

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

### The Examining Authority's written questions and requests for information (ExQ3)

**Issued on 3 February 2023**

The following table sets out the Examining Authority's (ExA's) written questions and requests for information - **ExQ3**. If necessary, the Examination Timetable enables the ExA to request further information under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 to be submitted at Deadline 8, 13 March 2023.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex C to the Rule 6 letter of 28 June 2022. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates to which Interested Parties (IPs) and other persons each question is directed. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating why the question is not relevant to them. This does not preclude an answer being provided to a question by a person to whom it is not directed, should the question be relevant to that person's interests.

For example, the first question on air quality and human health issues has the unique reference number Q3.1.1. When answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: Please contact [sunnica@planninginspectorate.gov.uk](mailto:sunnica@planninginspectorate.gov.uk).

**Responses are due by Deadline 7, Friday 3 March 2023.**

**Abbreviations used:**

<b>PA2008</b>	The Planning Act 2008	<b>ExA</b>	Examining Authority
<b>AC</b>	Alternating Current	<b>LEMP</b>	Landscape and Ecology Management Plan
<b>ADR</b>	Alternative Dispute Resolution	<b>LIR</b>	Local Impact Report
<b>Art</b>	Article	<b>LHA</b>	Local Highway Authority
<b>ALA 1981</b>	Acquisition of Land Act 1981	<b>LPA</b>	Local Planning Authority
<b>ALC</b>	Agricultural Land Classification	<b>LSE</b>	Likely significant effects
<b>AP</b>	Affected Person	<b>LVIA</b>	Landscape and Visual Impact Assessment
<b>BESS</b>	Battery Energy Storage System	<b>MoD</b>	Ministry of Defence
<b>BoR</b>	Book of Reference	<b>NE</b>	Natural England
<b>CA</b>	Compulsory Acquisition	<b>NGESO</b>	National Grid Electricity System Operator
<b>CCC</b>	Cambridgeshire County Council	<b>NGET</b>	National Grid Electricity Transmission plc
<b>CEA</b>	Cumulative Effects Assessment	<b>NMU</b>	Non-motorised user
<b>CPO</b>	Compulsory Purchase Order	<b>NPPF</b>	National Planning Policy Framework
<b>CEMP</b>	Construction Environment Management Plan	<b>NPS</b>	National Policy Statement
<b>COMAH</b>	Control of Major Accident Hazards	<b>NSIP</b>	Nationally Significant Infrastructure Project
<b>CTMP and TP</b>	Construction Traffic Management Plan and Travel Plan	<b>PHE</b>	Public Health England
<b>DC</b>	Direct Current	<b>P(HS)</b>	Planning (Hazardous Substances)
<b>dDCO</b>	draft Development Consent Order	<b>PRN</b>	Primary Route Network
<b>DCO</b>	Development Consent Order	<b>PRoW</b>	Public Right of Way

<b>DEMP</b>	Decommissioning Environmental Management Plan	<b>PSED</b>	Public Sector Equality Duty
<b>EA</b>	Environment Agency	<b>R</b>	Requirement
<b>EC</b>	East Cambridgeshire District Council	<b>RPG</b>	Registered Park and Garden
<b>EIA</b>	Environmental Impact Assessment	<b>SAC</b>	Special Area of Conservation
<b>EM</b>	Explanatory Memorandum	<b>SCC</b>	Suffolk County Council
<b>EN-1</b>	Overarching National Policy Statement for Energy	<b>SI</b>	Statutory Instrument
<b>ES</b>	Environmental Statement	<b>SNTS</b>	Say No To Sunnica action group
<b>FPRF</b>	United States Fire Protection Research Foundation	<b>SoS</b>	Secretary of State
<b>FRA</b>	Flood Risk Assessment	<b>SPA</b>	Special Protection Area
<b>FS</b>	Funding Statement	<b>SuDS</b>	Sustainable drainage system
<b>GLVIA</b>	Guidelines for Landscape and Visual Impact Assessment	<b>TP</b>	Temporary Possession
<b>HRA</b>	Habitats Regulations Assessment	<b>UKHSA</b>	United Kingdom Health Security Agency
<b>HSE</b>	Health and Safety Executive	<b>WSC</b>	West Suffolk Council

