

SUNNICA ENERGY FARM

EN010106

8.13 Draft Statement of Common Ground with Cambridgeshire
County Council, Suffolk County Council, East Cambridgeshire
District Council and West Suffolk Council

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010



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(Examination Procedure) Rules 2010**

Sunnica Energy Farm

Draft Statement of Common Ground with Cambridgeshire County Council, Suffolk County Council, East Cambridgeshire District Council and West Suffolk Council

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the proposed Sunnica Energy Farm Development Consent Order ("the Application") made by Sunnica Limited ("Sunnica") to the Secretary of State for Department for Business, Energy and Industrial Strategy ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2 The order, if granted, would authorise Sunnica to construct, operate (including maintain) and decommission a ground mounted solar photovoltaic ('PV') farm across Sunnica East Site A, Sunnica East Site B, Sunnica West Site A and Sunnica West B. The Scheme includes the following key components:
- a. Solar PV modules;
 - b. PV module mounting structures;
 - c. Inverters;
 - d. Transformers;
 - e. Switchgear;
 - f. Onsite cabling (including high and low voltage cabling) and cabling between the Sites and to the Burwell National Grid Substation Extension;
 - g. One or more BESS (expected to be formed of lithium ion batteries storing electrical energy) on Sunnica East Site A, Sunnica East Site B, and Sunnica West Site A;
 - h. An electrical compound comprising a substation and control building (Sunnica East Site A, Sunnica East Site B, and Sunnica West Site A only);
 - i. Burwell National Grid Substation Extension should Burwell National Grid Substation Extension Option 2 be taken forward;
 - j. Office/warehouse (Sunnica East Site A and Sunnica East Site B only)
 - k. Fencing and security measures;
 - l. Drainage;
 - m. Internal access roads and car parking;
 - n. Landscaping including habitat creation areas; and
 - o. Construction laydown areas.
- 1.1.3 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.

- 1.1.4 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Sunnica as the Applicant and (2) Cambridgeshire County Council (CCC), (3) Suffolk County Council (SCC), (4) East Cambridgeshire District Council (ECDC) and (5) West Suffolk Council (WSC).
- 1.2.2 Sunnica is a Special Purpose Vehicle (SPV) incorporated in December 2013 to construct, operate, and decommission the Sunnica Energy Farm.
- 1.2.3 CCC, SCC, ECDC and WSC are interested parties to the Examination of the Application.
- 1.2.4 Collectively Sunnica, CCC, SCC, ECDC and WSC are referred to as 'the parties'.

1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG:
- a. "Agreed" indicates where the issue has been resolved.
 - b. "Not Agreed" indicates a final position of the parties that is not agreed, and
 - c. "Under discussion" indicates where these points are the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties.
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to CCC's, SCC's, ECDC's or WSC's representations and therefore have not been considered in this document. It is recognised however that engagement between all parties will need to continue due to their joint interest in matters arising from the Scheme.

2 Record of Engagement

- 2.1.1 A summary of the meetings and correspondence that has taken place between the parties in relation to the Application is outlined in **Table 1**. There has been constant email correspondence between the parties to discuss the sharing of information, arrangement of meetings and for them to comment on draft documentation, but this table reflects the key meetings and correspondence of note that have taken place between the parties.

Table 1: Record of Engagement

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
13/02/2019	Initial Briefing Meeting with ECDC and WSC	Key topics: <ul style="list-style-type: none"> • Introduction to the Scheme • Consultation • Environmental • Programme
19/02/2019	Initial Briefing Meeting with SCC and CCC	Key topics: <ul style="list-style-type: none"> • Introduction to the Scheme • Planning • Consultation • Environmental and Scoping • Programme
01/03/2019	Email from Sunnica to the CCC, ECDC, SCC and WSC	Provided advance copy of the community information leaflet.
13/03/2019	Email from Sunnica to CCC, ECDC, SCC and WSC	Provision of the EIA Scoping Report and Transport Scoping Note.
25/03/2019	Initial Briefing Meeting with CCC	Key topics: <ul style="list-style-type: none"> • Introduction to the Scheme • Transport • Archaeology
03/06/2019	Joint Transport Meeting with CCC and SCC	Key topics: <ul style="list-style-type: none"> • Updates on access points • Cable route • Access routes • Traffic data
03/06/2019	Email from SCC	Raised concern about lorries from Felixstowe using the Kentford junction and travelling through Kennett.
03/06/2019	Email from Sunnica to SCC	Response to Graham Gunby's concern about lorries from Felixstowe using the Kentford junction and travelling through Kennett.
07/06/2019	Email from SCC	Advice on A14/A11 junction
19/06/2019	Landscape and Heritage Workshop with CCC, ECDC, SCC and WSC	Key topics included: <ul style="list-style-type: none"> • Design updates • Heritage and landscape viewpoints and assessment methodology
24/06/2019	Ecology Workshop with CCC, ECDC, SCC and WSC	Key topics included: <ul style="list-style-type: none"> • Update from Sunnica on the changes to the Scheme since EIA Scoping • Summary of ecological baseline to date

