

Sunnica Energy Farm EN010106

Suffolk County Council Written Submission on Examination Procedures and Timetable

In response to the Rule 6 letter dated 28 June 2022

Procedural Deadline A

13 July 2022

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2. GLOSSARY OF ACRONYMS

<i>DCO</i>	<i>Development Consent Order</i>
<i>ExA</i>	<i>Examining Authority</i>
<i>LIR</i>	<i>Local Impact Report</i>
<i>NPS</i>	<i>National Policy Statement</i>
<i>PPA</i>	<i>Planning Performance Agreement</i>
<i>SoCG</i>	<i>Statement of Common Ground</i>
<i>SoS</i>	<i>Secretary of State</i>

“The Council” refers to Suffolk County Council

“The Host Authorities” refers to Suffolk County Council along with Cambridgeshire County Council, East Cambridgeshire District Council and West Suffolk Council

3. COMMENTS ON PROCEDURE FOR EXAMINATION

- 3.1. The Council is content for the examination to proceed on the basis of events being held on a blended basis. Our experience of working on DCO examinations during the pandemic is that our officers and legal advisors have generally adapted well to virtual working.
- 3.2. Therefore, in general the Council will largely be attending events virtually, with only occasional physical presence where we consider it necessary. We will indicate which mode of attendance we intend to use as part of each request to be heard.

4. REQUEST TO BE HEARD ORALLY AT PRELIMINARY MEETING

- 4.1. The Council requests to be heard orally at the Preliminary Meeting.
- 4.2. The Council will attend virtually and will require log-ins for Isaac Nunn, Senior Planning Officer [REDACTED] and Michael Bedford QC [REDACTED]
- 4.3. The Council wishes to contribute on:
 - Item 3: Initial Assessment of Principal Issues
 - Item 4: Draft Examination Timetable
 - Item 5: Update from the Applicant on the status of the change request and consultation
- 4.4. The sections below highlight the key points the Council will wish to make.

4A. COMMENTS ON ITEM 3: Initial Assessment of Principal Issues

- 4A.1. The Council notes that the list of principal issues is not intended to be comprehensive or exclusive, however, the Council considers that good design should be explicitly referenced to reflect its importance. The SoS will have had ‘particular regard’ to the importance of good design in devising the relevant NPS as required by the Planning Act 2008. Though good design can be discussed in relation to a number of issues included in the initial assessment, the Council consider good design of sufficient importance to national policy to merit inclusion as a principal issue in its own right, and in particular the extent to which the applicant has followed principles of good design in preparing this application.
- 4A.2. The Council notes and welcomes that landscape and visual effects are identified as a principal issue. The Council also notes that the issue has not been included as an issue in any of the SoCGs requested in Annex F.

We suggest that the topic could usefully be included in any SoCGs between the four host local authorities and the applicant.

4B. COMMENTS ON ITEM4: Draft Examination Timetable

4B.1. The ExA is no doubt aware that Deadline 1 falls within the school summer holidays. This may cause difficulty for the Council in coordinating and preparing responses for Deadline 1 due to generally reduced availability of key personnel at various points between now and then.

4B.2. We anticipate that other stakeholders (in particular parish councils and some other local authorities) may have difficulties with deadlines scheduled during August due to availability of personnel and the timetabling of their governance processes. We will leave it to those stakeholders to make their own responses on the specifics of any difficulties they may have.

4B.3. In principle the Council would prefer, all things being equal, for the timetable to make participation accessible for as wide a range of stakeholders as possible. However, the Council does accept that the ExA has a statutory timetable to keep and will need to balance this against avoiding unnecessary delay. Subject to resourcing constraints, the Council will therefore endeavour to participate as fully as possible in the examination however it is timetabled.

4B.4. At the time of this submission no PPA to cover examination-period activities is agreed between the host authorities and the applicant. While we accept that this is not an issue for the ExA to get involved in, and though the Council does not at this stage envision any specific difficulty in meeting the deadlines set out in the draft examination timetable, we would like to make the ExA aware that a lack of certainty over the resourcing of officer involvement in the examination combined with the timing of the holidays will stress the Council's ability to meet Deadline 1.

4B.5. The Council is content with the proposed timetabling of other deadlines.

4B.6. Other than resourcing constraints, the Council does not foresee any specific difficulty with fielding officers to attend any of the meetings and hearings currently timetabled for the 26th, 27th and 28th July 2022, or hearings during the October and December reserve dates.

4C. COMMENTS ON ITEM5: Update from the Applicant on the status of the change request and consultation

4C.1. The Council notes that the consultation materials consisted of a booklet summarising the proposed changes and did not include versions of the

documents which would actually be necessary to make a submission of the proposed changes. This means that the significance of any changes cannot be substantially assessed by the Council, or any of the Host Authorities at the time of this submission.

