

Cambridgeshire County Council

ID Number 20031358

Comments on the Applicant's D3 and D3a submissions

This document sets out the comments on the Applicant's Deadline 3 (D3) submissions by Cambridgeshire County Council (CCC). The tables below set out the document in question that the Council is commenting on, together with the relevant paragraph or reference number.

Except where expressly stated otherwise below, the Council reiterates and relies on its comments submitted to the ExA at previous deadlines.

6.2 Environmental Statement Appendix 8M: Habitats Regulations Assessment: Report to Inform an Appropriate Assessment - Rev 01 [REP3-009 and REP3-010]

Topic	Paragraph Number	Council's Comment
3.5 Water Environment	3.5.5	We welcome the explanation as to why there will be no significant impediment to groundwater flow as a result of Grid Connection Route B (and all cables). This addresses the Council's previous concerns.
Fenland SAC	Table 4-1 Pages 8M-40, 8M-41, 8M-45 & 8M-46	We welcome confirmation that all structures in Sunnica West Site B (adjacent to Chippenham Fen) are anticipated to be above the chalk aquifer water table and therefore will not affect groundwater flow to Chippenham Fen. The nearest piling location at 12m depth will be approximately 500m from Chippenham Fen and will not interfere with the chalk aquifer that feeds the Fen.
Chippenham Fen Ramsar	Table 4-1 Pages 8M-45, 8M-46, 8M-51 & 8M-52	We welcome confirmation that all structures in Sunnica West Site B (adjacent to Chippenham Fen) are anticipated to be above the chalk aquifer water table and therefore will not affect groundwater flow to Chippenham Fen. The nearest piling location at 12m depth will be approximately 500m from Chippenham Fen and will not interfere with the chalk aquifer that feeds the Fen. This addresses the Councils' previous concerns.
Impact Pathway: Degradation to Molinia meadows on calcareous, peaty or	Mitigation 5.2.11(b) Page 8M-78 & 8M-79	The Councils welcome the proposed dust mitigation measures that are proposed. However, the Councils seek clarification as to the locations for the proposed off-site daily inspections, and further information is required on this matter.

clayey-silt-laden soils (Molinion caeruleae). (Purple moor-grass meadows)		
		The Councils are aware that the Applicant is going to be changing the proposals for Sunnica West Site B. It is understood this will result in the removal of the solar arrays. However, we are unclear as to how it will affect the alignment / construction of the proposed cable route. The HRA will need to be updated to reflect any changes and how it will impact Chippenham Fen Ramsar / Fenland SAC.

6.2 Environmental Statement Appendix 13C: Framework Construction Traffic Management Plan and Travel Plan - Rev 02 [REP3-013 and REP3-014]

Topic	Paragraph Number	Council's Comment
Site accesses	4.1.9	The applicant should quantify what they considered to be infrequent use of the site access for maintenance during to operational phase, including by what class of vehicle. It should be noted that any additional use would be considered an intensification requiring improvement to access visibility and geometry, as necessary to prevent that use having a detrimental impact to highway safety.
	4.1.10	<p>The Design Principles of preserving the ability to use the grid connection site accesses during operation phase. Suitable improvements must be considered to appropriate standards for visibility, junction radii and access width suitable to accommodate the passage of opposing traffic flow, especially at those sites where traffic management has already been identified as being necessary to provide safe access.</p> <p>It is not appropriate to assume that existing agricultural access are suitable for infrequent yet undefined additional use, irrespective of their suitability for the existing use. Where an existing access is already deficient in terms of achieving suitable visibility, access geometry for turning and passing of vehicles, or construction appropriate to its use, than that access is not suitable for any further intensification of use, however small.</p> <p>Where an access is to be used it should meet appropriate standards for visibility relative to the speed of traffic traveling on the highway. Junctions should be of a suitable radii to accommodate the size and speed of vehicles entering the site (and from any direction that may reasonably be anticipated) so as to avoid unnecessary late braking on the highway.</p>

		The access width must also be of sufficient to accommodate the passage of vehicles that likely encounter one another at the junction, so that access does not become obstructed, and result in vehicles dwelling in the highway
	5.1.1	<p>The safe use of these accesses have not been satisfactorily demonstrated, with the information requested. This includes details such as the highway extent and legible DCO boundary which is required to determine whether appropriate visibility and access geometry can be achieved within land in the applicants control. Until the suitability of the access arrangement with respect to visibility splays, access width and junction radii have been established, and included on plan with the appropriate boundary information as requested, it is not possible to confirm whether appropriate safe accesses would be deliverable within the DCO boundary.</p> <p>Discussions continue to agree the details to be included in the access plans. The site accesses plans should be to a level where the LHAs can assess whether they are safe, feasible and deliverable.</p>
	5.2.4	<p>It is noted that this section indicates that the applicant considers the removal of vegetation to achieve full visibility splay inappropriate and disproportionate to the timescale of construction use. This however does not recognise the ongoing use of the majority of access during the operation phase when traffic management will not be in place. It must be demonstrated that safe access to the sites will be preserved throughout the operational use of the site/accesses. The applicant should demonstrate that suitable visibility splays and access geometry for entry into the site and passage of two way movement of vehicles as may reasonably be anticipated to use any junction that is not to be used exclusively under traffic management.</p> <p>During discussions with the applicant, it has been suggested that two way movement of traffic at Sunnica West site A, Access A, can be controlled to prevent the junction being obstructed when larger vehicles are required to enter the site within the currently proposed junction arrangements. Details of how all vehicles attending site can be adequately managed, including those that the applicant may not have full control over their movements are needed.</p>
	5.2.7	Guidance on passing width in Manual for Streets is not considered by CCC appropriate for setting safe width on high-speed non-residential roads. While the issue is to be discussed

