PLC ("SSW"), which is also the owner of assets which previously belonged to Cambridge Water PLC by virtue of a statutory transfer in 2011 under the Water Industry Act 1991. A number of interests have been identified as potentially containing operational apparatus now owned by SSW. In terms of responding to this objection then please address any correspondence to [REDACTED]. Alternatively the postal address is as set out at the top right of this letter.

SSW is a water undertaker appointed under the Water Act 1989, with statutory duties to carry out water supply functions throughout its appointed area. SSW operates assets that are located in close proximity to the proposed works, please see further detail below. SSW does not object in principle to the Scheme but reserves its position in relation to the specific impact that it will have on its operations and assets.

Our client has identified that its apparatus runs through areas 5, 6, 8 and 10 of the proposed works as illustrated on the Scheme's location plan overview plan, please see Appendix 1. The route of such apparatus is shown by a green line on the drawing at Appendix 2. Such SSW apparatus is strategic and operational, with no other options to serve the local areas if there is a loss of supply due to the Scheme. It is essential that these assets remain in continuous operation in order to ensure the provision of water supplies to household and non-household customers.

The discussions between the promoter and our client have, to date, been very limited and our client has been provided with no detail in terms of the potential impact of the Scheme on its operational apparatus. We have attached the Notice received from the promoter at Appendix 3 which does not list the plots relevant in respect of our client's operational apparatus. Please note that we have also reviewed the book of reference as made available on the project's website and there is no reference to "Cambridge Water Company Limited", "Cambridge Water PLC" or "South Staffordshire Water". Clearly this point will need to be addressed by the promoter as a matter of urgency as it is critical that our client can understand the potential impact of the Scheme on any apparatus.

Any works required to be carried out on SSW's assets must be planned and implemented to avoid risk of supply interruption or damage to the integrity of the water network. SSW therefore objects to the Order unless and until such time as an approved programme and methodology of works can be agreed. Given that there has been limited consultation to date, we reserve the right to make further representations in the event that it becomes apparent that the Scheme will have an adverse impact on any such operational apparatus.

Further, the current drafting of the protective provisions of the Order have not been discussed with our client and clearly require our client's input before agreement. We reserve the right to comment in detail on the protective provisions in due course. SSW's objection will remain unless SSW's concerns with the protective provisions are addressed to their satisfaction, whether by amends to them or a supplemental agreement is reached. The promoter should now engage quickly and meaningfully with our client in respect of protecting the statutory apparatus.

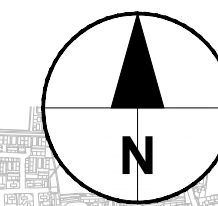
We have also sent this objection on to Sunnica Ltd as the promoter (sent care of the email address provided).

We would be grateful if you could acknowledge receipt of this objection.

