

**From:** [REDACTED]  
**To:** [Sunnica Energy Farm](#)  
**Subject:** Your ref EN010106 letter of 4 May 2022 Sunnica  
**Date:** 15 May 2022 12:57:45

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Dear Sirs

Thank you for your letter dated 4 May and related links.

Your letter asks for comment specifically on the following matters only:

- The issue of whether the Preliminary Meeting should be delayed until mid-July 2022
- The Applicant's proposed timetable to consult further on amendments intended to form the formal Change Request to be made to the ExA.

I wish to comment as follows.

**The issue of whether the Preliminary Meeting should be delayed until mid-July 2022**

- I strongly believe that the Preliminary Meeting and the start of the Examination should not start until the scope and nature of the changes to be put forward by Sunnica are defined and made clear by them: therefore the Preliminary Meeting should be delayed. As Sunnica say the proposed changes will result in wholesale changes to and necessary re-issue of Land Plans, Works Plans and Access and Rights of Way Plans, the DCO, the Explanatory Memorandum, the Statement of Reasons, the Book of Reference and other consequential amendments to documents. To commence the process when such wholesale changes are expected would appear to make no sense; to ensure a meaningful and constructive consultation over major changes in such circumstances will be very difficult and confusing for participants, and therefore consultation is unlikely to be effective in such circumstances.
- Should the delay be to mid July or another date? As my comments below on the timetable for consultation I believe the timetable proposed by Sunnica is too short to allow effective consultation and the delay if granted should therefore be to a later date than mid July.
- I understand from the correspondence that it is expected that the Preliminary Meeting is usually expected to take place within 6 weeks to 2 months of acceptance of the application and that if there is a delay agreed this should not be more than 3 months. I also understand that these are not statutory provisions but rather they are guidelines/expectations intended to limit the risk that the application, including pre-application consultation and environmental information, will no longer be sufficiently current to form the basis of an examination. The proposed deferral to mid July means that this situation falls very far outside these guidelines and the question therefore is not so much whether this may ever have happened in other unrelated planning cases but rather whether in this case there is a risk from these delays that this application, including pre-application consultation and environmental information is no longer sufficiently current to form the basis of an examination. Given the reason for the guidelines and the substantial delay prima facie there does seem likely to be such risk and this needs to be considered

very carefully. If there does appear to be any such risk arising from delay I believe that Sunnica should be required to withdraw the DCO application and to resubmit it when they have established and defined what their reformulated plans are.

**The Applicant's proposed timetable to consult further on amendments intended to form the formal Change Request to be made to the ExA.**

- The likely changes are potentially very significant affecting much of the documentation and it must be the case that full, fair and meaningful consultation takes place. I feel that the time proposed from the end of May to the end of June is not adequate to allow a fair time for review, consideration and comment or to secure any necessary specialist input to help inform responses. I believe the time for consultation on changes needs to be extended significantly. Alternatively the application should be withdrawn and resubmitted when it has been reformulated.

Best Regards  
Stephen

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