		separately with the applicant, the suitability of providing passing places along La Hogue Road in locations where widths are wide enough for the passage of some vehicles may result in drivers of larger vehicles following other smaller vehicles through narrow sections of road without utilise passing places; this risks conflict and overrun. It is recommended that La Hogue Road be suitably widened along the route into the main site access.
	5.3.11	If as indicated in this section that the accesses on the Grid Connection Route are to be retained for infrequent access during the operational phase, then these must be constructed to appropriate standards for visibility, junction radii and access width suitable to accommodate the passage of opposing traffic flow.
	5.4.3	<p>It is noted that the plans have not been updated to include the highway extent as previously requested; It is not therefore possible to determine whether vehicle movement can be accommodated fully within the highway or DCO boundary.</p> <p>The DCO boundary appears to be indicated by a wide red line, but it is unclear whether the boundary is indicated by its centre or either edge. The red line obscures underlying lines making it difficult to determine suitability of the proposals. Could additional plans be provided that more clearly defined the boundary without obscuration of other required elements.</p>
	5.10.1	Staff car parks will reduce in size and capacity as the construction progresses and the demand for staff and staff vehicles decreases. This should be detailed in the CTMP and show the internal arrangements (including such elements as local compounds for parking, turning areas, storage etc) for the operational stage of the scheme.
	6.1.1	The provision of the temporary traffic signals and speed limit reductions are in-lieu of providing the full visibility splays will be acceptable in principle during the operational and decommissioning phases but is not appropriate at those sites that will be in ongoing use associated with the site during the operational phase.
PROW	6.3.10	The Council welcomes the amendment to the CTMP that temporary closure of PROW is a worst-case scenario and that the Applicant will seek to ensure that PROW remain open through the use of banksmen. The Council reiterates that the PROW network is sparse in this area and there are few, if any, alternatives. Therefore, it is vitally important that the paths do remain open for reasons cited in the Council's WR [REP2-112] and LIR [REP1-024]. The Council appreciates the concern around health and safety, but objects to the contractor having the final say in the decision as this should be the responsibility of the

		<p>LHA. This will ensure that the contractor will abide by the terms of the CTMP and will ensure paths are not closed simply because it is the easiest option.</p> <p>If the contractor considers that the only option is to close a route, then they must liaise with the LHA to agree an alternative route, such as one that can be delivered by the developer within the redline boundary. The Council requires that the CTMP states that the contractor may only close a PROW as a last resort after thorough discussion with the LHA and once it has been agreed that there is no other alternative.</p> <p>The CTMP should include the requirement that, should it be agreed that any temporary closures are appropriate, the contractor must agree the signage of any such closures and alternative routes with the local highway authority. This is to ensure that appropriate alternatives are put in place, and that the signage is placed in locations where users can make informed decisions. The Council agrees with Suffolk County Council's position on this matter, which was stated to the Examination at ISH2.</p> <p>Proposed closures should be in a clear communications strategy. The Strategy should recognise that people walk between villages and other routes that do not take into account county boundaries. Therefore, it is important to ensure the communication is wide. include all parish councils in the area, all PROW statutory user groups, and the Fordham (Cams) Walking Group.</p> <p>It would be helpful within the CTMP for cross reference to be made to the CEMP [REP3-015] to ensure that contractors are aware of the environmental reasons for minimising temporary closures of PROW.</p>
Highways Condition Surveys	7.2.15 and 7.2.16	<p>These should be termed "condition surveys", not "conditional surveys".</p> <p>The method of these surveys needs to be defined and included in the Plan. This will need to be agreed with the Local Highway Authorities and then explicitly defined in the Plan. CCC would require visual surveys and mechanical surveys, via SCANNER and SCRIM or similar.</p> <p>Within this section, paragraph 7.2.16 needs to include a specific commitment from the Applicant to undertake and/or fund such preventative treatments as are reasonably required by the Highway Authority.</p>

		There is no mention of the Applicant defraying the Highway Authorities' costs in respect of damage caused to the network by construction traffic. Such a commitment is required. This might be via the agreement of an appropriate commuted sum prior to the commencement of works.
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6.2 Environmental Statement Appendix 16C: Framework Construction Environmental Management Plan - Rev 03 [REP3-015 and REP3-016]