Yours faithfully

**Shakespeare Martineau**

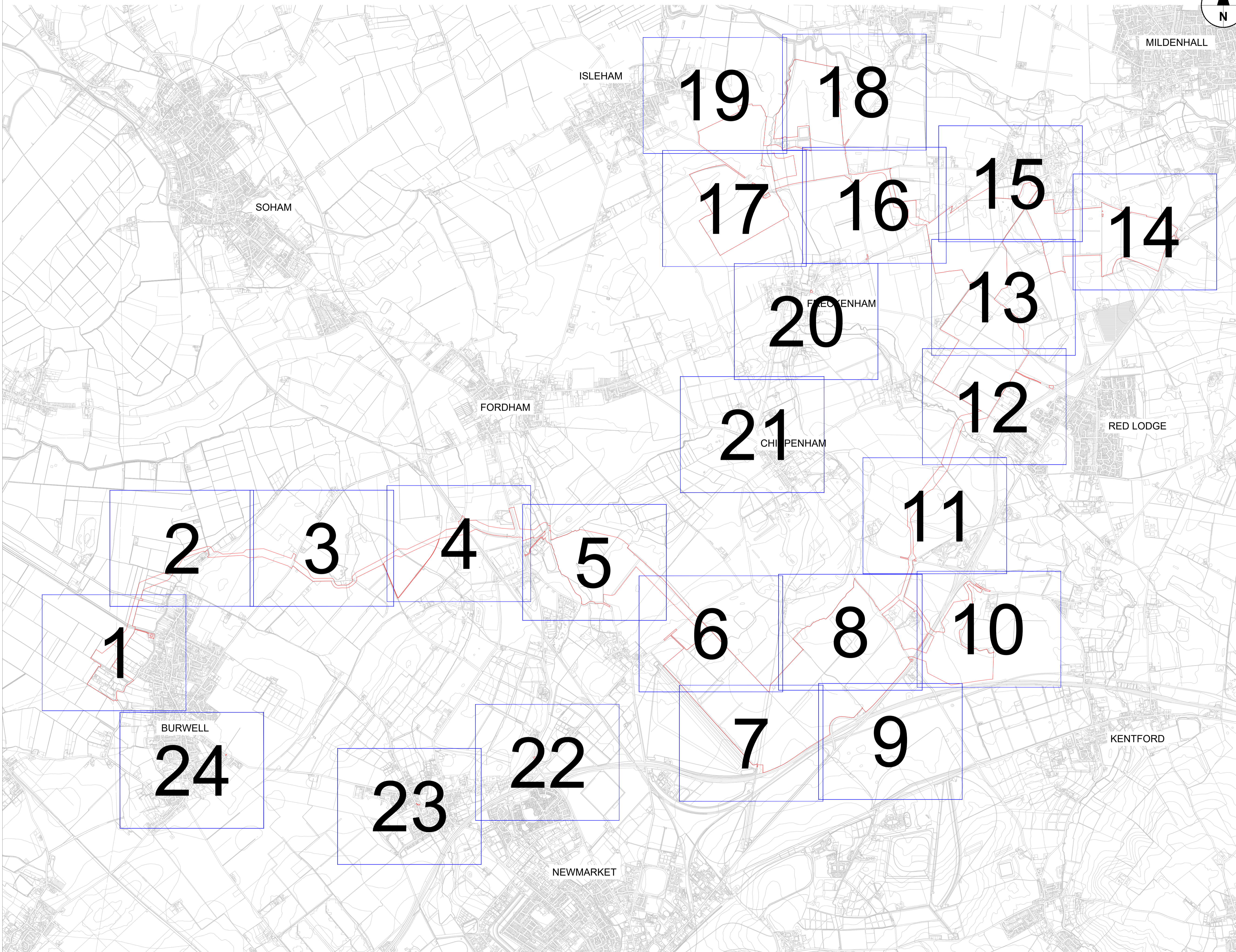
**Cc Sunnica**



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NOTES:

Order limits



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NOTE:  
Document Reference: EN010106/APP/2.5  
APFP Regulation: 5(2)(c)

Purpose of Issue  
FOR DCO SUBMISSION

Client  
SUNNICA LTD

Project Title  


Drawing Title  
SUNNICA ENERGY FARM LOCATION PLAN  
OVERVIEW PLAN

Drawn LE	Checked DW	Approved NC	Date 28/10/21
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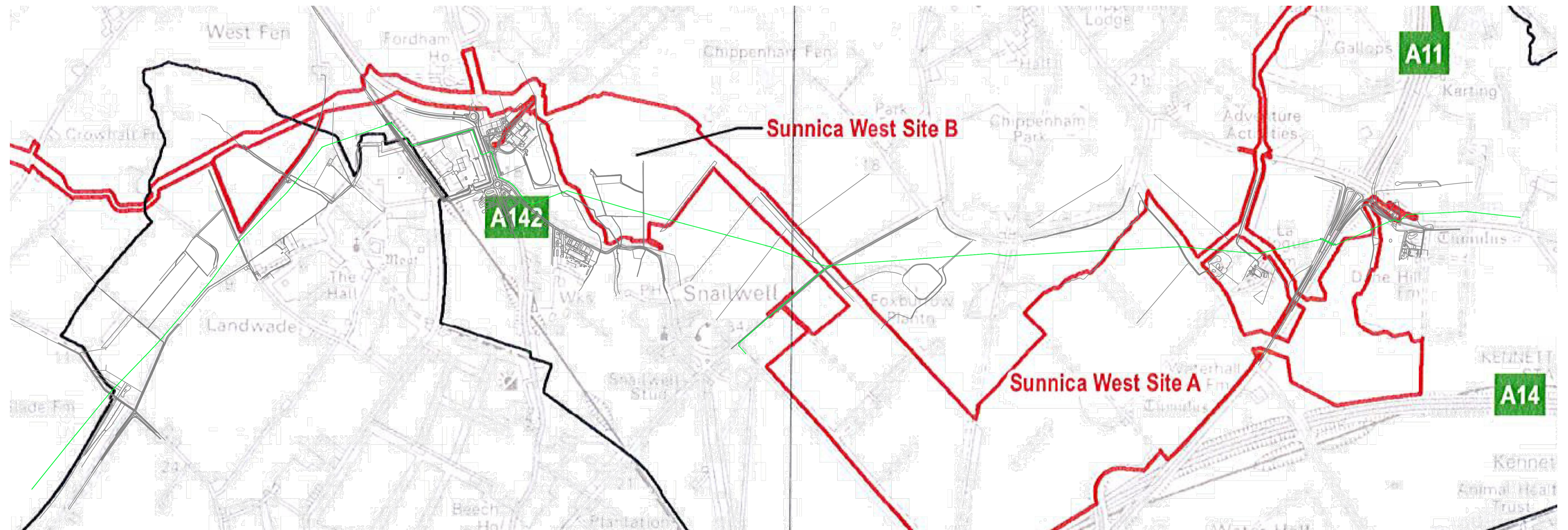
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Appendix 2