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> Review and discussion of key ecological constraints and consideration of approaches for avoidance, mitigation and enhancement
17/07/2019	Public Rights of Way (PRoW) Workshop with CCC	Key topics included: <ul style="list-style-type: none"> Design update Viewpoints on PRoWs Permissive paths Green infrastructure
18/07/2019	Archaeology Workshop with CCC and SCC	Key topics included: <ul style="list-style-type: none"> Design updates Archaeological evaluation strategy Archaeological mitigation strategy
30/09/2019	Email from Sunnica to ECDC and WSC	Confirmation on methods and monitoring for baseline noise survey
08/10/2019	Email from Sunnica to CCC and SCC	Confirmation of Scheduled Monuments consent for geophysical surveys.
31/10/2019	Planning Performance Agreement Meeting 1 with CCC, ECDC, SCC and WSC	Key topics included: <ul style="list-style-type: none"> Planning Performance Agreement Non-statutory consultation feedback Design updates Local Authority Engagement Cumulative Effects assessment
20/11/2019	Landscape and Non-Motorised Users Workshop with CCC, ECDC, SCC and WSC	Key topics included: <ul style="list-style-type: none"> Design update and design principles Approach to Non-Motorised Users
04/12/2019	Ecology Workshop with CCC, ECDC, SCC and WSC	Key topics included: <ul style="list-style-type: none"> Feedback received during non-statutory consultation Ecology surveys Biodiversity net gain Decommissioning Details of lighting
27/01/2020	Email from Sunnica to CCC	Sharing of the preliminary geophysics report
16/03/2020	Email from SCC	Provision of feedback on the Preliminary Environmental Risk Assessment
07/05/2020	Heritage Meeting with CCC, ECDC, SCC and WSC	Key topics: <ul style="list-style-type: none"> Update on the Scheme design Scheduled Monuments, particularly those around Burwell

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> Update on built heritage context for the Scheme (baseline) Geophysical survey progress Proposed trial trenching strategy Structure of the Preliminary Environmental Information Report
12/11/2020	Email from CCC	Approval of Sunnica West WSI for archaeology trial trenching
16/12/2020	Planning Performance Agreement Meeting with CCC, ECDC, SCC and WSC	Key topics: <ul style="list-style-type: none"> Statutory consultation EIA update Planning policy Programme
18/12/2020	Email from SCC	Approval of Sunnica East WSI for archaeology trial trenching
16/12/2020	Planning Performance Agreement Meeting with SCC	Key topics: <ul style="list-style-type: none"> Statutory consultation EIA update Planning policy Programme
05/02/2021	Landscape and Visual Meeting with CCC, ECDC, SCC and WSC	Key topics: <ul style="list-style-type: none"> Landscape assessment methodology Local Landscape Character Areas Visual assessment methodology Viewpoints Design
26/02/2021	Heritage Meeting with CCC, ECDC, SCC and WSC	Key topics: <ul style="list-style-type: none"> Update on Scheme design Visualisations Fieldwork Feedback from statutory consultation Programme
01/03/2021	Socio-economics and human health Meeting with CCC, ECDC, SCC and WSC	Key topics: <ul style="list-style-type: none"> Socio-economics Human Health
17/03/2021	Lead Local Flood Authority and Internal Drainage Board Meeting with CCC and SCC	Key topics: <ul style="list-style-type: none"> Design update Water Environment Features Key issues and scope of assessment Assessment outcomes, mitigation and enhancements