Topic	Page Number	Council's Comment
Mammal access – perimeter fence	Page 16C-14	The Councils seek clarification as to how regularly the gaps in the security fence line will be checked by the Ecological Clerk of Works. This should align with paragraph 8.123 of the Applicants' response to the Councils' LIR [REP3-019] – <i>“periodic inspection of the mammal gaps should be recorded daily within the ecologists EIP”</i> .
Impact Avoidance – Invasive Species Management plan	1.6.15.f page 16C-20	The LEMP refers to <i>“Schedule 9 and Schedule 2 species”</i> in relation to invasive species. The Councils seek clarification as to what legislation these refer to, as it is unclear whether this references the Wildlife and Countryside Act 1981 schedules 2 and 9, or Schedule 2 of The Invasive Alien Species (Enforcement and Permitting) Order 2019.
Tree works – veteran trees	Page 16C-33	<p>It is noted that one veteran tree (T143) is proposed to be lightly pruned to facilitate access to Sunnica West Site B. Given the proposed changes of works to Sunnica West Site B, we query whether this will be required as part of the scheme.</p> <p>The Councils are concerned about the proposed severing of ivy from veteran trees identified in the Arboricultural Impact Assessment [REP3-021]. This should be incorporated within the LEMP and part of long-term management of veteran trees, rather than wholesale clearance as part of construction.</p>
Bats – tree 657		<p>The Applicants' response to paragraph 8.115 of the Councils' LIR [REP3-019] states that <i>“tree 657 has been identified a high potential for roosting bats, bat roost surveys (emergence /re-entry) will be necessary at this location in the year prior commencing the works. If a bat roost is confirmed at this location a bat mitigation licence (e.g. an EPSML) will be required to be obtained prior to the loss of this roost”</i>.</p> <p>The CEMP should be updated to include these pre-commencement surveys and what will be required if a bat licence is needed.</p>
PROW – noise receptors	p42	The Council welcomes the proposed engagement with the equestrian groups regarding the scheduling of construction activities. This needs to include the British Horse Society, which

		<p>is the statutory user group for public rights of way, and any local riding groups that use the public bridleways. The Council recommends that all the local parish councils, statutory user groups and the Fordham (Cams) Walking Group are also kept informed, as this will be a key way for local residents who use the network to hear about planned works and help engage effectively with the community, so that the public can make informed decisions regarding their use of the network during these times.</p>
<p>PROW – disruption to users of PROW</p>	<p>p47</p>	<p>Please see comment above in this table relating to non-motorised users of PROW as noise receptors in the landscape.</p> <p>We repeat our submission made in response to the updated CTMP [REP3-013 and REP3-014] regarding temporary closures. Cross reference must be made in the CEMP [REP3-015] to the measures concerning temporary closures of PROW in the CTMP [REP3-013 and REP3-014].</p> <p>The Council welcomes the amendments to require condition surveys of PROW before works commence to enable restoration to at least the same standard upon completion of works. The Council requires that the CTMP [REP3-013 and REP3-014] and CEMP [REP3-015] (given that disruption and damage to the PROW may occur with or without temporary closures) include the requirement for reinstatement works to be agreed with the LHA and for the LHA to inspect and certify that they are satisfied with the restoration.</p> <p>PROW are important landscape features, and so reinstatement must include appropriate restoration of any boundary features, the process for which must be agreed with the affected Council's Ecologist, ROW Officer and the LPA.</p> <p>The above measures must be included as an appropriate requirement in the draft DCO.</p>

8.44 Applicant's Response to the Joint Local Impact Report [REP3-019]

Topic	Paragraph / Page Number	Council's Comment
<p>Ecological Vision</p>	<p>8.37 – 8.40 and Annex A</p>	<p>The Applicant has not adequately demonstrated how the scheme delivers an “ecology-led design” given that the scheme has not avoided destruction of Stone Curlew nesting habitat, ground-nesting habitat for farmland birds of county importance (including 100+ skylark pairs) and 19 fields supporting arable flora of district / county importance.</p>

		<p>The Cambridgeshire County Council seeks an explanation as to what other designs were discounted and what criteria was used to elect the current design, to demonstrate that the most ecologically sensitive design was taken forward.</p> <p>The scheme does not demonstrate how it will deliver “<i>significant and meaningful contribution to the creation of a Nature Recovery Network in East Cambridgeshire and West Suffolk</i>”. For example, Sunnica West Site A falls within the Breckland Edge Priority Area in the East Cambridgeshire Nature Network. A key nature conservation priority for this area is management for its important flora and farmland birds. It is unclear how the scheme meets these objectives, given it will result in the loss of the majority of notable arable flora and ground-nesting bird populations of county importance.</p> <p>The scheme has not demonstrated how it will “<i>ensure a natural environment with a demonstrable net gain in biodiversity</i>” given the uncompensated losses of arable flora and farmland bird habitat, and suboptimal Stone Curlew off-setting habitat.</p>
<p>East Cambridgeshire Interim Nature Recovery Network</p>	<p>8.41 – 8.44 and Appendix B sections 2.3.3 to 2.3.6</p>	<p>The Council considers that the scheme does not contribute to, and to some extent conflicts with to the East Cambridgeshire Interim Nature Network.</p> <p>Sunnica West Site A falls within the Breckland Edge Priority Area of the East Cambridgeshire Interim Nature Recovery Network¹ (Baker and Wilson, 2022). The conservation priorities for this priority area include “<i>the provision of habitats suitable for Breckland flora and invertebrates, whether grasslands of various types or arable areas suitable for assemblages of rare arable flora...</i>”</p> <p>Field W06 and W09 of Sunnica West Site A are considered of district and county importance for their arable flora (respectively) [APP-079]. The Environmental Masterplan [REP3-022] shows that the arable habitat will be lost from these fields, with the exception of three very small arable flora plots within the archaeological exclusion zone located south of W09.</p> <p>In order to meet the conservation objectives of the East Cambridgeshire Interim Nature Recovery Network, as well as follow the mitigation hierarchy (avoid impact to high quality</p>

¹ Baker, M.P. & Wilson, L.A. (2022). *An Interim Nature Recovery Network for East Cambridgeshire*. Wildlife Trust for Bedfordshire, Cambridgeshire & Northamptonshire. Available at: <https://www.eastcambs.gov.uk/sites/default/files/East%20Cambs%20NRN%20-%20Final%20-%20Aug2022%20-%20low%20res.pdf>. Appended to submission referred to as Appendix 1.