### The Examination Library

References in these questions set out in brackets, eg [APP-010], are to documents catalogued in the Examination Library. The Examination Library will be updated as the examination progresses and can be obtained from the following link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010106/EN010106-002090-Sunnica%20Energy%20Farm%20Examination%20Library.pdf>



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ExQ3	Question to:	Question:
<b>3.0</b>	<b>Principle and Nature of the Development</b>	
Q3.0.1	The Applicant	<p><b>Decommissioning</b></p> <p>Should the ExA conclude that there would be likely to be permanent effects on the environment after decommissioning, despite the currently proposed post-decommissioning management measures?</p> <p>If the ExA does so conclude, why should it not require that the DCO secure effective regulation of the post-decommissioning environment?</p>
Q3.0.2	The Applicant	<p><b>Decommissioning</b></p> <p>Should the Applicant seek compulsory acquisition powers to enable it to discharge Requirements to address the post-decommissioning environment, and provide within the LEMP details of those measures and the areas of land to be included, taking account of the review process SCC has advocated in [REP4-143]?</p> <p>If not please explain why not.</p>
Q3.0.3	The Applicant	<p><b>Decommissioning</b></p> <p>We note your updated framework Decommissioning Environmental Management Plan (DEMP) [REP5-008] and updated Funding Statement (FS) [REP5-004].</p> <ul style="list-style-type: none"> <li>• With reference to paragraph 2.2.1 of the FS, please explain what the decommissioning of the proposed development will cost and how it will be funded; and</li> <li>• Given the change in the ownership structure described in section 2.1 of the FS, please update the FS as necessary to ensure that it contains the most up to date information.</li> </ul>
Q3.0.4	The Applicant	<p><b>Good design</b></p> <p>Further to your response to our ExQ1.0.5 and ExQ1.0.6, and in the light of any relevant submissions by Interested Parties, please comment on the need for a DCO Requirement for a Design Champion and for a Design Council Design Panel review.</p>
Q3.0.5	The Applicant	<p><b>Community benefit and legacy</b></p> <p>Further to your response to our ExQ2.0.1, we note that you say that you are <i>“in the process of developing a suite of further community benefits which it hopes will be enshrined in a planning agreement ...”</i>.</p> <ul style="list-style-type: none"> <li>• What are these?</li> </ul>

**ExQ3: 3 February 2023**

**Responses due by Deadline 7: Friday 3 March 2023**

<b>ExQ3</b>	<b>Question to:</b>	<b>Question:</b>
		<ul style="list-style-type: none"> <li>• Do the relevant local authorities agree? and</li> <li>• What is the real legacy of the proposed development for local people?</li> </ul>
<b>3.1 Air Quality and Human Health</b>		
Q3.1.1	The Applicant	<p><b>BESS: future large solar farm projects</b></p> <p>What literature are you aware of that details the future development of battery storage solutions for large solar farm developments. If you are aware of any such, please provide succinct details and references.</p>
Q3.1.2	The Applicant, WSC, ECDC	<p><b>BESS: relevant regulations</b></p> <p>Are you aware of any proposals before Parliament to bring specifically within scope of the relevant regulations large scale battery storage development for solar energy projects?</p> <p>If so please provide brief details.</p>
Q3.1.3	The Applicant	<p><b>BESS: COMAH and P(HS) regulations</b></p> <p>We note your response to our ExQ2.1.2 and ExQ2.1.3.</p> <p>Surely evolving technology will mean reduced impacts when the proposed development is constructed: that being the case, why do you not fix the design on that basis and commit through the DCO to obtaining authorisation under the COMAH regulations and hazardous substances consent?</p>
Q3.1.4	The relevant local authorities	<p><b>BESS: design assumptions</b></p> <p>Please comment on the Applicant's response to our ExQ2.1.4 in respect of assumptions made about the size, power rating and chemical make-up of the BESS and the consequent assessment of the impacts.</p>
Q3.1.5	HSE UKHSA and EA	<p><b>BESS: unplanned atmospheric emissions</b></p> <p>Please comment on the Applicant's response to our ExQ2.1.15. Do you think that undue reliance is placed on the detailed consequence modelling to be undertaken post consent?</p>
Q3.1.6	HSE and EA	<p><b>BESS: consent under COMAH and P(HS)</b></p> <ul style="list-style-type: none"> <li>• Please confirm that you were consulted on the proposed development, and the BESS in particular, and when (ie at what stage(s) in the planning process);</li> </ul>