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
25/03/2021	Transport meeting with CCC, ECDC, SCC and WSC	Key topics: <ul style="list-style-type: none"> • Design update • Site Accesses • Abnormal loads • Cumulative impacts • Traffic data • Construction period • PRowS
01/04/2021	Email from Sunnica to CCC, ECDC, SCC and WSC	Provision of technical note outlining the management of heritage areas.
29/04/2021	Heritage and Ecology Meeting with CCC, ECDC, SCC and WSC	Key topics: <ul style="list-style-type: none"> • Heritage offset areas • Stone curlew requirements • Landscape proposals • Grassland planting
24/06/2021	Email from Sunnica to SCC	Consultation on access route through Worlington at junction adjacent to Walnut Tree Pub
27/08/2021	Email from CCC	Approval of updated archaeological trial trenching plan for the stone curlew plots at Sunnica East.
27/08/2021	Transport update meeting with CCC and SCC	Key topics: <ul style="list-style-type: none"> • Updates on design since PEIR • Update on traffic forecast and trip generation • Site access • Consultation • Burwell substation extension options
20/10/2021	Email from Sunnica to CCC	Provision of updated Sunnica West Site Archaeological Trial Trenching Report following completion of W01 trenching.
26/04/2022	Meeting between CCC, SCC, WSC and ECDC	Transport matters were discussed in relation to the Relevant Representations and the SoCG. Meeting minutes were distributed following the meeting.
27/04/2022	Meeting between CCC, SCC, WSC and ECDC	Landscape and Visual Amenity matters were discussed in relation to the Relevant Representations and the SoCG. Meeting minutes were distributed following the meeting
27/04/2022	Meeting between CCC, SCC, WSC and ECDC	Socio-economics matters were discussed in relation to the Relevant Representations and the SoCG. Meeting minutes were distributed following the meeting.
04/04/2022	Meeting between Suffolk Wildlife Trust, RSPB, Wildlife Trust BCN (on	Ecology working group meeting in relation to issues raised in the Relevant Representations and development of the SoCGs.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
	behalf of ECDC), Natural England, CCC and WSC	
10/05/2022	Meeting between CCC, SCC, WSC and ECDC	Cultural heritage matters were discussed in relation to the Relevant Representations and the SoCG. Meeting minutes were distributed following the meeting.
10/06/2022	Meeting between Suffolk Wildlife Trust, RSPB, Wildlife Trust Bedfordshire, Cambridgeshire and Northamptonshire (BCN) (on behalf of ECDC), Natural England, CCC and WSC	Ecology working group meeting in relation to issues raised in the Relevant Representations and development of the SoCGs.
13/07/2022	Meeting between CCC, SCC, WSC and ECDC	Key topics of discussion included: <ul style="list-style-type: none"> • Traffic survey locations to fill gaps • Construction staff vehicle occupancy – sensitivity test and reliance on mini-buses – parameters for assessment • Proposed Temporary Traffic Management / Site Access Management Plan document – example and structure with one location to be presented for comments. • Link sensitivity for ES methodology.
14/07/2022	Meeting between CCC, SCC, WSC and ECDC	Key topics discussed included: <ul style="list-style-type: none"> • Changes to the application • Update on Relevant Representations and SoCG • Planning Performance Agreement • Context of the Scheme in relation to s105/104 of the Planning Act 2008
4/10/2022	Meeting between CCC, SCC, WSC and ECDC and the Applicant	Meeting to discuss Transport Assessment related matters and site access and highways designs.
18/10/2022	Meeting between CCC, SCC, WSC and ECDC and the Applicant	Discussion on the Detailed Archaeological Mitigation Strategy and SoCG.
27/10/2022	Meeting between CCC, SCC, WSC and ECDC and the Applicant	Discussion of documentation submitted at Deadline 1 and look ahead to Deadlines 2 and 3, including completion of draft SoCG for issue.
27/10/2022	Meeting between CCC, SCC, WSC and ECDC and the Applicant	Discussion of socio-economic assessment.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
04/11/2022	Meeting between CCC, SCC, WSC and ECDC and the Applicant	Discussion of LVIA assessment.
09/11/2022	Meeting between CCC, SCC, WSC and ECDC and the Applicant	Agreement of SoCG submitted at Deadline 2.
24/11/2022	Meeting between CCC, SCC and the Applicant	Meeting to discuss Site Access Plans.
25/11/2022	Meeting between CCC, SCC, WSC and the Applicant.	Discussion on Cultural Heritage points in the SoCG and Sunnica West Site B.
25/11/2022	Meeting between SCC, WSC, ECDC and the Applicant.	Meeting to discuss the Construction Employment Technical Note.
01/12/2022	Meeting between CCC, SCC, WSC and ECDC and the Applicant	Discussion of LVIA assessment, landscape design, arboriculture, ecology and mitigation.
15/12/2022	Meeting between CCC, SCC, WSC and ECDC and the Applicant	Agreement of SoCG submitted at Deadline 4.

- 2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between the parties in relation to the issues addressed in this SoCG as at the date of this SoCG.
- 2.1.3 The issues and matters highlighted in **Table 2** to **Table 4** summarise the key issues that have been in discussion between the parties.

3 Issues

3.1 Matters Agreed

3.1.1 **Table 2** below details the matters agreed with CCC, SCC, ECDC and WSC.

Table 2: Matters agreed

Topic	Sub-topic	Details of Matters Agreed
General	Legislation and policy	<p>The Scheme should be considered under Section 105 of the Planning Act 2008.</p> <p>NPS EN-1, NPS EN-3, NPS EN-5, and in light of the Government's pronouncements in respect of transitional effects of the draft NPSs, Draft NPS EN-1, Draft NPS EN-3, and Draft NPS EN-5 should be 'important and relevant' considerations for the purposes of S105(2) of the Planning Act 2008.</p> <p>Draft NPS EN-3 contains technology specific policy relating to large-scale solar development. It is considered more relevant in this case than the currently designated EN-3, notwithstanding that it is yet to be designated.</p>
		<p>The parties agree that the Environmental Statement (ES) has identified all applicable legislation and national policy pertaining to the following assessments undertaken as part of the Environmental Impact Assessment (EIA) of the Scheme:</p> <ul style="list-style-type: none"> • Climate change [APP-038]. • Cultural heritage [APP-039]. • Ecology and nature conservation [APP-040]. • Flood risk, drainage and water resources [APP-041]. • Landscape and visual amenity [APP-042]. • Noise and vibration [APP-043]. • Socio-economics and land use [APP-044]. • Transport and access [APP-045]. • Air quality [APP-046]. • Human health [APP-047].

Topic	Sub-topic	Details of Matters Agreed
		<ul style="list-style-type: none"> Other topics [APP-048]. Effect interactions [APP-049].
	Study area definition and extents	<p>The parties agree that the study areas adopted by Sunnica within the following assessments reflect current best practice and standards:</p> <ul style="list-style-type: none"> Climate change [APP-038]. Cultural heritage [APP-039]. Ecology and nature conservation [APP-040]. Flood risk, drainage and water resources [APP-041]. Landscape and visual amenity [APP-042]. Noise and vibration [APP-043]. Socio-economics and land use [APP-044]. Transport and access [APP-045]. Air quality [APP-046]. Human health [APP-047]. Other topics [APP-048]. Effect interactions [APP-049]. <p>The parties agree that the geographical extents of the adopted study areas are appropriate to identify the likely direct and indirect effects of the Scheme on sensitive features and receptors.</p>
	Application of expert/professional judgements	<p>The identification of likely significant effects on sensitive features and receptors has been informed by professional judgement and the views of relevant technical specialists, where necessary. The parties agree that the application of professional judgement by its specialists within the following assessments are appropriate and robust:</p> <ul style="list-style-type: none"> Climate change [APP-038]. Cultural heritage [APP-039]. Ecology and nature conservation [APP-040].

