

Date: 15 December 2022
Our ref: 414770
Your ref: EN010106



Sunnica@planninginspectorate.gov.uk

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Kean

NSIP Reference Name / Code: Sunnica Energy Farm, EN010106
Natural England's comments in respect of Sunnica Energy Farm Project, promoted by Sunnica Ltd

Examining authority's submission deadline 4, 16 December 2022

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The following constitutes Natural England's formal statutory response for Examination Deadline 4.

1. Comments on Issue Specific Hearing 2

1.1. Natural England has no additional comments to make on the issues discussed in this hearing, beyond those made in our pre-hearing submission sent by email on 06 December 2022. We will update our written advice once additional information has been submitted into the examination process.

2. Comments on Issue Specific Hearing 3

2.1. All of the comments in this section relate to agenda item 3a)

2.2. In a discussion over the lack of ALC surveys for the cable routes, the applicant's consultant stated that Natural England agreed with the need for a soil quality and resource assessment as a post-consent measure, rather than a full ALC survey. This does not accurately reflect Natural England's position. Natural England maintains that, where access is permitted, we would still wish to see an ALC survey and soil management plan for all land disturbed as a result of the development during the examination.

2.3. The report *Best Practice for Managing Soil Organic Matter (SOM) in Agriculture – SP08016* (Defra, 2008) was referenced as evidence that the proposed development would have a beneficial impact on soil quality. As discussed in our Written Representations [REP2-090], the

benefits of temporary land use change are likely to be short term and restricted to those areas of land currently under cultivation. There could be a disbenefit to the soil resource due to unknowns as a result of the solar development infrastructure. It is currently unclear as to what impact the solar panels may have on the soil properties such as carbon storage, structure and biodiversity.

- 2.4. Natural England notes the discussion had around alteration of soil grades with the consideration of irrigation, and we wish to clarify our position on this. Irrigation is no longer a factor used in ALC and has not been since about 1996 when a review of ALC took place. This is reflected in the 1997 version of PPG7. The approach taken in the light of this was that irrigation should not be used to upgrade land. Irrigation can have a beneficial effect but it would be considered as another factor for planning authorities to take into account, alongside other non-land quality factors such as location, farm structure etc. Therefore, irrigation should not be taken into account in ALC grading given the negative impacts that abstraction can have on local water resources in areas where water is scarce. Taking irrigation out of ALC helps ensure that cropping is appropriate to local conditions. As a consequence, any historic (post-1988) ALC grading which upgrades the ALC grade of the land would need to be reviewed without irrigation. This would be an acceptable change in grading.

3. Comments on the Environmental Masterplan

- 3.1. Natural England welcomes the Environmental Masterplan submitted at deadline 3 [REP3-022] and the clarification this provides for habitat proposals in the scheme. However, it appears that the only area being specifically created and managed for stone curlew are plots ECO1 and ECO2 in Sunnica East Site A. This does not seem to make up the whole 108ha discussed in other documents.
- 3.2. Additionally, there are four nesting plots proposed for ECO3 in Sunnica East Site B, but the area itself has not been marked as habitat created and managed for foraging stone curlew
- 3.3. Natural England requests clarification on the area of habitat that will be specifically created and managed for stone curlew, including whether this will include ECO3.
- 3.4. Natural England advises that, in addition to those characteristics shown on the masterplan, it would be useful to show any public rights of way in order to determine what impact, if any, these will have on the stone curlew offsetting habitat.

4. Comments on updated Landscape Environmental Management Plan

- 4.1. The wording of Paragraph 1.7.70 has been updated to remove the use of the words 'up to ten' and now states that ten plots will be provided. Natural England welcomes this change and is satisfied with the number of nest plots to be provided.
- 4.2. Paragraph 1.6.25 still states that a licence will be required for a badger sett closure at the Burwell National Grid Substation extension. We understand that the forthcoming change request to be submitted at deadline 5 will result in this no longer being the case. We advise that this document, and any other referencing the need for licences, is updated to avoid confusion.
- 4.3. Paragraph 1.7.38 continues to discuss the mixing of topsoil with chalk. As discussed in our previous submission at deadline 3 [REP3-028] this is inconsistent with other documents such as the Construction Environmental Management Plan, which state there will be no mixing of topsoil with other substances. Should mixing still be proposed, Natural England has concerns over how

this will affect the ability of the applicant to restore the site to its baseline ALC grade at the end of the development.

5. Comments on updated Report to Inform an Appropriate Assessment

5.1. As discussed in our previous submissions, Natural England maintains that physical displacement of stone curlew should be identified as an impact pathway during operation. It should be noted that additional mitigation above what is already being proposed is not required. This has been verbally agreed with the applicant and it is Natural England's understanding that the wording will be updated to reflect this.

5.2. As discussed in the previous section, paragraph 5.4.10 has been updated to remove the use of the words 'up to ten' and now states that ten plots will be provided. Natural England welcomes this change and is satisfied with the number of nest plots to be provided.

6. Comments on updated Construction Environmental Management Plan

6.1. Table 3-3 on page 16C-15 states that monitoring for stone curlew should be carried out of the offsetting areas and areas within 500m of these. Natural England welcomes this but advises that there may be stone curlews present in other parts of the sites or within 500m of the order limits. Presence of these should also be monitored, or works phased appropriately to avoid impacts.

7. Outstanding concerns

7.1. In this letter, Natural England has not commented on outstanding issues which have not been directly addressed by the submissions to date. This includes our concerns raised over the methodology of the soil surveys, and concerns over the completeness of the stone curlew surveys. We will update our advice on these issues as new documents are submitted in to the examination process.

This concludes Natural England's advice at this time, which we hope you will find helpful.

Yours sincerely

Joanna Parfitt
Norfolk and Suffolk Area Team