**ExQ3: 3 February 2023**

**Responses due by Deadline 7: Friday 3 March 2023**

ExQ3	Question to:	Question:
		<ul style="list-style-type: none"> <li>• Please comment on Requirement 7 in the revised draft DCO [REP6-013] and the adequacy of the Applicant's outline Battery Fire Safety Management Plan (OBFSMP) as updated at Deadline 5 [REP5-050]; and</li> <li>• Please comment on the need or otherwise for a Requirement in the DCO that the Applicant will seek consent for the BESS elements of the proposed development, in terms of the transport to site, construction, operation, decommissioning and transport away from site following decommissioning.</li> </ul>
Q3.1.7	WSC	<p><b>BESS: hazardous substances consent</b></p> <p>You state in your Deadline 5 reply [REP5-101] to the Applicant's response to the LA's joint submissions [REP4-035] that the DCO should provide for the granting of hazardous substances consent in the event that it is required, rather than it being subject to a separate consenting process.</p> <ul style="list-style-type: none"> <li>• Would it not be more practicable and effective to require the Applicant to meet the standards set out in the consenting regime for such matters?</li> <li>• Do you have cause for concern that such regime would not adequately deal with those matters, and if so why?</li> </ul>
Q3.1.8	The Applicant	<p><b>BESS: emergency response plan</b></p> <p>We note the revised outline Battery Fire Safety Management Plan (BFSMP) submitted at Deadline 5 [REP5-050].</p> <ul style="list-style-type: none"> <li>• Please confirm that in paragraph 5.2.1 line 6 and elsewhere (eg paragraph 5.2.2 line 2) CRFS should read CFRS as an abbreviation of the Cambridge Fire and Rescue Service; and</li> <li>• Appendices A and B are not listed in the table of contents and do not appear to be referred to: please explain what Technology 1 and Technology 2 are.</li> </ul>
Q3.1.9	The Applicant	<p><b>BESS: final version of outline Battery Fire Safety Management Plan (OBFSMP)</b></p> <p>We note your response to our ExQ2.1.17, and in particular that the revised outline Battery Fire Safety Management Plan (BFSMP) now includes an independent fire protection engineer.</p> <p>Please explain</p> <ol style="list-style-type: none"> <li>i) why you would not conduct ingress protection testing, eg to IEC60068; and</li> <li>ii) why you would not use data analytics to warn of maintenance or failure of components and/or systems.</li> </ol>