The Secretary  
South Staffordshire Water plc  
Estates Department  
Green Lane  
Walsall  
WS2 7PD  
United Kingdom

WSP Land Referencing  
PO Box 75783  
London  
EC2P 2RT

Sunnica-s56-270122-2979876

27 January 2022

Dear Sir/Madam,

**Sunnica Energy Farm Development Consent Order Application (the “Application”) Notice of Acceptance of an application for a Development Consent Order (“the Order”) by the Secretary of State for Business, Energy and Industrial Strategy) under section 56 of the Planning Act 2008 (the “Act”) and as applicable Regulation 16 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017**

This letter has been sent to notify you that the Secretary of State for Business, Energy and Industrial Strategy has accepted an application by Sunnica Limited (“the Applicant”) for a Development Consent Order under the Planning Act 2008 (the “Act”). Please find enclosed a notice notifying you of this event. The Applicant is providing you notice as you are a person identified as falling within the categories of persons that must be notified of acceptance of the Application under section 56(2) of the Act. In addition to the enclosed notice, the Applicant has also enclosed a plan showing the location of the proposed Sunnica Energy Farm (“the Scheme”). Further information about the Application is given in this letter.

**Why we are writing to you**

It is the duty of the Applicant to notify you of the acceptance of its DCO application for examination. The Secretary of State for Business, Energy and Industrial Strategy accepted the Application on 16 December 2021.

Following this decision, the Application documents are now all available to view and to download at the following link: <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/sunnica-energy-farm/?ipcsection=docs>

The enclosed section 56 notice provides further information on how to view the Application documents, including in hard copy.

## Summary of the Application

The Application is split into seven volumes. These are:

- *Volume 1: Application Form* including the application covering letter, s55 checklist and guide to the application
- *Volume 2: Plans, drawings and sections* including land plans, works plans and traffic regulations plans
- *Volume 3: Draft Development Consent Order (DCO) and associated documents*
- *Volume 4: Compulsory acquisition information* including the Book of Reference, Statement of Reasons and Funding Statement
- *Volume 5: Reports and statements* including the Consultation Report and its appendices
- *Volume 6: Environmental Impact Assessment and other assessments* including the Environmental Statement and its associated appendices and figures
- *Volume 7: Other documents* including Statement of Need, Design and Access Statement and Planning Statement

The table in the appendix to this letter highlights where certain information can be found within the Application documents.

## Getting involved

The Application is now at the pre-examination stage. During this time, the Secretary of State for Business, Energy and Industrial Strategy will appoint an Examining Authority and will accept relevant representations from the public.

A relevant representation is a written summary of your views on the Application. By submitting a relevant representation, you can become an Interested Party and take part in the Examination of the Application. Please see the enclosed section 56 notice for further information on how to make a relevant representation.

**Please note that relevant representations must be received by the Planning Inspectorate by Thursday 17 March 2022.**

Following this date, interested parties will be invited to attend a preliminary meeting that will be chaired by the Examining Authority. The purpose of this meeting will be to discuss how the Application will be examined and to set the timetable for the Examination.