4C.2. As the date of submission is currently unknown, the Council is concerned that the Host Authorities may have little time between having sight of the relevant documentation and Deadline 1, with particular consequences for the preparation of the LIR. We look forward to the update from the Applicant on this matter and the opportunity to discuss the timetabling implications when more is known at the Preliminary Meeting.

5. REQUEST TO BE HEARD ORALLY AT OPEN FLOOR HEARING

5.1. The Council requests to be heard orally at the Open Floor Hearing.

5.2. The Council will attend both virtually and in person. A virtual log-in is required for Richard Rout, Deputy Leader and Cabinet Member for Finance and Environment [REDACTED]. Isaac Nunn, Senior Planning Officer, will attend in person.

5.3. Richard Rout wishes to make remarks setting out the Council's overall position in relation to the Sunnica project.

6. REQUEST TO BE HEARD ORALLY AT ISSUE SPECIFIC HEARING 1 (DRAFT DCO)

6.1. The Council requests to be heard orally at Issue Specific Hearing 1.

6.2. The Council will attend virtually and will require log-ins for Isaac Nunn, Senior Planning Officer [REDACTED] Michael Bedford QC [REDACTED] and Emyr Thomas, Solicitor [REDACTED].

6.3. The Council wishes to contribute on:

- Item 3: Articles and Schedules of the dDCO
- Item 4: Schedule 2 of the dDCO – Requirements and Schedule 13 Procedure for Discharge of Requirements
- Item 5: Article 40 and Schedule 12 of the dDCO – Protective Provisions
- Item 6: Article 38 and Schedule 10 of the dDCO – Documents and Plans to be Certified

7. SUGGESTED LOCATIONS FOR SITE VISITS

- 7.1. In devising this list of suggested locations for site visits, the Council has endeavoured not to suggest locations which duplicate the ExA's previous unaccompanied site visits.
- 7.2. Each section below provides the requested details of location, relevant issues, site accessibility and reason for suggestion.

7A U6006 between Elm Road and Worlington

- 7A1. This is an unclassified local highway between Newmarket Road and Elms Road which passes through Sunnica East Site B. Its location is identified in Figure 1.

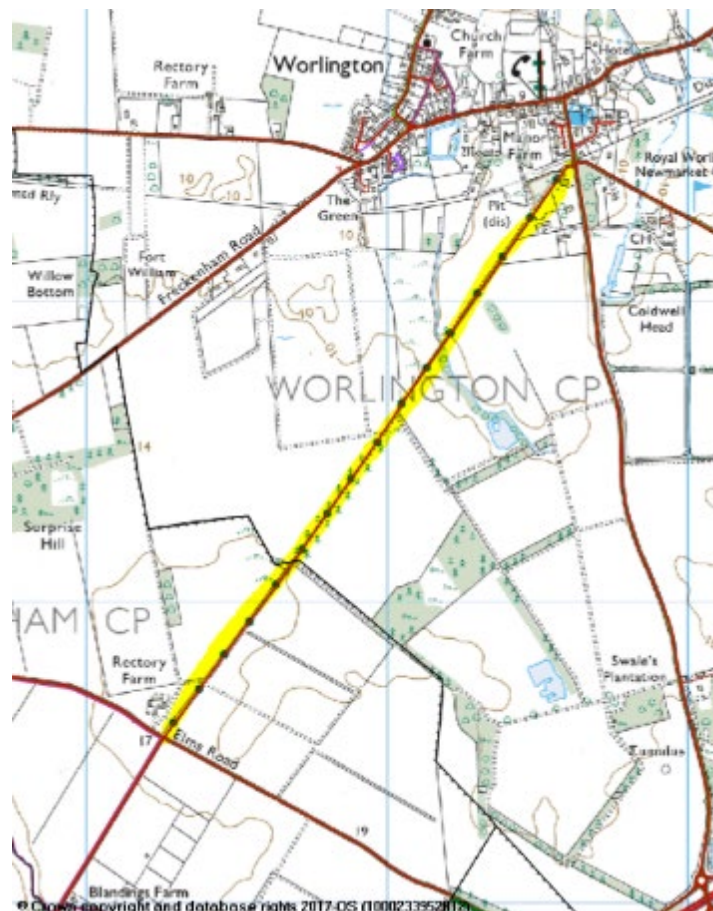


Figure 1: Location of U6006 (highlighted yellow) in relation to Worlington

- 7A2. This route is an unclassified local highway rather a PRow, but as it is unsurfaced it is best accessed on foot from either Elms Road or Newmarket Road. As a local highway it is accessible to the public at all times.
- 7A3. This location gives rise to particular issues of visual impact, biodiversity, local amenity, cultural heritage and impacts on the local highway

network, which are to be discussed in detail in the Host Authorities' joint LIR.