ExQ3	Question to:	Question:
Q3.1.10	HSE	<p><b>BESS: health and safety related consents</b></p> <p>Please comment on the Applicant's response to our ExQ2.1.18, with particular reference to the statement that "... it is not practical at this stage to outline in detail a programme of these consents ..."</p>
Q3.1.11	The Applicant	<p><b>Emergency response and evacuation planning</b></p> <p>We note your response to our ExQ2.1.19: your response indicates that major accidents and disasters assessment is required by the framework CEMP, OEMP and DEMP but that "<i>The final management plans must be in substantial accordance with the framework plans</i>".</p> <p>i) What do you mean by "substantial"; and</p> <p>ii) how can those likely to be affected by major accidents and disasters have confidence in the final plans which will be agreed post consent?</p>
<b>3.2 Biodiversity and Nature Conservation (including Habitats Regulations Assessment)</b>		
Q3.2.1	The Applicant	<p><b>Framework CEMP [REP5-044]</b></p> <p>Tables 3-4 and 3-5 do not appear to show the commitment to position all drainage to avoid the area of constraint associated with retained trees.</p> <p>Will this be rectified? if so, please explain how this will be secured within the framework CEMP.</p>
Q3.2.2	The Applicant	<p><b>Framework CEMP [REP5-044]</b></p> <p>How would performance of the detailed Arboricultural Method Statement be secured in the framework CEMP and DCO?</p> <p>Please include reference to WSC's comments on the pre-construction bat survey in its D6 submission [REP6-080].</p>
Q3.2.3	The Applicant	<p><b>Framework CEMP [REP5-044]</b></p> <p>Will pre-commencement surveys for bats now be included in the CEMP following WSC's comments at D5 in response to the Applicant's summary of submissions made at ISH2 [REP4-030]?</p>
Q3.2.4	The Applicant, the LPAs	<p><b>Ecology working group</b></p> <p>How is it proposed to continue to fund the Ecology Working Group, including funding work undertaken by that group?</p>
Q3.2.5	The Applicant	<p><b>ISH2: correction</b></p>



**ExQ3: 3 February 2023**

**Responses due by Deadline 7: Friday 3 March 2023**

<b>ExQ3</b>	<b>Question to:</b>	<b>Question:</b>
		Paragraph 3.6.1 of your written summary of oral submissions at ISH2 [REP4-030] refers to the “Morten review”. Please correct this so that it reads “Lawton review”.
Q3.2.6	The Applicant	<b>HRA: dust monitoring</b> Please respond to CCC points [REP4-137] regarding dust monitoring for the Molinia feature at Fenland SAC.
Q3.2.7	NE	<b>HRA: stone curlew</b> NE is invited to supply the evidence referred to in paragraph 3.2 of [REP5-096] to confirm conclusions of no functional link between stone curlew within the order limits and stone curlew at Breckland SPA.
Q3.2.8	NE	<b>HRA: conservation objectives</b> Is NE satisfied with the conservation objectives provided by the Applicant in its HRA Report?
Q3.2.9	NE	<b>HRA: Eversden and Wimpole Woods SAC</b> SNTS raised in [REP3A-041] and at Deadline 6 [REP6-074] the proximity of Eversden and Wimpole Woods SAC to the Proposed Development. Natural England is invited to comment on the identification of this site and whether further consideration is required in terms of the implications of the proposed development for this site.
Q3.2.10	NE	<b>HRA: noise and light spill</b> Does NE consider that noise and light spill contour maps and modelling data are still required to validate the conclusion of no LSE for Chippenham Fen Ramsar site from non-physical disturbance pathways?
Q3.2.11	NE	<b>HRA: air quality</b> At [REP2-090] NE commented on the potential for in-combination effects on air quality sensitive features at Breckland SPA. NE is invited to confirm whether it considers this pathway still remains and, if so, the qualifying features where there is potential for Likely Significant Effects (LSE).
Q3.2.12	Relevant local authorities, SNTS	<b>HRA: in-combination assessment</b> Are IPs satisfied that the Applicant’s in combination assessments, contained within its HRA Report has fully considered all relevant plans or projects? If not, what assessment remains outstanding?