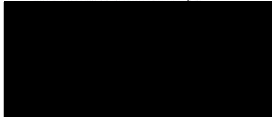
Following the Examination, the Examining Authority will prepare a report on the Examination and will issue a recommendation to the Secretary of State for Business, Energy and Industrial Strategy as to whether or not development consent should be granted or refused.



**Find out more**

Should you have any queries, please do not hesitate to contact us by emailing [info@sunnica.co.uk](mailto:info@sunnica.co.uk) or by calling 0808 168 7925. You can also make an enquiry in writing to Sunnica Energy Farm Project, Freepost SEC NEWGATE UK LOCAL.

Yours sincerely,



Luke Murray  
Sunnica Ltd

**Appendix: Location of information within the application documents**

Detail	Relevant document/plan(s) with reference number
Description of the Scheme, including: location, components, design parameters and plans	<p>6.1 Environmental Statement, Chapter 3: Scheme description (APP-035)</p> <p>6.3 Environmental Statement, Figure 1-1 Scheme Location (APP-129)</p> <p>6.3 Environmental Statement, Figure 3 (all figures)</p> <p>6.4 Environmental Statement, Non-Technical Summary (APP-256)</p> <p>2.1 Land and Crown Land Plans (APP-006)</p> <p>2.2 Works Plans (APP-007)</p> <p>2.5 Location Plan (APP-014)</p> <p>7.3 Design and Access Statement (APP-264)</p>
Landscaping proposals, including: assessment of visual impact, landscaping and visual representations from key viewpoints	<p>6.1 Environmental Statement, Chapter 10: Landscape and Visual Amenity (APP-042)</p> <p>6.2 Environmental Statement, Appendix 10A: Relevant Legislation and Policy for Landscape and Visual (APP-100)</p> <p>6.2 Environmental Statement, Appendix 10C: Landscape and Visual Impact Assessment Methodology (APP-102)</p> <p>6.2 Environmental Statement, Appendix 10E: Local Landscape Character Areas (APP-104)</p> <p>6.2 Environmental Statement, Appendix 10F: Visual Baseline (APP-105)</p> <p>6.2 Environmental Statement, Appendix 10G: Landscape Effects (APP-106)</p> <p>6.2 Environmental Statement, Appendix 10H: Visual Effects (APP-107)</p> <p>6.2 Environmental Statement, Appendix 10I:</p>



	<p>Landscape and Ecology Management Plan (APP-108)</p> <p>6.3 Environmental Statement Figure 10 (all figures)</p> <p>6.2 Environmental Statement, Appendix 16A: Glint and Glare Assessment (APP-121)</p>
Assessment of impact on public rights of way (PROW) and proposed mitigation	<p>6.1 Environmental Statement, Chapter 12: Socio-Economics and Land Use (APP-044)</p> <p>2.3 Access and Rights of Way Plans (APP-008)</p> <p>6.2 Environmental Statement, Appendix 12A: Relevant Legislation and Policy for Socio-Economics and Land Use (APP-114)</p> <p>6.3 Environmental Statement, Figure 12 and Figure 13 (all figures)</p>
Design evolution and site selection	<p>7.3 Design and Access Statement (APP-264)</p> <p>6.1 Environmental Statement, Chapter 4: Alternatives and Design Evolution (APP-036)</p> <p>6.2 Environmental Statement, Appendix 4A: Alternative Sites Assessment (APP-054)</p> <p>6.3 Environmental Statement, Figure 4 (all figures)</p>
Assessment of agricultural land classification (ALC) and land use	<p>6.1 Environmental Statement, Chapter 12: Socio-Economics and Land Use (APP-044)</p> <p>6.2 Environmental Statement, Appendix 12A: Relevant Legislation and Policy for Socio-Economics and Land Use (APP-114)</p> <p>6.2 Environmental Statement, Appendix 12B: Soils and Agricultural Baseline Report (APP-115)</p> <p>6.3 Environmental Statement, Figure 12 (all figures)</p>
The Applicant and how the Scheme will be funded	4.2 Funding Statement (APP-023)
Consultation and feedback received	5.1 Consultation Report (APP-026)