7A.4. It is suggested as it provides a useful view of the development from within Sunnica East Site B itself as experienced by local users of the route.

7B. A14 / A142 junction (Junction 37)

7B.1. Junction 37 is the junction on the A14 immediately to the west of the A14/A11 junction. Its location is identified in figure 2 to the north of Newmarket.



Figure 2: Location of A14/A142 junction, A143 and C751 (relevant portions highlighted yellow)

7B.2. This junction is part of the highway network and is therefore accessible by car. To visit the location it would be sufficient to drive west on the A14 sliproad, north over the bridge and then east onto the A14.

7B.3. This junction is significant as it is where traffic travelling west on the A14 will need to 'boomerang' in order to join the A11. The key issue to observe is highway safety.

7C. The A14/A11 junction (Junction 38)

7C.1. Junction 38 is the junction between the A14 and the A11. Its location is identified in Figure 3.

7C.2. This junction does not allow westbound A14 traffic to join the A11 in the northbound direction or southbound A11 traffic to join the A14 in the eastbound direction. One consequence of this is that traffic wishing to travel in these directions must continue to the next junction in order to turn around.

7C.3. This location should be visited alongside A14 Junction 37 to observe the issues discussed above.

7D. The routes between the A14 and the A11

7D.1. These are the main local routes between the A14 and the A11 and could be used by traffic wanting to get from the eastern A14 (Kentford, Risby, Higham) to the site via local roads through Cavenham and Tuddenham. A number of routes are identified in figure 3,



Figure 3: Location of A14/A11 junction (circled yellow) and other possible routes between the A14 and A11 (highlighted yellow)

7D.2. These local routes could be used as ‘rat runs’ by light vehicles and staff movements, which is acknowledged by applicant’s traffic modelling. The council recommends the ExAdrives these routes to become familiar with impacts on the local highway network beyond the immediate site.

7D.3. The main traffic issues are safety (rather than capacity) as the existing local highway network is fairly fragile.

7E. The local highway network through Mildenhall and Barton Mills

7E.1. These parts of the local highway network connect the settlements of Mildenhall, Barton Mills and Worlington to Sunnica East Site B. These locations are identified in figure 4.

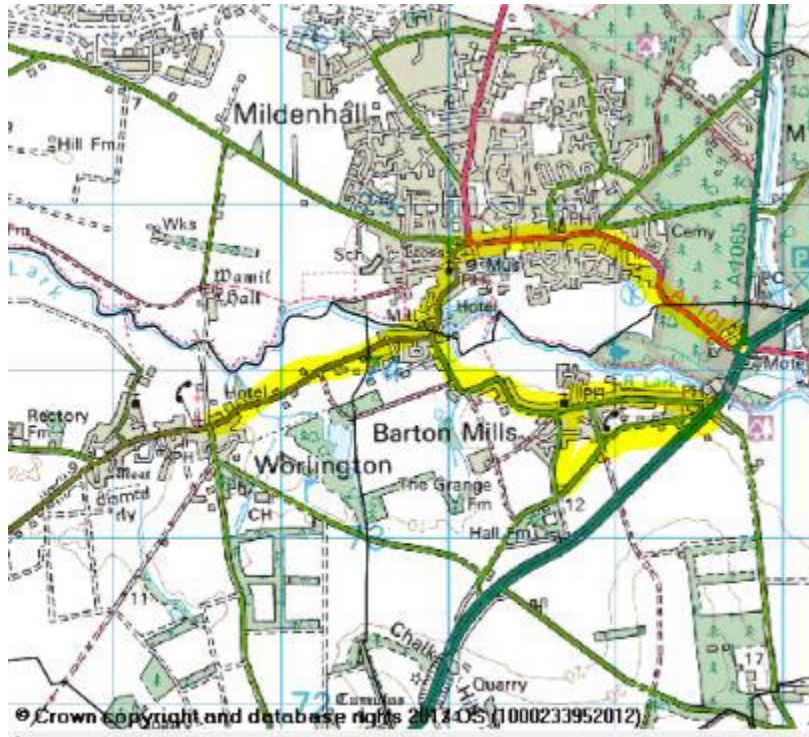


Figure 4: Location of key local routes between Mildenhall, Barton Mills and Worlington

7E.2. This location is suggested to gain an understanding of areas of the highway network outside the immediate context of the site. Of particular interest are the A11 crossings at Barton Mills and Worlington, and the five ways roundabout at Mildenhall. The five ways roundabout has existing safety issues which are the subject of improvement proposals which are going through the RIS3 funding process.