Topic	Sub-topic	Details of Matters Agreed
		<ul style="list-style-type: none"> Flood risk, drainage and water resources [APP-041]. Socio-economics and land use [APP-044]. Transport and access [APP-045]. Air quality [APP-046]. Human health [APP-047]. Other topics [APP-048]. Effect interactions [APP-049].
Baseline	Data collection methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The baseline conditions have been collated using desk-based and field-based techniques, and through consultation with stakeholders including the local authorities.</p> <p>The parties agree that the scope, coverage and timing of surveys undertaken to establish the baseline conditions and sensitive features and receptors are in line with best practice and appropriate to inform the assessment of direct and indirect effects reported in the following assessments:</p> <ul style="list-style-type: none"> Climate change [APP-038]. Cultural heritage [APP-039]. Flood risk, drainage and water resources [APP-041]. Air quality [APP-046]. Human health [APP-047]. Other topics [APP-048]. Effect interactions [APP-049].
Assessment findings	Assessment findings: construction, operation and decommissioning effects	<p>The assessment findings for the following topic assessments are considered acceptable:</p> <ul style="list-style-type: none"> Cultural heritage [APP-039]. Flood risk, drainage and water resources [APP-041]. Air quality [APP-046].

Topic	Sub-topic	Details of Matters Agreed
		<ul style="list-style-type: none"> Human health [APP-047]. Other topics [APP-048]. Effect interactions [APP-049].
	Assessment – Cumulative effects	<p>Regarding North Angle Solar Farm (CCC/20/051/FUL and CCC/21/237/VAR), this scheme lies to the west of Soham and outside of the study area defined for the Landscape and Visual Impact Assessment (LVIA). It was therefore scoped out of the assessment of likely direct cumulative landscape and visual effects presented in Chapter 10: Landscape and Visual Amenity of the Environmental Statement [APP-042]. This approach has been discussed with the local authorities.</p> <p>Further assessment has been undertaken to consider the Solar Farm to East of Breach Farm (21/00706/ESF) within Appendix A of [REP1-016].</p>
Ecology and Nature Conservation	Aquatic invertebrates	<p>The Applicant submitted a technical note providing further technical information to validate its conclusions in respect of aquatic invertebrates and in particular Chippenham Fen and Snailwell Poor's Fen SSSI and Fenland SAC. This was submitted at Deadline 2 [REP2-038].</p> <p>With the proposed removal of Sunnica West Site B, the nearest panels to the location of aquatic invertebrates are over 1km away; meaning that impacts will be able to be avoided.</p>
	Stone Curlew	<p>The Scheme provides nesting and higher quality grassland foraging habitats located close to nesting sites for in excess of five pairs of Stone Curlew. Considering the fluid nesting behaviour of the bird in arable farmland, due to rotation of crops, specifically taking certain compartments used recently by Stone Curlew out of the Scheme does not achieve the desired aim of conserving the Stone Curlew in the wider environment.</p> <p>The approach that would be taken is to create a contiguous block of suitable habitat in which habitat optimal for Stone Curlew is created thus providing a sustainable way of safeguarding the existing pairs (up to five) within the Scheme but also creating a carrying capacity for more pairs. This type of approach has proven to be successful in Breckland.</p> <p>A monitoring/management scheme remains under discussion (see Table 3.2 below).</p>
	Mitigation	<p>Whilst not specifically secured in CEMP but as a consequence of the depth parameters that have been set, the cable trench for Grid Connection Route B through the field known as EC04, as for all cables, is anticipated to be above the water table and will not affect groundwater flow. If groundwater were to reach the level of the trench, permeable backfill material will not impede groundwater flow across the</p>

Topic	Sub-topic	Details of Matters Agreed
		<p>trench, and the cable pipe itself is small compared to the extent of the aquifer. There will be no significant impediment to groundwater flow and, if any where present, peat will be left unaltered.</p> <p>In the case of Havacre Meadows and Deal Nook CWS (and the River Kennett), through which a cable needs to pass, this is mitigated by the cable being installed by horizontal directional drilling with entry and exit pits set back at least 30 m from the CWS. This approach is included in the Construction Environmental Management Plan under Requirement 14 of Schedule 2 of the Draft DCO [REP3-012].</p>
Cultural Heritage	Other heritage assets	<p>The settings of other listed buildings (excluding the Chippenham Park complex), conservation areas, and non-designated heritage assets in East Cambridgeshire would not be affected by the Scheme and no further mitigation is required.</p> <p>The settings of listed buildings in Suffolk would not be harmed by the Scheme and no further mitigation is required.</p> <p>U6006 Badlingham Lane would not be negatively affected by the Scheme in terms of built heritage or archaeology and no further mitigation is required in this respect.</p> <p>The settings of conservation areas in Worlington, Freckenham, Exning, Barton Mills and Newmarket would not be harmed by the Scheme and no further mitigation is required.</p> <p>Conservation areas in Freckenham and Exning would not be harmed by the Scheme, including by AIL deliveries.</p>
	Mitigation	<p>At Deadline 3A, the Applicant confirmed that the following changes would be implemented following consultation with LPA's:</p> <ul style="list-style-type: none"> • Removal of Sunnica West Site B from the Scheme; • Inclusion of additional archaeological offset are within W04 in Sunnica West A; and • Removal of the B50 Bomber site for the developable area within the Scheme. <p>The changes are described in the Update by the Applicant on Heritage Matters and Substation Connection document [REP3A-037].</p>
Air Quality	Mitigation	<p>The measures outlined within Chapter 14: Air Quality [APP-046], are considered acceptable to mitigate potential impacts and manage potential effects during the construction, operation and decommissioning phases.</p>