		<p>biodiversity), the Councils consider it appropriate to seek removal of solar arrays from the field considered of county importance for arable flora (W09) and management for its arable flora. Fields identified to be of district importance for arable flora (e.g. W06) should also be managed for their arable flora. This should form part of a network of habitat for arable flora across the entire Sunnica site, with each arable field margin of sufficient size and located in optimal conditions, where management is not compromised by proposed solar farm infrastructure, nor by the stone curlew, archaeology and landscape mitigation.</p> <p>If this is not possible, an alternative off-site solution is required to work with farms to deliver better landscape scale management for arable flora.</p>
Fenland SAC and Chippenham Fen Ramsar Site – peaty soils	8.53 – 8.55	<p>The Applicant states that <i>“The small area of fen peat soil is away from the trenching (see soil map below).”</i> However, the area identified as peaty soils on the soil map is located within the Cable Corridor and shown as <i>“works no. 4”</i> (electric cabling) on sheet 15 of the Works Plan [REP2-005]. The Councils seek clarification as to the route of the proposed cable trench through Sunnica West Site B in relation to the peaty soils and suggest it could be rerouted to avoid the small area of peaty soils.</p>
Phase 1 mapping	8.81 to 8.83	<p>The update should reflect the findings of the Arboricultural Impact Assessment and should also show arable field margins.</p>
Arable Field Margins – locations	8.88	<p>It is still unclear where the arable field margins mentioned in the Preliminary Ecological Appraisal [APP-078] are located because they are not shown on the accompanying Phase 1 Habitat map [APP-187].</p>
Arable Field Margins / Arable Flora	8.89	<p>The Councils seek a map be provided showing (a) areas of land that were not surveyed for arable flora, and (b) areas that were surveyed for arable flora and the date they were surveyed.</p>
Trees and woodland – removal	8.100	<p>The Council disagrees that there has not been a significant change in the EIA, given that the ecological assessment in Chapter 8 of the ES [APP-040] is based on the assumptions that: <i>“All woodland present within the Order limits will be retained and measures embedded within the Scheme design to protect retained habitats during construction” (page 8-108)</i> <i>“No ancient woodland or veteran trees were identified as part of the data search; therefore, these aren’t considered further in this chapter” (paragraph 8.6.8).”</i></p> <p>Chapter 8 should be updated to reflect the proposed woodland / tree removal (approximately 1ha) and presence of (and works to) veteran trees set out in the Arboricultural Impact Assessment [REP3-021].</p>

Hedgerows - loss	8.102	The Council disagrees with this statement. The AIA [REP3-021] has identified impacts to hedgerows that were not surveyed as part of the ecological assessments. A review of the Terrestrial Habitats and Flora report [APP-079] is required to confirm any additional hedgerows that will be impacted by the scheme and require additional surveys.
Veteran trees	8.103	The Councils await further information for missing bat survey assessments.
Bats – AIA impacts	8.111	The Council disagrees. The bat assessment has not taken into account the proposed tree works, including works to trees identified as supporting potential roosts within the Arboricultural Impact Assessment [REP3-021]. For example, tree 143 has not been identified or assessed within the bat report [APP-087]. The bat survey report must be updated to consider the proposed loss of 1ha of woodland, works / removal to individual trees and additional losses of hedgerows.
Bats – lack of surveys	8.114 - 8.115	The Applicant has not demonstrated that adequate bat surveys have been undertaken (e.g. tree 657 and tree works associated with access routes) and therefore, it is not possible to determine the level of impact of the scheme on these protected species.
Badger – setts	8.120, page 42-43	The Council welcomes update of Badger report and await submission at Deadline 4.
Monitoring	8.131 - 8.133	The Council disagrees that Ecology Advisory Group “ <i>will, over this decade, determine what if any further monitoring is necessary and how it will be funded.</i> ” It is the responsibility of the Applicant to fund adequate ecological monitoring throughout the lifetime of the development to demonstrate that the scheme has successfully delivered the proposed mitigation / compensation for all key species and habitats. Given the size and nature of the proposed development, the Councils considers it proportionate and reasonable for the Applicant to undertake annual surveys for Stone Curlews, 5 yearly monitoring for habitats and monitoring of periodic monitoring of target species (farmland birds and invertebrates). The findings of such results will be critical to the understanding of the impact of large-scale solar farms on British ecology and whether the proposed mitigation / compensation measures are appropriate and successful.
Decommissioning impacts	8.162 to 8.165	At this stage, it is not possible to determine that there will be no adverse impacts associated with decommissioning. For example, removal of solar farm infrastructure may impact nesting birds, roosting bats or arable flora that have established on the Site. Further assessment is required at decommissioning stage to determine the level of impact and if mitigation / compensation is required.
Chapter 14	p178	Chapter 14 should be titled “Public Rights of Way” as per the Joint Local Impact Report [REP1-024].

