



The Planning Inspectorate

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Customer Services: 0303 444 5000
E-mail: Sunnica@planninginspectorate.gov.uk

To: All Interested Parties, Statutory
Parties and any Other Person Invited
to the Preliminary Meeting

Your Ref:

Our Ref: EN010106

Date: 28 July 2022

Dear Sir / Madam

**Planning Act 2008 (as amended) – Section 89
The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 9**

**Application by Sunnica Ltd for an Order Granting Development Consent for the
Sunnica Energy Farm**

Procedural Decision regarding Day 1 of the Preliminary Meeting of 26 July 2022

I write to inform you that the Examining Authority (ExA) has made a Procedural Decision to adjourn the Preliminary Meeting (PM) that opened on 26 July 2022 and to delay the start of the Examination.

On 21 July 2022 the Applicant confirmed the latest position on its intended changes to the application in two letters, the first letter [\[AS-238\]](#) explaining various matters whereby the Applicant wishes to make further changes to the Proposed Development as set out in the application. The second letter [\[AS-239\]](#) put forward its proposed revised timetable for the Examination.

The ExA has taken account of the position as explained by the Applicant at Day 1 of the Preliminary Meeting, together with representations made at the meeting by the Statutory Parties and Interested Parties (IPs).

We noted that had we received the Change Request (CR) as expected during the week preceding the start of the PM, it was possible we could have made a Procedural Decision whether or not to accept the CR and assess the materiality of the changes. As that assessment has not been possible the ExA doubted whether there would be sufficient time within the Examination, if it started in advance of the CR being submitted, for the application, should it be accepted in its revised form, to be properly and fairly examined.

Given the revised timing of the formal CR which the Applicant now indicates will not be submitted until 30 August 2022, and the representations received to date, we do not consider it appropriate to start the Examination over the summer period, given also the challenges which the Statutory Parties and IPs have referred to in meeting Deadlines, arranging for delegated powers to approve formal Written Representations, and other matters.

Secondly, we are clear that the Examination should not start before the date on which the Applicant now states it will formally submit the CR, i.e., 30 August 2022. Our aim throughout is to get the best balance we can between the need to enable preparatory work to occur and bringing the application to an early Examination on the basis of the current documentation.

The Applicant is reminded of the importance of complying fully with the advice contained in Figure 3 of the Planning Inspectorate's Advice Note 16, including (at 7.) "*Copies of any consultation responses received by an applicant should also be included with any request, as an annex.*". The Applicant is requested to provide in full the responses to the non-statutory consultation carried out to date on the CR and the responses to the additional consultation in respect of the latest changes described in the Applicant's letter of 21 July 2022 [AS-238].

As set out in its letter of [22 July 2022](#), the ExA will consider the prospects of sufficient progress being made on the submission of the CR to support an effective Examination commencing in September 2022.

The ExA invites any further written comments specifically on this matter from the Applicant, Statutory Parties and IPs, to be submitted by Procedural Deadline B (PDB), **23:59 on Monday 8 August 2022**.

We request that all submissions are made using the Make a submission tab on the project webpage on or before PDB (23:59 Monday 8 August 2022). For further information on using the Make a Submission tab please refer to Annex H of the [Rule 6 Letter](#).

Following the PDB Deadline the ExA, after taking account of all comments received, will issue a Procedural Decision, including a revised draft timetable, and will provide at least 21 days' notice of Day 2 of the PM.

If you have any further questions concerning any of the matters set out in this letter, please contact the Case Team at sunnica@planninginspectorate.gov.uk or 0303 444 5000.

Yours faithfully

Grahame Kean

Grahame Kean
Lead Panel Member of the Examining Authority

This communication does not constitute legal advice.
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.