Topic	Sub-topic	Details of Matters Agreed
Climate Change	Mitigation - Approach to reduce fuel consumption and associated emissions	The Principal Contractor appointed for the construction phase will be responsible for preparing and implementing a Construction Resource Management Plan (CRMP), which will set out targets for fuel, waste and energy consumption. The contractor will also provide details on fuel storage, and management of spills/leaks during construction. These requirements and management measures are included within the Framework CEMP [REP3-015] and will be developed within the detailed CEMP(s) developed for the Scheme.
Noise and Vibration	Assessment – Burwell Substation extension low frequency ‘hums’ from transformers	Following acceptance of non-material changes to the DCO application, the proposed Option 1 Burwell Substation extension no longer forms part of the Scheme. As such, there are no proposed changes to the Burwell Substation and noise conditions will be unchanged at receptors affected by noise emissions from the Burwell Substation.
	Mitigation - Piling	The requirement for a Piling Method Statement was added to the Framework CEMP submitted at Deadline 2 [REP2-026] . The Piling Method Statement will require approval by the relevant LPA.
Flood Risk, Drainage and Water Resources	Baseline modelling – availability for review	<p>The Flood Risk Assessment Part 1 Rev 1 [AS-007] uses data produced by the Environment Agency. No site specific hydraulic fluvial modelling has been carried out as part of this assessment. The current Environment Agency model has been reviewed. The revised climate change allowances are 19% for design purposes, the Environment Agency model includes 20% climate change allowance. The Environment Agency has stated during consultation that this should be acceptable. The credible maximum scenario has also been assessed, as agreed with the Environment Agency, using 22% climate change allowance as a sensitivity test to demonstrate the PV panels can operate in this scenario.</p> <p>For the outline design, no hydraulic drainage modelling has been undertaken for the drainage assessment. It is an outline assessment based on 100% Greenfield land; therefore greenfield runoff assessment calculation using HR Wallingford assessment tool has been used as the existing runoff rates.</p> <p>A hydraulic drainage model will be prepared for the BESS and Site Compound areas once these designs are set out at detailed design stage, with the results helping to inform the final detailed design. Catchment level Greenfield runoff rates, with an allowance for climate change, will be used for solar panel sites to confirm swale design and sizes. The modelling will ensure the principles of the drainage strategy are followed and this will not affect the Environmental Statement findings and conclusions.</p> <p>This approach is agreed with the local authorities.</p>

Topic	Sub-topic	Details of Matters Agreed
	Assessment – uncertainty within the Quick Storage Estimates (QSE) calculation	<p>Within the Flood Risk Assessment Part 1 Rev 1 [AS-007] the infiltration SuDS techniques, swales and basins, will be designed to mimic existing drainage conditions and accommodate the 1 in 100 year return period storm event plus a 40% increase allowance for climate change. The strategy has been assessed on the averages for QSE values, based on generally accepted experience that the average value is likely to be closer to the detailed design values. The maximum QSE volume is not a requirement to meet for design but a guide for establishing an outline drainage assessment to guide initial design parameters, which this is suitable to use for the outline strategy. The availability of land for attenuation is not a significant constraint, if additional attenuation is required, it would be provided within the site boundary.</p> <p>This approach is agreed with the local authorities.</p>
	Mitigation - exceedance flows	Detailed drainage plans will be developed at detailed design stage. These will include the exceedance flow routes, and level/gradient data. This approach is agreed further with the local authorities.
	Mitigation – Flood zone compensation	The Applicant's position is that the assessments show that no floodplain compensation is required. The Environmental Agency agree to the FRA Addendum [EN010106/APP/8.66] , which is being submitted at Deadline 4. This approach is agreed with the local authorities.
Human Health	Assessment – quality of life	<p>In response to concerns about the effect of the Scheme on quality of life, the quality of life for local communities has been considered in the assessments undertaken as part of the Environmental Impact Assessment and detailed within the following submission documents:</p> <ul style="list-style-type: none"> - Chapter 10: Landscape and Visual Amenity of the Environmental Statement [APP-042]; - Chapter 11: Noise and Vibration of the Environmental Statement [APP-043]; - Chapter 12: Socio-Economics and Land Use of the Environmental Statement [APP-044]; - Chapter 13: Transport and Access of the Environmental Statement [APP-045]; - Chapter 14: Air Quality of the Environmental Statement [APP-046]; and - Chapter 15: Human Health of the Environmental Statement [APP-047].
BESS	Mitigation - Fire safety	In response to concerns about fire safety, the draft Development Consent Order is being updated at Deadline 4 and includes requirement 7 in Schedule 2 which secures the Battery Fire Safety Management Plan ("BFSMP"). The BFSMP is to be approved by the relevant County Councils authorities, in consultation with the fire and rescue services. An updated OBFSMP was submitted to the Examination at Deadline 2 [REP2-032] .

3.2 Matters Under Discussion

3.2.1 **Table 3** below details the matters under discussion with CCC, SCC, ECDC and WSC.

