



The Planning Inspectorate

National Infrastructure Planning
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All Interested Parties, Statutory Parties
and any Other Person invited to the
Preliminary Meeting

Our Ref: EN010106

Date: 17 January 2023

Planning Act 2008 (as amended) – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 8(3) and Rules 13, 16 and 17

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

Procedural Decision and Notification of Hearings and Accompanied Site Inspection

I am writing to you to notify you of our Procedural Decision to amend the Examination Timetable, to request supplementary documentation and to provide notification of the date, time and place fixed for Compulsory Acquisition Hearings, Issue Specific Hearings and an Accompanied Site Inspection.

Change to the Examination Timetable

The Examining Authority (ExA) has decided to change the date for publication of the ExA's commentary on, or schedule of changes to, the draft Development Consent Order (dDCO) from Monday 20 February 2023 to **Thursday 23 February 2023** to allow sufficient time for preparation and issue following Issue Specific Hearing 4 the previous week. The updated Examination Timetable is provided at **Annex A** to this letter.

Documentation

The ExA notes that the historic maps for Chippenham Park Registered Park and Garden (RPG) submitted at Deadline 4 [[REP4-031](#)] following a request from the ExA have been submitted on a confidential basis for the reasons provided in the Applicant's cover letter [[REP4-001](#)]. Notwithstanding this, and in the interests of fairness, the ExA requests that the Applicant confirms that these maps will be supplied to Interested Parties on request.

The ExA requests that the Applicant submits a tracked changes version of Document 6.2 Appendix 8M: HRA Report to Inform an Appropriate Assessment as a clean version only has been provided at Deadline 5.

Notification of Hearings

The Examination Timetable at **Annex A** of this letter and the ExA's [Rule 8 letter](#), dated 4 October 2022, include reserved dates for Accompanied Site Inspections (ASI4), Open Floor Hearings (OFH), Issue Specific Hearings (ISH) and Compulsory Acquisition Hearings (CAH) in February 2023.

We are now writing to confirm the arrangements for the following Hearings to be held under Sections 91 and 92 of the Planning Act 2008. As all Interested Parties (IPs) requesting to be heard at an OFH have been heard, the ExA has decided not to hold any further OFHs. The Hearings will be blended events, with participants attending either in person or virtually.

Date	Hearing	Start time	Venue and Joining details
Tuesday 14 February 2023 (morning)	Resumed Compulsory Acquisition Hearing (CAH1)	Seating available at venue from: 9:00 Virtual Arrangements Conference from: 9:00 Hearing starts: 10:00	Blended events at: Bedford Lodge Hotel, 11 Bury Road, Newmarket Suffolk CB8 7BX
Tuesday 14 February 2023 (afternoon)	Compulsory Acquisition Hearing (CAH2)	Seating available at venue from: 13:00 Virtual Arrangements Conference from: 13:00 Hearing starts: 14:00	and by virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre- registered
Thursday 16 February 2023	Issue Specific Hearing (ISH4) – to include: Landscape, historic environment, visual and in-combination impacts; draft Development Consent Order; Traffic and transport.	Seating available at venue from: 9:00 Virtual Arrangements Conference from: 9:00 Hearing starts: 10:00	Blended events at: King Edward VII Memorial Hall, High Street, Newmarket Suffolk CB8 8JP and By virtual means using Microsoft Teams

Date	Hearing	Start time	Venue and Joining details
Friday 17 February 2023 (morning)	Resumption of Issue Specific Hearing (ISH4) – to include: Landscape, historic environment, visual and in-combination impacts; draft Development Consent Order; Traffic and transport.	Seating available at venue from: 9:00 Virtual Arrangements Conference from: 9:00 Hearing starts: 10:00	Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<p>NOTE: If any of the above Hearings are no longer required then notification will be published as soon as practicable on the project webpage, providing reasonable notice to IPs of the decision to cancel.</p>			

You must register by Monday 30 January 2023 (Deadline 6) if you intend to participate in a hearing and provide all the information requested in the ‘Requests to participate’ section of this letter.

If you simply wish to observe any of the Hearings then you can either:

1. Watch a livestream of the event - a link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin; and/or
2. Watch the recording of the event which will be published on the [project webpage](#) shortly after the event has finished.

Alternatively, you can attend the physical event to observe the proceedings; however, to ensure there is adequate seating capacity at the venue we request that you register your attendance to observe only by **Monday 30 January 2023** using this [Form](#) Please note that it may not be possible to participate on the day if you have not registered your wish to speak by **Monday 30 January 2023**

Applicant’s notification duties

The Applicant is reminded of its duty to notify and publicise hearings under Rule 13(6) and 13(7) of The Infrastructure Planning (Examination Procedure) Rules 2010.

Purpose of Hearings

Compulsory Acquisition Hearings (CAH) provide an opportunity for the ExA to examine the Applicant’s case for Compulsory Acquisition (CA) and Temporary Possession (TP) and

for the Applicant and Affected Persons (APs) to make oral representations about these matters.