Temporary PROW closures	14.31 and 14.45	The Applicant refers to section 6.3 of the Framework Construction Traffic Management Plan and Travel Plan [REP3-013] . This makes no reference to the Council's request for temporary PROW closures to be discussed and agreed with the LHA to enable the LHA to assess the implications for users and advise the Applicant accordingly. Please see PROW comment on the CTMP (ref paragraph 6.3.10) above.
Temporary closures	14.33	Please see PROW comment on the CTMP and TP (ref paragraph 6.3.10) above.
PROW - Haul roads	14.34	<p>The Council welcomes the amendment to article 11(1)(b) of the dDCO [REP2-012 and REP2-013] such that it is now clear that use of PROW by motor vehicles is for the purpose of crossing them only.</p> <p>As submitted in connection with ecological concerns at 10.227-229 of the LIR [REP1-024], the LEMP [REP3-012] needs to address how any hedges that have to be removed for construction purposes will be restored, in consultation with the relevant local planning authority and local highway authority, to ensure that the features can be restored as quickly as possible in the correct location to avoid encroachment on the legal width of the routes, and to minimise adverse impact on the enjoyment of users gained from these historic boundary features and their wildlife value. Schedule 2: Detailed design approval in the dDCO should be amended to include approval of design for hedgerows of PROW to be removed and restored together with the requirement for reinstatement of the surface and width of PROW affected by haul road/cable route crossings. This should include the provision for inspection and certification by the LHA.</p>
PROW temporary measures during construction	14.35 and 14.36	The Council welcomes the Applicant's statement that they intend to work with the LHA to agree appropriate measures. The Council reiterates its comments made in relation to the CTMP (ref paragraph 6.3.10) above.
Access & Rights of Way Plans	14.19. &14.51	<p>The Council maintains its objection to the Applicant's position that the Access and Rights of Way Plans [REP2-006] and the Traffic Regulation Measures Plans – Road Closures [REP2-007 to REP2-009] contain sufficient detail to articulate the extent and scope of the powers sought in the draft DCO.</p> <p>The Council highlights that this matter concerns all highway assets, including PROW, and therefore should not be captured only under the Public Rights of Way heading.</p>

		These issues need to be resolved to avoid the potential for significantly delays to delivery of the scheme. The Council would welcome further discussion with the applicant with the aim of reaching agreement.
All proposed permissive paths must be added to the plans.	14.21 and 14.52	Whilst, as the Applicant states, permissive paths are not public highways, they can only be accessed from a public highway. Consequently, their connectivity and position within the wider routes network is important to potential users, and thus should be shown on the Access plans for clarity.
Impact on NMUs	14.41 and 14.48	The Council welcomes the proposed engagement with the equestrian groups regarding the scheduling of construction activities. This needs to include the British Horse Society, which is the statutory user group for public rights of way, and any local riding groups that use the public bridleways. The Council recommends that all the local parish councils, statutory user groups and the Fordham (Cambs) Walking Group are also kept informed, as this will be a key way for local residents who use the network to hear about planned works and help engage effectively with the community, so that the public can make informed decisions regarding their use of the network during these times.
Impact on NMUs – Saturdays	14.49	<p>The Council does not accept the exclusion of NMUs as sensitive receptors in the Environmental Assessment. It is commonly accepted within local authority health and wellbeing strategies that there is a strong link between behaviours and health and wellbeing. Guidance published by NICE² identifies the importance of providing infrastructure to capture and retain positive behaviours, and the Government's A Green Future: Our 25 Year Plan to Improve the Environment³ has identified, within Chapter 3, the Covid pandemic as underlining the important role of nature for our health and wellbeing, particularly for those living in disadvantaged areas. The pandemic has provided a wealth of evidence that many people changed their behaviours as a result of prolonged conditions.</p> <p>As cited at 10.161 below, evidence given at the Open Floor Hearing on 6th December and at ISH3 is that local residents enjoy walking, cycling and riding through the existing landscape because of its intrinsic historic and open rural character. They particularly appreciate the very quiet, peaceful character and it is the reason that some people moved to</p>

² National Institute for Health and Care Excellence (2018) *NG90: Physical Activity and the Environment*. Available at:

[\[Redacted\]](#). Appended to submission referred to as Appendix 2..

³ Defra (2018) *A Green Future: Our 25 Year Plan to Improve the Environment*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf. Appended to submission referred to as Appendix 3..