	<p>5.2 Consultation Report, Appendices A-1 to A-4 (APP-027)</p> <p>5.2 Consultation Report, Appendices B-1 to D-2 (APP-028)</p> <p>5.2 Consultation Report, Appendices E-1 to I-1 (APP-029)</p> <p>5.2 Consultation Report, Appendices J-1 to J-5 (APP-030)</p> <p>5.2 Consultation Report, Appendices K-1 to O-1 (APP-031)</p>
Other projects in the area and potential cumulative impacts	<p>6.2 Environmental Statement, Appendix 5A: Cumulative Schemes (APP-055)</p> <p>6.3 Environmental Statement, Figure 5-1: Projects Scoped into the Cumulative Assessment (APP-178)</p>
Assessment of ecological impacts and proposed mitigation	<p>6.1 Environmental Statement, Chapter 8: Ecology and Nature Conservation (APP-040)</p> <p>6.2 Environmental Statement, Appendix 8A: Relevant Legislation and Policy for Ecology and Nature Conservation (APP-077)</p> <p>6.2 Environmental Statement, Appendix 8B: Preliminary Ecological Appraisal Report (APP-078)</p> <p>6.2 Environmental Statement, Appendix 8C: Terrestrial Habitats and Flora Report (APP-079)</p> <p>6.2 Environmental Statement, Appendix 8D: Terrestrial Invertebrate Survey Report (APP-080)</p> <p>6.2 Environmental Statement, Appendix 8E: Aquatic Scoping and Ditch Surveys (APP-081)</p> <p>6.2 Environmental Statement, Appendix 8F: Great Crested Newt Survey Report (APP-082)</p>

	<p>6.2 Environmental Statement - Appendix 8G - Report on Surveys for Reptiles (APP-083)</p> <p>6.2 Environmental Statement, Appendix 8H: Wintering Bird Survey Report (APP-084)</p> <p>6.2 Environmental Statement, Appendix 8I: Report on Surveys for Breeding Birds (APP-085)</p> <p>6.2 Environmental Statement, Appendix 8J: Report on Surveys for Bats (APP-087)</p> <p>6.2 Environmental Statement, Appendix 8K: Badger Survey Report (APP-088)</p> <p>6.2 Environmental Statement, Appendix 8L: Report on Surveys for Riparian Mammals (APP-091)</p> <p>6.2 Environmental Statement, Appendix 8M: Habitats Regulations Assessment - Report to Inform an Appropriate Assessment (APP-092)</p> <p>6.3 Environmental Statement, Figure 8 (all figures)</p> <p>6.5 Environmental Statement, Schedule of Environmental Mitigation (APP-257)</p> <p>6.6 Environmental Statement, Offsetting Habitat Provision for Stone-Curlew Specification (APP-258)</p> <p>6.7 Environmental Statement, Biodiversity Net Gain Assessment (APP-259)</p>
<p>Assessment of construction and traffic impacts and proposed mitigation</p>	<p>6.2 Environmental Statement, Appendix 16C: Framework Construction Environmental Management Plan (CEMP) (APP-123)</p> <p>6.1 Environmental Statement, Chapter 13: Transport and Access (APP-045)</p> <p>6.2 Environmental Statement, Appendix 13A: Relevant Legislation and Policy for Transport (APP-116)</p>

	<p>6.2 Environmental Statement, Appendix 13B: Transport Assessment (APP-117)</p> <p>6.2 Environmental Statement, Appendix 13C: Framework Construction Traffic Management Plan (CTMP) and Travel Plan (APP-118)</p> <p>6.3 Environmental Statement, Figure 13 (all figures)</p>
Decommissioning	<p>6.2 Environmental Statement, Appendix 16E: Framework Decommissioning Environmental Management Plan (DEMP) (APP-125)</p> <p>3.1 Draft Development Consent Order (DCO) (APP-019)</p>
Need for the Scheme and compliance with planning policy	<p>7.1 Statement of Need (APP-260)</p> <p>7.2 Planning Statement - Part 1 (APP-261)</p> <p>7.2 Planning Statement – Part 2 (APP-262)</p> <p>7.2 Planning Statement – Part 3 (APP- 263)</p>
Assessment of safety of the Scheme, including Battery Energy Storage System (BESS) safety	<p>6.1 Environmental Statement, Chapter 15: Human Health (APP-047)</p> <p>6.2 Environmental Statement, Appendix 16D: Unplanned Atmospheric Emissions from Battery Energy Storage Systems (BESS) (APP-124)</p> <p>7.6 Outline Battery Fire Safety Management Plan (APP-267)</p>