- **CAH1 is strategic** and was adjourned in December 2022: it is resumed using the Agenda previously issued in order to allow the Panel to complete its examination of the Applicant's strategic case, including the requested changes.
- **CAH2** is being held to hear **individual** objections to CA and / or TP relating to individual parcels of land and / or interests in land, including submissions as to whether the Applicant has complied with general legal tests, policy or guidance in respect of these individual parcels of land, both in respect of the original application and the requested changes.

Issue Specific Hearings (ISH) are held at the discretion of the ExA and provide an opportunity for the ExA to invite Interested Parties (IPs) to make oral representations about specific issues relating to the application.

Requests to participate in Hearings

Speaking at ISHs is by invitation from the ExA. Invitations to speak will be confirmed in the Agendas. Interested Parties considering that they may wish to speak on particular items on an Agenda can request to be heard. If you wish to participate and speak at any of the Hearings you are required to notify the Examining Authority (ExA) by completing this [Form](#) by **Deadline 6**.

Any request to participate in a Hearing **should include** the following information:

- Name and unique reference number (found at the top of any letter or email from the Planning Inspectorate);
- email address (if available) and contact telephone number;
- name and unique reference number of any person/organisation that you are representing (if applicable);
- for blended events, confirmation of whether you will participate virtually or in-person;
- confirmation of the hearing(s) you wish to participate in, the Agenda item(s) on which you wish to speak and/or brief details of the topic(s) that you would like to raise;
- for Compulsory Acquisition Hearings, the plot number(s) of the relevant land provided in the [Book of Reference](#) and the [Land Plan](#); and
- the [Examination Library](#) reference number (with paragraph/page number where appropriate) of any documents you wish to refer to.

Joining instructions for Hearings will be issued by the Case Team via email shortly before the Hearing dates.

Please contact the Case Team using the contact details at the top of this letter if you require any support to attend any hearing, either virtually or in person.

Attendees

The ExA would find it helpful if the following parties could attend:

CAH1

- Sunnica Ltd (the Applicant)
- Cambridgeshire County Council
- East Cambridgeshire District Council
- Suffolk County Council
- West Suffolk Council
- Statutory undertakers
- Alan Richardson
- John Bridges
- Any other persons whose land and/or rights are affected and who wish to object to the application including the requested changes on the basis that the Applicant has not complied with the relevant legal tests, policy and guidance **in respect of the Application in general.**

CAH2

- Sunnica Ltd (the Applicant)
- Cambridgeshire County Council
- East Cambridgeshire District Council
- Suffolk County Council
- West Suffolk Council
- Persons whose land and/or rights are affected and who wish to object to the application including the requested changes on the basis that the Applicant has not complied with the relevant legal tests, policy and guidance **in respect of their land and/or rights.**

ISH4

- Sunnica Ltd (the Applicant)
- Cambridgeshire County Council
- East Cambridgeshire District Council
- Suffolk County Council
- West Suffolk Council
- Say No To Sunnica action group

ISH5

- Sunnica Ltd (the Applicant)
- Cambridgeshire County Council
- East Cambridgeshire District Council
- Suffolk County Council
- West Suffolk Council
- Say No To Sunnica action group

However, this does not indicate that other parties will not be able to contribute. All Interested Parties (IP) are invited to attend and make oral representations on the matters set out in the Agenda, subject to the ExA's ability to control the Hearings.

If you are experiencing any COVID-19 symptoms please do not attend the Hearings in person. Contact the Case Team who will ensure you have access to the Hearings virtually.

Hearing Agendas

The detailed Agenda for CAH1 is as previously issued [[EV-032](#)]. A high level reminder is attached at **Annex B** to this letter, along with high level Agendas for CAH2 and ISH4 to help inform your decision about whether to register to participate. We will publish detailed draft Agendas on the project webpage at least five working days in advance of the hearing date. However, the actual Agenda on the day of each hearing may be subject to change at the discretion of the ExA.

Notice of Accompanied Site Inspection (ASI4) and requests to attend

We also confirm that we will hold an Accompanied Site Inspection (ASI4) under Rule 16 of The Infrastructure Planning (Examination Procedure) Rules 2010 on the following date:

Date and site	Meeting Place and Parking	Time	Notes
Wednesday 15 February 2023	Red Lodge Sports Pavilion, Hundred Acre Way, Red Lodge, Bury Saint Edmunds IP28 8FQ	Start: 9:00	Car Parking is available free of charge. Further information about access and other arrangements will be confirmed in the ExA's Final ASI itinerary.
NOTE: If any part of the above site inspection is no longer required then notification will be published as soon as practicable on the project webpage .			

As requested in **Annex F** of our Rule 6 letter, suggestions, including justification, for locations to be included in ASIs were submitted by Procedural Deadline A and have been published on the [project webpage](#). The Applicant submitted a draft itinerary for ASI4 at Deadline 4 [[REP4-001](#)].

The ExA is reviewing the draft itinerary and may make changes to it. Our final itinerary for ASI4 will be published on the project webpage on or before **Tuesday 7 February 2023**.