Table 3: Matters under discussion

Topic	Sub-topic	Details of Matters Under Discussion
General	Local policy	The application of local policy within the Environmental Impact Assessment (EIA) is under discussion.
Baseline	Data collection methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The baseline conditions have been collated using desk-based and field-based techniques, and through consultation with stakeholders including the local authorities.</p> <p>The parties agree that the scope, coverage and timing of surveys undertaken to establish the baseline conditions and sensitive features and receptors are in line with best practice and appropriate to inform the assessment of direct and indirect effects reported in the following assessments:</p> <ul style="list-style-type: none"> • Ecology and Nature Conservation [APP-040] • Landscape and Visual Amenity [APP-042] • Noise and Vibration [APP-043] • Socio-economics and land use [APP-044] • Transport and Access [APP-045]
Assessment findings	Assessment findings: construction, operation and decommissioning effects	<p>The assessment findings for the following topic assessments are under discussion:</p> <ul style="list-style-type: none"> • Climate change [APP-038] • Ecology and Nature Conservation [APP-040] • Landscape and Visual Amenity [APP-042] • Noise and Vibration [APP-043] • Socio-economics and land use [APP-044]

Topic	Sub-topic	Details of Matters Under Discussion
		<ul style="list-style-type: none"> Transport and Access [APP-045]
	Application of expert/professional judgements	<p>The identification of likely significant effects on sensitive features and receptors has been informed by professional judgement and the views of relevant technical specialists, where necessary. The parties are still in discussion regarding elements of the following specialist chapters:</p> <ul style="list-style-type: none"> Landscape and visual amenity [APP-042]. Noise and vibration [APP-043].
Cultural Heritage	Chippenham Park complex and Snailwell Fen	<p>The Scheme will result in harm to the setting of the Chippenham Park complex (Grade II registered park, Grade II* and II listed buildings and non-designated heritage asset). The level of harm remains as current a point of disagreement. The Applicant will confirm whether the removal of trees within the Avenue section of the Historic Park and Garden is required at Deadline 5.</p> <p>It is the Council's position that further mitigation would not be effective in reducing harm to the setting of Snailwell Fen or the riverside setting of the scheduled Roman villa and its associated farm on the opposite bank. A substantial reduction in the extent of the Scheme would be required in order to reduce harm to the setting of Chippenham Park, and exclusion of solar farm infrastructure from W01 would be required in order to reduce harm to the setting of Snailwell Fen and the scheduled Roman villa.</p> <p>The Applicant considers that the benefits of the Scheme, being the provision of low carbon electricity utilising an available substation connection, including provision of solar arrays within West Site A, outweigh the heritage harm caused.</p> <p>Discussion is continuing with West Suffolk Council in relation to non-designated assets.</p>
	Mitigation Strategy	<p>A Detailed Archaeological Mitigation Strategy will be prepared for discussion with the County Councils, and submitted to the ExA during Examination following receipt of the Councils Brief. The draft DCO [REP2-012] provides for the securing of archaeological mitigation through Requirement 13.A HEMP will be prepared and submitted as part of the OLEMP also following receipt of the Councils Brief.</p>

Topic	Sub-topic	Details of Matters Under Discussion
Ecology and Nature Conservation	Baseline surveys Assessment – Biodiversity Net Gain	<p>Surveys have been undertaken in 2022 to ensure that the baseline is kept up to date. These will be reported at Deadline 5 along with the technical note of the updated biodiversity net gain calculation.</p> <p>The Applicant is undertaking an updated calculation of Biodiversity Net Gain which will provide the detail for the calculations using the latest Biodiversity Net Gain metric, 3.1. A technical note will be produced and circulated to the local authorities at the earliest convenience during the Examination process for discussion. The BNG calculations will be accompanied by plans which show where the habitats being counted prior to and post development are located.</p>
	Residual effects	Whether or not the Scheme will result in significant residual effects on ecology and nature conservation during construction and operation of the Scheme.
	Mitigation	<p>Whether the Outline Landscape and Ecology Management Plan (OLEMP) [REP3-011] requires amending to secure adequate monitoring of terrestrial ecology.</p> <p>The parties are in discussion regarding the detail on the proposed design elements for the different habitats proposed in relation to connectivity which will be provided at the detailed LEMP stage in line with the principles set out in the OLEMP.</p> <p>The publication of “An interim nature recovery network for East Cambridgeshire” is welcomed by the Applicant in signposting the habitat types and detail needed for the Scheme to integrate with and support the nature recovery network.</p> <p>Parties are discussing whether there is sufficient information within the OLEMP on the establishment and management plans for the different habitats proposed in the mitigation areas to inform what will be provided at the detailed LEMP stage. The Applicant will be providing an updated OLEMP at Deadline 5 which the LPAs will be able to consider.</p>
	Stone Curlew	The monitoring/management arrangements for Stone Curlew to determine the effectiveness of the proposed mitigation remains under discussion.
Landscape and Visual Amenity	Mitigation	<p>The following updates are proposed:</p> <ul style="list-style-type: none"> The Environmental Masterplan is being developed further in dialogue with the local authorities. The Environmental Masterplans will include improvements to the proposed mitigation and the inclusion of additional information, such as all existing vegetation,