		<p>the area. Users fear that the solar farm will vastly change their enjoyment of the landscape. The Council considers that the construction works could have a significant adverse impact on the behaviour of NMUs, because it will create a less pleasant environment to walk, ride or cycle through. This may or may not be users' perceptions, but the works still have the potential to create a negative impact on behaviours, affecting physical and mental health and wellbeing. The Council therefore submits that the Applicant needs to appropriately mitigate the adverse impact of the scheme on local communities through a more comprehensive public access strategy, suggestions for which are expanded upon at 10.161 below. Such a strategy should include mitigation during the construction phase. This would help address the requirements of the Council's statutory Rights of Way Improvement Plan Statements of Action 2 A safer and health-enhancing activity, SoA3: New development should not damage the countryside provision and should contribute to the provision of new links and improvement of the existing PROW network; and SoA5 Filling the gaps: countryside provision should build on the platform of the historical network to meet the needs of today's users.</p>
	Table 11.1x	<p>As submitted at 14.49 and 10.161, the Council does not consider that the Applicant has adequately assessed the adverse impact of the scheme on NMUs and on the local community as a whole. The mitigation offered is insufficient.</p>
Glint and Glare	Table 11.1y	<p>The Council is content that the measures proposed to protect NMUs from glint and glare and shielding during construction are adequate, taking into consideration wider landscape and visual considerations.</p> <p>However, the LEMP [REP3-011] currently does not consider what may happen to existing mature vegetative belts that would currently screen existing public rights of way from glint and glare. The LEMP [REP3-011] must include the requirement for the Applicant or the operator to monitor existing and proposed screening vegetation of PROW during the operational phase of the development to identify any changes that may occur, for example as a result of from wind damage and disease (such as ash dieback). The operator must be required to address any changes that result in the solar panels becoming visible from rights of way, particularly bridleways, through appropriate measures such as re-planting in gaps created.</p>
Noise affecting equestrians	Table 11.1bb	<p>The Applicant's response is noted. The Council would recommend that noise levels in the vicinity of bridleways are monitored as part of the CEMP [REP3-015] so that any issues that arise can be addressed. Please see comments at 14.48.</p>
Landscaping	Chapter 10	<p>Please see comments at Chapter 14 Table 11.1y</p>

	10.91-10.94 - PROW viewpoints and screening	
Landscaping	10.161 and 10.176	<p>The Applicant has not adequately addressed the negative impact of the scheme on users in the community of the public rights of way network. Please see response under 14.40-14.47. Evidence given at the Open Floor Hearing on 6th December and at ISH3 is that local residents enjoy walking, cycling and riding through the existing landscape because of its intrinsic historic and open rural character. Users fear that the solar farm will vastly change their enjoyment of the landscape, resulting in an urbanised and closed-in feel, such that they do not wish to continue using the existing rights of way. This is a direct adverse impact of the scheme, which will affect the health and wellbeing of the local population. For many people, the 40-year life of the scheme will mean that this negative impact is for the rest of their lifetime. For others it would be impact all of their childhood, when good and healthy lifestyle habits are first learned.</p> <p>Those with the ability to do so may use the car to drive elsewhere to achieve the same high-quality experience they currently have, which would have negative impacts in respect of increased carbon emissions. Unless the Sunnica West Site A E05 is removed from the scheme, it is unlikely to be possible to completely remove this negative impact. It could, however, be offset by the provision of a significantly more extensive and imaginative scheme of public access around the principal sites that encourages people to explore the area by foot, bicycle or on horseback, with commitment secured for long term permanent additional access. This could include educational and heritage elements. Safe, direct off-road NMU links between villages are also much needed. These measures would help create a much more positive outreach to the local communities who currently have very little being offered to them in mitigation for the negative impacts of the scheme. This would address the requirements of the Council's statutory Rights of Way Improvement Plan Statements of Action 2 A safer and health-enhancing activity, SoA3: New development should not damage the countryside provision and should contribute to the provision of new links and improvement of the existing PROW network; and SoA5 Filling the gaps: countryside provision should build on the platform of the historical network to meet the needs of today's users.</p> <p>Further, the Council considers that a more extensive public access strategy is integral to the Stone Curlew mitigation because it has the potential to help manage the recreational</p>

		pressure by diverting people away from Beck Road, providing an alternative to the existing PROW (that goes along ECO2). Chapter 3 of the government's Green Future: 25 year Environment Plan emphasises the importance of enabling opportunities enhance landscapes, to support native species and to protect biodiversity. Increasing walking opportunities from Isleham, rather than people having to park by the existing PROW because it is unsafe to walk along the road, would further support this objective.
Landscaping – PROW hedgerows features	10.207-10.219 10.227-10.229	<p>There are few PROW in the area and therefore they are particularly important features in the landscape. They are often bounded by ditches or hedgerows.</p> <p>The LEMP [REP3-011] needs to address how any hedges that have to be removed for construction purposes will be restored, in consultation with the relevant local authorities, to ensure that the features can be restored as quickly as possible in the correct location to avoid encroachment on the legal width of the routes, and to minimise adverse impact on the enjoyment of users gained from these historic boundary features and their wildlife value.</p>
Landscape – PROW as historic and living features	14.40 and 14.47	It is noted that the Applicant considers that the integration of existing PROW and new permissive routes to enhance public access to the countryside have been key considerations through the Design and Access Statement [REP3A-032] . The Council does not agree with this assessment. The permissive access offered in Cambridgeshire at the E05 site does not connect to any existing PROW, or to Isleham. It leaves users on a fast rural road with little safe verge to walk back to Isleham. Further, the D&AS [REP3A-032] does not make the cross reference to PROW as green infrastructure in the ES, or with health and wellbeing of local communities. It takes no obvious account of the Council's statutory Rights of Way Improvement Plan ⁴ ; of NPPF paragraph 100; or of Defra's 25 year Environment Plan ⁵ , or the Cambridgeshire & Peterborough Joint Health and Wellbeing Strategy ⁶ .