**ExQ3: 3 February 2023**

**Responses due by Deadline 7: Friday 3 March 2023**

<b>ExQ3</b>	<b>Question to:</b>	<b>Question:</b>
Q3.2.13	LPAs, SNTS	<p><b>HRA: great crested newt</b></p> <p>Are IPs satisfied with the conclusion of no LSE on the Great Crested Newt (<i>Triturus cristatus</i>) qualifying feature at Fenland SAC?</p>
<b>3.3 Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations</b>		
The ExA has no questions in this round.		
<b>3.4 Cultural Heritage and Historic Environment</b>		
The ExA has no questions in this round.		
<b>3.5 Draft Development Consent Order (dDCO)</b>		
Q3.5.1	The Applicant, ECDC, WSC	<p><b>Fees schedule and related matters</b></p> <ul style="list-style-type: none"> <li>• How would the DCO be amended, with possible reference to Schedule 13, paragraph 2, to incorporate an eventual Fees Schedule for the discharge of Requirements in the DCO?</li> <li>• What further changes are necessary or desirable to the proposed wording set out by WSC in its Deadline 5 submissions?</li> <li>• How would a commitment by the Applicant to pay, prior to commencement, a contribution towards enforcement monitoring during the lifetime of the proposed development be best secured?</li> <li>• Are there any significant examples, of which the District Councils or the Applicant are aware, of monetary commitments set out in plans certified in a DCO, where a dispute has arisen and was resolved through enforcement of the relevant DCO Requirement?</li> </ul>
Q3.5.2	ECDC	<p><b>Temporary use of land</b></p> <p>You have previously expressed concerns over the widespread use of the term “temporary use of land” within the DCO.</p> <ul style="list-style-type: none"> <li>• What amendments do you think should be made, if any, to the DCO to identify appropriate precise time limits in relation to the various uses of the term?</li> <li>• If you have any such preferred amendments, please provide a justification for them.</li> </ul>
<b>3.6 Environmental Statement – general matters</b>		
The ExA has no questions in this round.		

**ExQ3: 3 February 2023**

**Responses due by Deadline 7: Friday 3 March 2023**

<b>ExQ3</b>	<b>Question to:</b>	<b>Question:</b>
<b>3.7 Landscape and Visual Effects</b>		
Q3.7.1	The Applicant	<p><b>Photomontages</b></p> <p>In relation to the Verifiable Photomontages [APP-220 to APP-232] please state the notional size of the solar panels portrayed in the photomontages.</p>
Q3.7.2	The Applicant, SNTS	<p><b>Photomontages</b></p> <p>The Verifiable Photomontages from Viewpoints 11, 11b, 12a, 14, 18, 25, 32, 33 and 46 [APP-221; APP-222; APP-223; APP-224; APP-226; APP-227; APP-228; APP-229 and APP-232] appear to show summertime planting superimposed on wintertime landscapes.</p> <p>Please comment on the extent to which you consider that these photomontages give an accurate representation of the effects of mitigation planting during the winter.</p>
<b>3.8 Noise and Vibration</b>		
The ExA has no questions in this round.		
<b>3.9 Socio-Economics and Land Use</b>		
Q3.9.1	CCC, SCC	<p><b>PRoW and haul roads</b></p> <p>Further to the CCC response to our ExQ2.9.12, are you satisfied with the revised wording in the draft DCO submitted at Deadline 6 [REP6-013] of Requirement 6, and also of Schedule 6 Part 2 in respect of the temporary use of motor vehicles on public rights of way?</p> <p>If not, please explain why not.</p>
Q3.9.2	The Applicant	<p><b>Consolidated access and PRoW plans</b></p> <p>We note your response to our ExQ2.9.13. Please advise when the consolidated set of Access and Rights of Way plans will be submitted.</p>
Q3.9.3	The Applicant	<p><b>Consolidated access and PRoW plans</b></p> <p>Will the Applicant, before submitting a consolidated set of access and public rights of way plans, have discussed this with LHAs as well as LPAs, notwithstanding the Applicant's current position on NMUs as noise receptors?</p> <p>If not please explain why not.</p>