Topic	Sub-topic	Details of Matters Under Discussion
		<p>showing that which is to be removed and that which is to be retained, and drainage. The Environmental Masterplan was last updated at Deadline 3 [REP3-022].</p> <ul style="list-style-type: none"> The OLEMP will be restructured to provide a clearer set of measurable objectives, design principles and prescriptions for each habitat type. The OLEMP will also explain how the Scheme will contribute to wider Green Infrastructure strategy and NRN, how it provides connectivity, with contingency plans, if objectives are not met. The OLEMP was last updated at Deadline 3 [REP3-011]. A 'per village' design iteration technical note has been prepared for the local authorities to explain how the design has evolved to avoid or mitigate the effect on each village and how the design iterations have responded to the criteria for good design. This was submitted at Deadline 2 [REP2-038]. A technical note has been prepared for the local authorities outlining the historical development of the landscape across the study, this was incorporated into the Summary of intra-cumulative landscape and sequential visual effects – Appendix K or the Applicant response to the First Written Questions [REP2-037].
	Baseline – Tree survey	<p>In response to comments, the Applicant has undertaken some additional detailed tree surveys within the Sites at key areas, including along the U6006.</p> <p>This additional information has been presented in an Arboricultural Impact Assessment submitted at Deadline 3 [REP3-021] and has been discussed with the Local Authorities during the LVIA review meeting on 1st December 2022. The AIA will be updated following the review by the Local Authorities and submitted back into examination at Deadline 5.</p>
Noise and Vibration	Baseline – noise monitoring	<p>Baseline noise monitoring was undertaken in accordance with guidance within BS 4142. Measurements were undertaken in such a way as to provide a representative sample of conditions, such as avoiding periods of adverse weather conditions, and school holiday periods (which are often considered to result in atypical sound levels). A small degree of uncertainty will always remain in the values taken from such a measurement survey; however, the method applied during measurement and assessment of noise data provides confidence that it is robust. This approach is being discussed with the local authorities who were concerned about uncertainty in the baseline background data.</p>

Topic	Sub-topic	Details of Matters Under Discussion
	Assessment	The parties are in discussion regarding the potential noise impacts of Option 3 substation, in relation to noise and the acceptability of receptor locations.
	Mitigation – S61 applications	The Framework CEMP has been updated, and was submitted at Deadline 2 [REP2-026] , to include a requirement for the detailed CEMP to set out proposals for how consultation will take place with local authorities to agree a suitable schedule for S61 applications. However, discussion are still ongoing between the parties at this stage.
	Mitigation	Whether proposed construction working hours should be reduced. Discussion is also continuing on piling working hours which will be documented in the piling method statement.
Socio-Economics and Land Use	Baseline	The baseline information used within the Socio-economics and land use assessment [APP-044] .
	Assessment – Employment / GVA figures	The employment assumptions related to travel area/leakage are based on the employment within the 45 minute travel area as derived from Census data. A map of the travel area is included in Figure 12-1 of the Environmental Statement [APP-237] . The total employment is presented in Chapter 12: Socio-economics and Land Use of the Environmental Statement [APP-044] . The data table underpinning this can be provided to the local authorities for review and discussed if required.
	Assessment – Tourism effects on local economy	The Applicant's EIA Scoping Report [APP-051] submitted to PINS contained no specific reference to an assessment of effects on tourism as no specific receptors, such as visitor attractions, had been identified within the defined study areas to justify such an assessment being needed. The Scoping Opinion [APP-052] response received from PINS also did not request that such an assessment was required. However, Chapter 10: Landscape and Visual Amenity of the Environmental Statement [APP-042] did assess the impact on visitor views in the vicinity of the Scheme and the loss of long distance views as relevant. This approach is being discussed with the local authorities who were concerned that the Scheme will have negative impacts on the natural beauty and tourism within the local area.
	Mitigation – Compensation package for local communities	An Outline Skills, Supply Chain and Employment Plan has been submitted as part of the DCO Application [APP-268] and updated at Deadline 3 [REP3-017] . This seeks to secure the potential improvements, mitigation and compensation to local communities that could be implemented as part of the Scheme.

Topic	Sub-topic	Details of Matters Under Discussion
		This approach is to be agreed with the local authorities.
Transport and Access	Assessment - Vehicle occupancy	<p>The Applicant has provided further evidence to the Local Highways Authorities in relation to the use of sensitivity testing of the 1.5 staff vehicle occupancy rate used in the Transport Assessment [APP-117] and Framework Construction Traffic Management Plan and Travel Plan [APP-118] and Further evidence supporting the robustness of the 1.5 staff vehicle occupancy rate. See also the Technical Note: Transportation and Access [REP2-041].</p> <p>Notwithstanding this, the Applicant has agreed to introduce a cap on staff vehicle numbers, and has introduced this into the Framework Construction Traffic Management Plan and Travel Plan [REP3A-004] at Deadline 3A.</p>
	Assessment – width of Elms Road and la Hogue Road	Discussions will continue in relation to the extent of road widening and the provision of passing places required at Elms Road and La Hogue Road to facilitate the passage of HGVs and other traffic during construction. The Applicant has provided updated plans both within the Transportation Technical Note [REP2-041] submitted at Deadline 2, and Annex C of the Framework Construction Traffic Management Plan and Travel Plan [REP3A-004] at Deadline 3A.
	Assessment – A14/A142 junction	The Local Highways Authorities have raised a potential safety concern regarding the U-turn movement required at the A14/A142 J37. The Applicant has reviewed this location in more detail. Further to this, SCC has identified an improvement scheme being proposed as part of West Suffolk Council Planning application DCON(F)/13/0408. The Applicant has agreed to review these proposals and respond to the Local Highways Authorities in terms of the potential to alleviate the potential safety concern. The Applicant has presented evidence within the Transportation Technical Note [REP2-041] which sets out that the Scheme does not require this third party scheme to make the development acceptable. The Councils have requested that the Applicant includes a commitment to monitoring road safety, including at this location. The Applicant has included this within the Framework Construction Traffic Management Plan and Travel Plan [REP3A-004] at Deadline 3.
	Assessment – Link sensitivity	During a meeting in April 2022, the Local Highways Authorities stated that the link sensitivity assigned to a number of highways and Non-Motorised Users (NMUs) within the Environmental Statement is not yet agreed. The LHAs have proposed to set out the areas of disagreement, for discussion with the Applicant. SCC has provided comments on Link Sensitivity by email (17/10/2022), and reproduced in the Local Impact Report [REP1-024] . The Applicant has