Please note that for logistical and safety reasons it may be necessary to limit the numbers of persons who accompany us for the ASI; however it may be possible for arrangements to be made for IPs (or their representatives) to join the inspection at specified locations within the itinerary.

IPs who wish to attend the ASI should notify the ExA by completing this [Form](#) by **Deadline 6**.

The IPs attending the ASI will include representatives of the Applicant, together with other IPs (or their representatives). Access onto private land is at all times by permission of the person controlling it.

IPs should be aware that an ASI is not an opportunity to make any oral representations to us about the Proposed Development. However, we may invite participants to indicate specific features or sites of interest.

If you have any queries about the contents of this letter please contact the Case Team.

Yours faithfully

Grahame Kean

Lead Member of the Examining Authority

Annex A – Examination Timetable

Annex B – High Level Agendas

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

Examination Timetable

The Examining Authority (ExA) is under a duty to **complete** the Examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The Examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

Item	Matters	Date
19.	<p>Deadline 6</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Any revised/updated SoCG (If any) • Applicant's revised draft of DCO • Updated Guide to the Application • Updated Book of Reference (BoR) and Schedule of Changes to the BoR • Updated Schedule of Negotiations • Comments on any Additional Submissions accepted at the discretion of the ExA by Deadline 5 • Any further information requested by ExA Any further information requested by the ExA under Rule 17 of the Examination Rules • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 5 	<p>Monday 30 January 2023</p>
20.	<p>Publication of:</p> <ul style="list-style-type: none"> • ExA's Third Written Questions (ExQ3) (If required) • ExA's final itinerary for ASI4 	<p>Wednesday 1 February 2023</p>
21.	<p>Publication of:</p> <ul style="list-style-type: none"> • Report on the Implications for European Sites (RIES) 	<p>Monday 13 February 2023</p>

22.	<p>Dates reserved for:</p> <ul style="list-style-type: none"> • Accompanied Site Inspections (ASI4) (if required) • Open Floor Hearings (OFH) (if required) • Issue Specific Hearings (ISH) (if required) • Compulsory Acquisition Hearings (CAH) (if required) 	<p>Tuesday 14 February 2023 to Friday 17 February 2023</p>
23.	<p>Publication of:</p> <ul style="list-style-type: none"> • ExA's commentary on, or schedule of changes to, the draft DCO 	<p>Thursday 23 February 2023</p>
24.	<p>Deadline 7</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Post Hearing Submissions, including written submissions of oral case • Responses to ExA's Third Written Questions (ExQ3) (If issued) • Comments on revised/updated SoCG (if any) • Comments on ExA's commentary on, or schedule of changes to, the draft DCO • Updated Guide to the Application • Updated Book of Reference (BoR) and Schedule of Changes to the BoR • Updated Schedule of Negotiations • Comments on any Additional Submissions accepted at the discretion of the ExA by Deadline 6 • Any further information requested by ExA Any further information requested by the ExA under Rule 17 of the Examination Rules • Comments on any further information received Comments on any further information 	<p>Friday 3 March 2023</p>

	requested by the ExA and received by Deadline 6	
25.	<p>Deadline 8</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on the RIES • Final SoCG • Final DCO Final DCO to be submitted by the Applicant in the SI template with the SI template validation report • Final Statement of Commonality of SoCG • List of matters not agreed where SoCG could not be finalised • Final Guide to the application • Final updated BoR Final BoR and schedule of changes to BoR • Final Schedule of Negotiations • Comments on any Additional Submissions accepted at the discretion of the ExA by Deadline 7 • Comments on any further information received Comments on any additional information/submissions received by Deadline 7 • Any further information requested by ExA Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	<p>Monday 13 March 2023</p>
26.	<p>Deadline 9</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Any further information requested by ExA Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	<p>Tuesday 28 March 2023</p>

27.	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	Tuesday 28 March 2023
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Submission times for Deadlines

The time for submission of documents at any Deadline in the timetable is 23:59 on the relevant Deadline date, unless instructed otherwise by the ExA.

Publication dates

All information received will be published on the [project webpage](#) as soon as practicable after each Deadline for submissions.

CAH1 High Level Reminder Agenda

1. Welcome, introductions and arrangements for the Hearing
2. Purpose of the Hearing
3. The Applicant's strategic case
4. Alternatives and design flexibility
5. The compulsory acquisition and related provisions as presented within the draft Development Consent Order (dDCO) and Land Plan
6. Statutory conditions and general principles
7. Review of the Objections Schedule and related matters
8. Funding
9. Statutory undertakers
10. Crown land
11. Public open space
12. Human rights and the Public Sector Equality Duty (PSED)

CAH2 High Level Agenda

1. Welcome, introductions and arrangements for the Hearing
2. Purpose of the Hearing
3. To hear objections from individual Affected Persons in respect of both the requested changes and the original application
4. To hear individual submissions on human rights and the Public Sector Equality Duty (PSED)

ISH4 High Level Agenda

1. To include:
 - Landscape
 - Historic environment
 - Visual and in-combination impacts
 - Draft Development Consent Order
 - Traffic and transport.

Detailed Agendas for CAH2 and ISH4 will be published no later than **7 February 2023**.