**ExQ3: 3 February 2023****Responses due by Deadline 7: Friday 3 March 2023**

<b>ExQ3</b>	<b>Question to:</b>	<b>Question:</b>
Q3.9.4	The LHAs	<b>PRoW improvement plan</b> Are the proposals in the Applicant's response to our ExQ2.9.14 for a section 106 agreement acceptable?
Q3.9.5	CCC and the Fordham Walking Group	<b>Fordham Walking Group concerns</b> Are you satisfied with the proposals put by the Applicant in its response to our ExQ2.9.18? If not, please explain why not.
Q3.9.6	The Applicant	<b>Fordham Walking Group concerns</b> Will Fordham (Cambridge) Walking Group be included as a consultee in the FCEMP [REP5-044] and if not why not?
Q3.9.7	The Applicant	<b>Additional spurs on circular path at E05</b> Will the revised Environment Masterplan [REP-061] be updated to include an additional spur to Beck Road, and one to the northern edge of the site as requested by CCC in relation to E05? If not please explain why not.
Q3.9.8	The Applicant	<b>Sectional drawings</b> Please explain where in the application documents sectional drawings show accurately verges that are part of the highway and whether you have engaged effectively with the local highway authorities to use highway boundary data to provide the examination with this information. If not please explain why not.
Q3.9.9	The Applicant	<b>Shared use of accesses</b> Please explain where in the application documents it is clearly explained, including by means of a plan or plans, how site and cable route accesses would be shared with agricultural, commercial, or domestic traffic during construction and operational stages of the proposed development, with a clear explanation of how conflicts will be managed. If this information is absent, please explain why.
Q3.9.10	The Applicant	<b>NMUs</b> Will the Applicant now accept that NMUs should be assessed as noise receptors? If not please explain why, having regard to the local authorities' concerns expressed in their Deadline 6 submissions, for example CCC's Comments on Applicant's Response to ExQ2, Q2.9.9, page 72.

**ExQ3: 3 February 2023**

**Responses due by Deadline 7: Friday 3 March 2023**

<b>ExQ3</b>	<b>Question to:</b>	<b>Question:</b>
Q3.9.11	The Applicant, CCC, SCC, WSC, ECDC	<p><b>Enhancements to the PRow network</b></p> <p>Please summarise, with reference to relevant policy statements or guidance if considered relevant, your understanding of how, if at all, the ExA may or should take account of the extent to which a section 106 obligation or obligations completed by the end of the Examination would meet concerns expressed by IPs for the need for the proposed development to incorporate enhancements to the PRow network.</p> <p>In your response, please include what account may or should be taken by the ExA in its recommendation report in the event of any proposed party failing without reasonable excuse to make good progress to complete the same.</p>
Q3.9.12	The Applicant	<p><b>Public and private roads</b></p> <p>The ExA considers that in the interests of clarity Schedule 5 parts 1 and 2 of the DCO should be updated to clarify which roads are public and which are private, and whether the works referenced in column (3) would take place on public or private sections of the roads listed in column (2).</p> <p>Does the Applicant agree? If so, please provide the necessary amendments within the next iteration of the DCO.</p>
Q3.9.13	The Applicant	<p><b>PRow closures</b></p> <p>Are the amendments proposed to the DCO and CEMP to ensure that PRow would only be closed as a last resort, as included in CCC's response to 8.81 Public Rights of Way Closure Note [REP-068], acceptable? If not please explain why not.</p>
Q3.9.14	CCC, SCC	<p><b>PRow closure note [REP5-068]</b></p> <p>How do you see the proposals for marshals to be in place to guide PRow users, crossing where works would take place, working in practice, for example with regard to timing and availability?</p>
Q3.9.15	The Applicant	<p><b>PRow closure note</b></p> <p>Does the Applicant agree with the wording of the proposed amendments to the DCO, Articles 11(1), 11(3), 9(1)(b), Schedule 2, Requirement 16 provided by CCC on behalf of itself and SCC in its D6 submissions, together with the amendments to the CTMP?</p> <p>If not please explain why not.</p>
<b>3.10</b>	<b>Traffic, Transport and Highway Safety</b>	
Q3.10.1	The Applicant	<b>CTMP and TP [REP5-015]</b>