**NOTICE OF ACCEPTANCE OF AN APPLICATION  
FOR A DEVELOPMENT CONSENT ORDER BY THE PLANNING INSPECTORATE (ON  
BEHALF OF THE SECRETARY OF STATE FOR BUSINESS ENERGY AND  
INDUSTRIAL STRATEGY) UNDER SECTION 56 OF THE PLANNING ACT 2008**

**SUNNICA ENERGY FARM DEVELOPMENT CONSENT ORDER**

REGULATION 8 OF THE INFRASTRUCTURE PLANNING (APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE)  
REGULATIONS 2009

REGULATION 16 OF THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

Notice is hereby given that the Secretary of State for Business, Energy and Industrial Strategy (“the Secretary of State”) has accepted an application by Sunnica Limited (company number 08826077) of 2 Crossways Business Centre Bicester Road, Kingswood, Aylesbury, England, HP18 0RA (“the Applicant”) for a Development Consent Order under the Planning Act 2008 (“the Application”). The Application (Reference No. EN010106) was submitted by the Applicant to the Secretary of State c/o the Planning Inspectorate on 18 November 2021 and was accepted on 16 December 2021.

**Summary of the Project**

The Application is for development consent to construct, operate, maintain and decommission ground mounted solar photovoltaic (PV) panel arrays, a Battery Energy Storage System (BESS) and supporting infrastructure, which together comprise Sunnica Energy Farm (or “the Scheme”).

The proposed Sunnica Energy Farm is located in West Suffolk and East Cambridgeshire and would be situated across four sites:

- Sunnica East Site A which is located approximately 0.5 kilometres (km) south-east of the village of Isleham, 0.6km south-west of the village of West Row and 3.5km west of the town of Mildenhall;
- Sunnica East Site B which is located immediately south of the village of Worlington, approximately 1km east of the village of Freckenham and 1.5km south-west of the town of Mildenhall;
- Sunnica West Site A which is located immediately north of the A14 at Newmarket and approximately 0.3km east of the village of Snailwell, 1km south of the village of Chippenham and 1km west of the village of Kennett; and
- Sunnica West Site B which is approximately 0.5km north of the village of Snailwell; 1.4km south of the village of Fordham and 2km south west of the village of Chippenham.

The Scheme will be connected to a new substation extension at the existing Burwell National Grid Substation, using 132 kilovolt (kV) cables buried underground. The cables will run between Sunnica East Site A, Sunnica East Site B and Sunnica West Site A (Grid Connection Route A), and then from Sunnica West Site A to Sunnica West B and onwards to the Burwell National Grid Substation (Grid Connection Route B). The Burwell National Grid Substation will convert the 132kV electricity to 400kV. The 400kV cables will connect the Scheme to the existing Burwell National Grid Substation to allow distribution to the national transmission network.

A map showing the location of Sunnica Energy Farm is enclosed with this notice and can be viewed on the National Infrastructure Planning website at the following link: [https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010106/EN010106-001879-SEF\\_ES\\_6.3\\_Figure%201-1%20Scheme%20Location.pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010106/EN010106-001879-SEF_ES_6.3_Figure%201-1%20Scheme%20Location.pdf)

Development consent is required to the extent that development is or forms part of a nationally significant infrastructure project pursuant to sections 14(1)(a) and 15(1) and (2) of the Planning Act 2008, as an onshore generating station in England with a capacity exceeding 50 megawatts (MW). It is for this reason that the project falls within the remit of the Secretary of State's decision making powers.

The Development Consent Order would authorise the compulsory acquisition of land, interests in land and rights over land, and the powers to use land permanently and temporarily. The Development Consent Order would also authorise the construction of temporary and permanent accesses to the Scheme, the temporary stopping up or diversion of public rights of way, street works and highway works, and the application and disapplication of certain legislation.

**Environmental Impact Assessment Development:**

The proposed works are environmental impact assessment (EIA) development for the purposes of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and accordingly an environmental statement accompanies the Application.