⁴ Cambridgeshire County Council (2006) *Cambridgeshire Rights of Way Improvement Plan (ROWIP)*. Available at: [https://www.cambridgeshire.gov.uk/asset-library/imported-assets/Rights_of_Way_Improvement_Plan%20\(1\).pdf](https://www.cambridgeshire.gov.uk/asset-library/imported-assets/Rights_of_Way_Improvement_Plan%20(1).pdf). Appendix 16 of the LIR [REP1-024h]

⁵ Defra (2018) *A Green Future: Our 25 Year Plan to Improve the Environment*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf. Appended to submission referred to as Appendix 3.

⁶ Cambridgeshire & Peterborough Integrated Care System (2022) *Joint Health and Wellbeing Integrated Care Strategy*. Available at: <https://www.cambridgeshire.gov.uk/residents/adults/adults-services-strategies-and-policies/joint-health-and-wellbeing-integrated-care-strategy>. Appended to submission referred to as Appendix 4.

		<p>Also see comments to the CTMP and TP (10.161 and 10.176) above.</p> <p>Further, the Council considers that a more extensive public access strategy is integral to the Stone Curlew mitigation because it has the potential to help manage the recreational pressure by diverting people away from Beck Road and give an alternative to the existing PRoW (that goes along ECO2). Increasing walking opportunities from Isleham, rather than people having to park by the existing PRoW because it is unsafe to walk along the road, would further support this objective.</p> <p>An integrated, more extensive public access strategy would enable the development to help address the generally low socio-economic deprivation of the area through providing increased health and active travel opportunities.</p> <p>The Council would welcome further discussions with the Applicant to address these issues, and to agree more appropriate mitigation for those impacts that will be experienced by local communities.</p>
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8.45 Equality Impact Assessment [REP3-020]

Topic	Paragraph Number	Council's Comment
Assessment of Impacts	Page 7, (4) And 6.3.1	<p>The protected characteristics for an Equality Impact Assessment relevant to NMUs are:</p> <ul style="list-style-type: none"> - Age – people of different ages generally have different abilities and needs. - Disability – disabilities affect people very differently. Someone may be blind but physically able with excellent hearing and enjoys countryside sounds. Someone with a heart condition may only be able to walk a short distance but that is critical to their recovery and wellbeing. - Maternity and Pregnancy – typically people in this category need accessible routes with interest and facilities for children, and seats. <p>Research shows that most people prefer circular routes, and this is particularly so for these protected groups.</p> <p>Socio-economic inequality also affects those able to use PROWs. The area generally suffers from poor multiple deprivation indices.</p> <p>The Applicant states that “The Scheme will result in new NMU facilities during operation connecting communities through active travel routes.” However, the Council does not feel</p>

		<p>that the Applicant has addressed all the particular equality issues as summarised above, or of the Council's statutory Rights of Way Improvement Plan; of NPPF paragraph 100; or of Defra's 25 year Environment Plan⁷, or the Cambridgeshire & Peterborough Joint Health and Wellbeing Strategy⁸. As set out in the Council's response to the Applicant's comments on the Local Impact Report above at 14.40, in Cambridgeshire, there is only one short permissive route, which is located within Sunnica East Site A and does not connect with any footway or public right of way and cannot be stated as being adequate mitigation. It leaves users on a fast rural road to walk back to Isleham.</p> <p>An integrated, more extensive public access strategy would enable the development to help address the generally low socio-economic deprivation of the area through providing increased health and active travel opportunities.</p> <p>The Council would welcome further discussions with the Applicant to agree a more appropriate mitigation/compensation package for local communities in order to address the Equality Act requirements.</p>
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8.47 Environmental Masterplan [REP3-022] Note East Cambridgeshire District Council, Suffolk County Council and West Suffolk Council are providing joint comments to the Environmental Masterplan.

Topic	Paragraph Number	Council's Comment
		<p>The level of detail within the Environmental Masterplan is not adequate to determine whether or not the proposed ecological mitigation / features of the OLEMP [REP3-019] will be implemented adequately. More fine detailed drawings (at higher resolution) are required. These should clearly show all important habitats that are to be retained, including veteran trees, hedgerows etc.</p>

⁷ Defra (2018) *A Green Future: Our 25 Year Plan to Improve the Environment*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf. Appended to submission referred to as Appendix 3

⁸ Cambridgeshire & Peterborough Integrated Care System (2022) *Joint Health and Wellbeing Integrated Care Strategy*. Available at: <https://www.cambridgeshire.gov.uk/residents/adults/adults-services-strategies-and-policies/joint-health-and-wellbeing-integrated-care-strategy>. Appended to submission referred to as Appendix 4

