

Mr G Kean  
National Infrastructure Planning  
Temple Quay House  
2 the Square  
Bristol  
BS1 6PN

Our ref: Sunnica  
Contact: Julie Barrow

[REDACTED]  
[REDACTED]

28 November 2002

Dear Mr Kean

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

**Comments on draft Development Consent Order – Deadline 3A**

The Council makes the following comments on the revised draft Development Consent Order submitted by the Applicant at Deadline 2.

Articles 36 and 37

The Applicant has stated in its response to ExQ1.5.44 that it is not possible at this stage to precisely define what 'near' means in the context of Article 36. The Council remains extremely concerned that the amount of flexibility being sought by the Applicant in relation to this matter is inappropriate and could result in harm to trees and hedgerows (including protected trees) that could be avoided.

The detailed design of the scheme should be led by the existing landscape and while the submission of an arboricultural impact assessment at this stage is welcomed, it does not prevent future works to trees and hedgerows that the Applicant deems to be 'near' to the development. It should be noted that the Council has not yet had the opportunity to fully review the arboricultural impact assessment submitted at Deadline 3. The Council welcomes the changes to Requirement 14 in relation to vegetation removal.

Requirement 6 - Detailed design approval

This requirement now makes reference to the details being in accordance with the Unplanned Atmospheric Emissions document and the approved BFSMP. However, these documents are only required to be agreed prior to commencement of Work No. 2 (as set out in Requirement 7). The Council questions whether the Requirement should state that the details must accord with these two documents 'where appropriate' as it is likely that the Applicant

will want to commence certain works or phases of the development that may have no direct link to the matters addressed in the documents.

#### Requirement 7 – Fire Safety Management

The Council understood from discussions that took place during ISH1 that the county councils would be the discharging authorities for this Requirement. The Council notes that the Health and Safety Executive has been included as a consultee for this Requirement. Is the Applicant satisfied that the HSE has engaged sufficiently at this stage on the OBFSMP and that it will be in a position to advise the county councils on the content of the final document.

#### Requirement 10 – Stone Curlew

Part (3) details the Works that cannot be undertaken ahead of the mitigation land being provided. The list does not include Work No. 4 in relation to works to lay electrical cables etc. The Council notes the Applicant's answer to ExQ1.2.8 in relation to the point and would suggest that the Applicant is more specific by including in Requirement 10 those parts of Work No. 4 that are required in the mitigation land. Similarly, the Applicant should confirm whether Work No. 1Biii should be excluded from this list to facilitate works required in EC03 to the north of the U6006 between parcels E12 and E24.

In part (4), decommissioning should also be included. The Council also requires monitoring, reporting and any subsequent remedial action to be secured in this Requirement.

#### Schedule 13 - Deemed consent

The Council's comments and concerns regarding the inclusion of a deemed consent provision remain. Please refer to the Council's Post-Hearing submission for ISH1 [REP2-086c].

West Suffolk Council