**Application form and accompanying documents:**

The application form and the accompanying documents, plans and environmental statement (ES) and Non-technical Summary (NTS) ("Application Documents") can be viewed and downloaded free of charge online on the Sunnica Energy Farm page of the Planning Inspectorate's National Infrastructure Planning website under the documents tab: <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/sunnica-energy-farm/?ipcsection=docs>

The Application Documents will be available to view online at least until the Secretary of State makes his decision whether or not to grant the Development Consent Order.

If you require a copy of the Application Documents to be supplied on a USB stick, this can be provided free of charge (one USB stick per household). Please use the contact details for the Applicant below to request for this to be provided.

It is intended that, subject to access limitations or social distancing imposed as a result of the COVID-19 pandemic or any other reason, the Application Documents will be available either in hard copy or via the Sunnica Energy Farm page on the National Infrastructure Planning website

(<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/sunnica-energy-farm/?ipcsection=docs>) accessible via computer or tablet from 3 February 2022 at the following Community Access Points:

Location	The documents will be available for viewing at the following times:
Mildenhall Hub, Sheldrick Way, Mildenhall, Bury Saint Edmunds IP28 7JX	Monday 9:00am to 5:00pm Tuesday 9:00am to 5:00pm Wednesday 10:00am to 5:00pm Thursday 9:00am to 5:00pm Friday 9:00am to 5:00pm Saturday CLOSED Sunday CLOSED
Newmarket Library, 1a the Guineas, Newmarket CB8 8EQ	Monday CLOSED Tuesday 8:30am to 6:00pm Wednesday 9:00am to 5:00pm Thursday 8:30am to 5:00pm Friday 8:30am to 6:30pm Saturday 9:00am to 5:00pm Sunday 10:00am to 4:00pm
The Beeches, 32 Mill St, Isleham, Ely CB7 5RY	OPENING TIMES MAY VARY, PLEASE CONTACT VENUE TO CONFIRM  Monday 10:00am to 11:00am, 6:00pm to 9:00pm Tuesday 9:00am to 8:00pm Wednesday 9:00am to 2:00pm, 4:00pm to 8:30pm Thursday 10:00am to 11:00am, 4:00pm to 5:30pm Friday 9:00am to 1:00pm Saturday PLEASE CONTACT VENUE Sunday PLEASE CONTACT VENUE
Burwell Library, Village College, The Causeway, Burwell, CB25 0DU	Monday 2:00pm to 5:00pm Tuesday 10:00am to 5:00pm Wednesday CLOSED Thursday 12:00pm to 7:00pm Friday 2:00pm to 5:00pm Saturday 10:00am to 1:00pm Sunday CLOSED

If you have any questions about the Application Documents, you can email [info@sunnica.co.uk](mailto:info@sunnica.co.uk), write to Sunnica Energy Farm Project, Freepost SEC NEWGATE UK LOCAL, or contact the Applicant by telephone on 0808 168 7925.

The Application Documents can be supplied in hard copy format on request at a cost of:

- Consultation Report, Planning Statement and Statement of Need - £537.42;
- Environmental Statement Report Volumes 1-3 - £1,259.38; and
- Total cost for all documents (including files, covers and spines) - £4,570.44.

For any bespoke document reproduction please contact us and we will provide the cost.

**Representations:**

The period in which relevant representations are invited to be made to the Planning Inspectorate is between 3 February 2022 and 17 March 2022. Any representations (giving notice of any interest in, or objection to, the Application) **must** be made on the Planning Inspectorate's Registration and Relevant Representation Form which can be accessed and completed online by following the relevant link: <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/sunnica-energy-farm/?ipcsection=overview>

If you require guidance on, or other methods of, obtaining and completing a Planning Inspectorate Registration and Relevant Representation Form, please telephone the Planning Inspectorate on 0303 444 5000 or e-mail [sunnica@planninginspectorate.gov.uk](mailto:sunnica@planninginspectorate.gov.uk).

The Planning Inspectorate's Advice Notice 8.2: How to register to participate in an Examination, provides further guidance on how to register and make a relevant representation and can be accessed via the following link: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-2-how-to-register-to-participate-in-an-examination/>

Please note that representations must be received by the Planning Inspectorate by **Thursday 17 March 2022**.

Representations will be made public and will be subject to the Planning Inspectorate's privacy policy at: <https://www.gov.uk/government/publications/planning-inspectorate-privacy-notices/customer-privacy-notice>