		They should also clearly show where the different habitats are being proposed to mitigate the loss of habitats and species. For example, how farmland birds will be adequately mitigated and where acid, chalk and acid/neutral grassland will be retained, enhanced or created.
Veteran trees		The Environmental Masterplan must show all important existing habitats / ecological features to be retained as part of the scheme, including veteran trees. Root protection areas for veteran trees should also be included to avoid any adverse management. This is to ensure that they are adequately protected and managed through the lifetime of the scheme
Acid grassland		Important habitats, including existing acid grassland should be clearly shown on the key.
Arable flora plots		The arable flora plots shown on the Environmental Masterplan are considered inadequate. They should be extended to cover a network of arable field margins across the Site, particularly focusing on these habitats known to support margins of district / county importance.
Arable flora plots – E14	Sheet 3	Their location appears to conflict with the veteran trees located in the hedgeline between E14 and E13.
Winter bird cover crop / arable flora plots	Sheet 4	The proposed management for arable flora plots conflicts with that of sowing winter bird cover crop.
Proposed native grassland		Category should be separated into acid grassland, neutral grassland, and acid/neutral grassland to clearly show where each grassland is being created. It is expected that native grassland within solar arrays will be poor quality due to shading and microclimate effects (e.g. modified grassland). This should be reflected in the scheme.
Field boundaries		It is currently unclear where the different field parcels start / finish (e.g. E31/E32). For example, do they only include the solar arrays? What is the numbering for the grassland / habitats beyond the solar array boundaries? For example, archaeological exclusion areas to the south of W09 or the area of acid grassland to the north of E24. All areas of land should be clearly labelled, so that the proposed management prescriptions can be clearly described in the LEMP.
Acid grassland – E13	Sheet 3	The area of retained acid grassland to the south of E13 is not clearly marked.
Proposed woodland		Areas of new planting, natural regeneration and infilling of existing vegetation should be separated into clear categories.

		<p>Consideration must also be given as to what habitat is capable of being developed within the lifetime of this scheme (e.g. 40 years). For example, we query whether it is appropriate to assume natural regeneration to woodland will occur, or if this should be considered scrub habitat (this may be more of a technical consideration within the BNG assessment).</p>
Permissive path – E05		<p>Public access within 500m of ECO1/ECO2 has the potential to have adverse impact on nesting Stone Curlews. Therefore, the Councils are concerned that the proposed permissive path within E05 will be routed adjacent to Beck Road. If E05 is removed from the scheme, this would address this issue.</p> <p>However, if E05 is retained, further work is required to manage public access on to E05 to focus it away from the area in close proximity to ECO1/2. For example, the creation of an area of public open space within the north-west corner of E05 surrounding the plane crash site, with car park facilities at this location / towards the village, would help to focus amenity access within an area that is not visible to ECO1 (buffered by the established planting along the disused railway / track located along the northern boundary of ECO1).</p> <p>Any permissive path within the southern section of E05 should be pushed back as far from the road as possible, with strategic planting to help bend walkers into the background planting / obscure them being seen from the Stone Curlew mitigation area. The success of managing the public on E05 should be monitored through the duration of the scheme.</p>

2.3 Access and Rights of Way Plans - Rev: 04 [REP3A-003]

Topic	Paragraph Number	Council's Comment
Detail shown on plans	All plans	<p>The Access and Rights of Way Plans ('A&ROW Plans') do not indicate whether or not any of the roads affected by the proposed works are highways maintainable at public expense. This is critical to the Council and other stakeholders' understanding of the effect of the proposals on the public highway network. It is requested that the plans are updated to show the extent of publicly maintainable highways that are affected by the dDCO. This information can be obtained from the local highway authority.</p> <p>It should be noted that it is also important for the Applicant to have clarity on the extent of the public highways affected by the dDCO, not least because any street alteration works that do not take place entirely within the pre-existing highway extent will only become</p>

		highway maintainable at public expense through the appropriate legal processes under the Highways Act 1980, unless provision is made for this within the text of the dDCO.
Access & Rights of Way Plans and Land Plans		The Councils are concerned as to the intention of the Applicant with regard to acquisition of rights and/or land affecting land identified as being the responsibility of the highway authority on the Land Plans. The Council would welcome discussions with the applicant.

8.44 Applicant's Response to Local Impact Report – Response to Annex E and Annex F [REP3A-034]

Topic	Paragraph Number	Council's Comment
Chapter 13, Transport	1g, 1h	The Applicant's responses do not acknowledge that there is a requirement to obtain highway extent information in order to demonstrate that safe junction layouts and visibility can be achieved within the highway. It is recommended that the Applicant seeks to obtain highway extent information from the local highway authority.
Chapter 13, Transport	1m	The Applicant's response does not make reference to any new highway drainage systems that are proposed or installed will, if not positioned within the bounds of the existing highway, require adoption by the local highway authority under the Highways Act 1980 – unless provision for such adoption is made within the dDCO.
Chapter 13, Transport	1p	Ditches alongside highways are typically not considered to be part of the highway, unless there is evidence to suggest they have been adopted or constructed by the local highway authority. Therefore, any alterations to ditches are likely (pending further information) to be in privately owned land, and so it should not be assumed that they will be maintained by the local highway authority upon completion of works.
Chapter 13, Transport	13.60	The Applicant should be aware that neither the features shown on Ordnance Survey (OS) maps, nor land ownership boundaries, can be considered entirely representative of highway boundaries. Therefore, the Applicant's understanding of the land ownership boundaries and mapped features within the DCO limits may not have completely identify and accurately defined the extent of the public highway.
Chapter 14, Private Rights of Way	14.19 and 14.51	The Council notes the Applicant's response and disagrees that it is unnecessary to show public highway extents on the A&ROW Plans, for the reasons explained above in this document.