**ExQ3: 3 February 2023**

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ExQ3	Question to:	Question:
		<p>We refer to your response to our ExQ2.10.12, to the updated Appendix 13C Framework CTMP and TP [REP5-015] and to the updated drafting of Requirement 16 in the draft DCO: to avoid confusion, please confirm that</p> <ul style="list-style-type: none"> <li>the cover sheet status column of the updated Appendix 13C Framework CTMP and TP [REP5-015] should read “Deadline 3A” for Rev 03 dated 28 November 2022; and</li> <li>the updated Requirement 16(3) should read (ExA emphasis) “(3) <i>No part of the permitted preliminary works for each phase comprising above ground site preparation for temporary facilities for the use of contractors, the diversion and laying of apparatus and site clearance (including vegetation removal, demolition of existing buildings and structures) <b>may commence</b> until a permitted preliminary works traffic management plan for that phase has been submitted to and approved by the relevant county authority for that phase or, where the phase falls within the administrative areas of both the county of Suffolk and the county of Cambridgeshire, both relevant county authorities.</i>”</li> </ul>
Q3.10.2	The Applicant	<p><b>CTMP and TP [REP5-015]</b></p> <p>Please clarify in your response to D4 submissions [REP5-057] whether use of cable route site accesses would occur through routine inspection or the like, and please explain the reference to “the same Temporary Traffic Measures”, as it is unclear how this would be possible, practicable, or desirable</p>
Q3.10.3	The Applicant	<p><b>CTMP and TP [REP5-015]</b></p> <p>Please</p> <p>(i) explain where in the application documentation it is clear what vehicle movements or management during the operational phase have been considered, such as at Sunnica West Site A, Access A; and</p> <p>(ii) please provide a clear explanation, by the use of plan or plan(s) and drawings, of how safe access can be established at this site, without significant removal of foliage at both sides of the junction.</p>
Q3.10.4	The LHAs	<p><b>Traffic regulation measures</b></p> <p>Are you content with the revised drafting of Article 44? If not, please explain why and suggest alternative drafting.</p>
Q3.10.5	The Applicant	<p><b>Side agreement</b></p> <p>Regarding the emerging discussions between the Applicant and the LHAs for a side agreement in respect of inspection, certification and other highway matters, why should the agreement not be completed and submitted to the Examination before it closes?</p>

**ExQ3: 3 February 2023****Responses due by Deadline 7: Friday 3 March 2023**

<b>ExQ3</b>	<b>Question to:</b>	<b>Question:</b>
Q3.10.6	The Applicant, CCC, SCC	<b>Side agreement</b> What account may or should be taken by the ExA in its recommendation report in the event of any proposed party to the side agreement failing without valid reason to make good progress to complete the same before the close of the Examination?
Q3.10.7	The Applicant	<b>Costs of damage to local highway network</b> Please provide a formula by which any eventual commuted sum to meet the costs of damage to the local highway network, due to the construction of the proposed development, may be effective and enforceable and inserted into the CTMP, or provide a proposed amendment to the DCO to secure this commitment.
<b>3.11</b>	<b>Water Resources, Flood Risk and Drainage</b>	
Q3.11.1	The Applicant	<b>Sustainable Drainage Systems</b> Will the Environmental Masterplan include the sustainable drainage features set out in the Drainage Strategy General Arrangements Drawings, Appendix F, of the Drainage Technical Note [REP5-070]? If not please explain why.
Q3.11.2	The Applicant	<b>Risk of flooding</b> Will maps be included within the application documents to demonstrate the extent of pluvial flood risk, as has been provided for fluvial flood risk mapping? If not please explain why not.

**ExQ3: 3 February 2023**

**Responses due by Deadline 7: Friday 3 March 2023**