Topic	Sub-topic	Details of Matters Under Discussion
		responded to this in its Response to the Local Impact Report [REP3-019] , submitted at Deadline 3. Thus, the Applicant's approach is under discussion.
	Monitoring, Reporting and Enforcement – HGV Numbers	<p>As set out in Table 2, the Applicant has submitted an update to the Framework Construction Traffic Management Plan & Travel Plan [REP3A-004, REP3A-005] at Deadline 3, which addressed a number of the Councils' requests on monitoring, reporting and enforcement, and secured the required commitments, in chapters 7 and 8. As set out in Table 2, the Applicant has submitted an update to the Framework Construction Traffic Management Plan & Travel Plan [REP3A-004] at Deadline 3A, which addresses a number of the Councils' requests on monitoring, reporting and enforcement, and includes related commitments in chapters 7 and 8. This has included community engagement, including in relation to complaints regarding off-site transport impacts such as "fly parking."</p> <p>The Applicant has not committed to maximum daily and peak HGV movements to be included in the F-CTMP as it does not consider controls to be necessary. However, the Applicant has included in the Framework Construction Traffic Management Plan and Travel Plan at section 7 various HGV measures and controls, including in relation to timing restrictions and routes. This matter remains under discussion.</p>
	Site Access Proposals	Discussions are continuing with the Local Highways Authorities in relation to the site access proposals. The Local Highways Authorities in a meeting in April 2022 have requested a standalone package of plans to collate the information required to assess the site access proposals. The Applicant has prepared a package of drawings for this purpose, and these have been discussed at the meeting on 24/11/2022. These are included in Annex C of the Framework Construction Traffic Management Plan and Travel Plan [REP3A-004] at Deadline 3A. Significant progress has been made since the SoCG submitted at Deadline 2. However, a number of points remain unresolved and therefore this remains a matter under discussion.
	Staff Vehicle Numbers	In response to discussions on the car share occupancy parameter and the level of commitment to sustainable transport measures within the Framework Construction Traffic Management Plan & Travel Plan [REP3A-004] , the Applicant has agreed to introduce a cap on staff vehicle numbers at each of the site accesses and for the Scheme overall. This has been included within the update to the F-CTMP/TP at Deadline 3A. Capping based on vehicle numbers, rather than car occupancy, addresses the crux of the parameter for which control is sought, whilst enabling the Applicant to achieve this through other measures, such as the mini-bus which is set out in the Framework Construction Traffic Management Plan and Travel Plan [REP3A-004] . Discussions on staff vehicle numbers are continuing.

Topic	Sub-topic	Details of Matters Under Discussion
	Monitoring, reporting and enforcement of the F-CTMP/TP	In Chapter 13 of the Local Impact Report, the Councils outlined a number of requests in terms of the monitoring, reporting and enforcement of the F-CTMP/TP. The Applicant submitted an update to the Framework Construction Traffic Management Plan & Travel Plan [REP3A-004] at Deadline 3A, which addressed these requests, and secured relevant commitments, in chapters 7 and 8. Discussions on monitoring, reporting and enforcement are continuing.
Maintenance	Threshold of maintenance	The Local Authorities have raised a point in its post DCO hearing submission about having a specific threshold over which the local authorities should be notified in advance of any large-scale maintenance (which includes repair and replacement). They have said they would welcome discussions with the Applicant on this point to agree a reasonable threshold over which notification would be required. In order to provide assurance to the Councils the Framework OEMP will be updated at Deadline 5 to include a requirement that every 12 months from the date of final commissioning the Applicant will submit a maintenance schedule for the year ahead to the relevant planning authorities, excluding unforeseen emergencies that require maintenance throughout the year. The Applicant is engaging with the Councils on suitable wording to include in the Framework OEMP to address this concern and will update the Examination in due course.
Public Rights of Way (PRoW) and Permissive Paths	Provision of accessible routes	Discussions are continuing on the provision of permissive routes through the Scheme and potential impacts on users of existing PRoWs, including noise, health etc.
Discharge of Requirements	Fee agreement	Fees to be paid by the undertaker to the relevant Planning Authorities for applications to discharge Requirements is under discussion.

3.3 Matters Not Agreed

3.3.1 **Table 4** below details the matters not agreed with CCC, SCC, ECDC and WSC.

Table 4: Matters not agreed

Topic	Sub-topic	Details of Matters Not Agreed
None	None	None