

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

Notification of the date, time, and venue for Issue Specific Hearing (ISH4) on 16 and 17 February 2023 was provided in the [Examining Authority's letter dated 17 January 2023 \[PD-022\]](#)

- Date:** Thursday 16 February and Friday 17 February 2023
- Time:** 10am each day
- Venue:** King Edward VII Memorial Hall, High Street, Newmarket, Suffolk CB8 8JP and by virtual means using Microsoft Teams.

Seating at the venue will be available from 9am each day.

Full instructions on how to join online or by phone will be provided in advance to those who have pre-registered.

An **Arrangements Conference** will be held at **9am** each day for those participating online or by phone.

Detailed Agenda for Issue Specific Hearing 4 (ISH4) on Environmental Matters and the draft Development Consent Order (DCO)

1. **Welcome, introductions and arrangements for the Hearing**
2. **Landscape and visual impact**
 - Update from the Applicant on specific impacts on visual amenity around parcels E19, E20, E21 and E22 (south of Elms Road) and potential for mitigation; and
 - General impacts on the landscape of the area; potential for mitigation and impact of mitigation proposals on the landscape.
3. **Historic environment**
 - The Avenue (Chippenham Park Registered Park & Garden)
 - Plane crash site, parcel E05
4. **In-combination impacts**

The ecology and biodiversity, historic environment, and landscape and visual impact on:

 - Land parcels W01, W02 and EC04

- Land parcels W03, W04, W05, W06, W07, W08, W09, W10, W11, W12, W17 and ECO5
- Land parcel E05
- Land parcels E12 and E13

5. Traffic and Transport

- Ports, AIL and crane routes: impacts and consents
- HGV routes and forecast impacts
- Site accesses
- Traffic management and regulation
- Protective provisions and side agreements
- Outstanding matters

6. Draft Development Consent Order and related matters

- Compensation package(s), s106 agreement(s) and side agreement(s)
 - Progress
 - Relationship to DCO
- Procedural aspects of any eventual removal of parcels
 - E05, E12 and E13
 - W03-W12
- Articles
 - General - temporary use of land
 - Article 2, permitted preliminary works
 - Article 5, power to “maintain” authorised development, replacement of Work(s)
 - Article 10, construction /maintenance of altered street
 - Articles 9 and 11, consent for street works
 - Articles 9 and 11, PRow closures, (inc Schedule 6, Part 2)
 - Article 18(1), post-decommissioning environment
 - Article 27, removal of vegetation
 - Articles 36 and 37, trees and trees subject to TPO
 - Article 44, traffic regulation measures
- Schedule 2, Requirements
 - R6, detailed design approval, inc. avoidance of landscape impact of structures
 - R10, contingency fund
 - R23, Schedule 10, crash site exclusion area
- Other Schedules
 - Schedule 12, protective provisions – general
 - Schedule 12, Part 8, drainage authorities: time limits, indemnities
 - Schedule 13, discharge of Requirements
 - Fees schedule

For this item it may be useful to have to hand various submitted documents including:

[\[REP5-056\]](#) Applicant’s Response to the Second Written Questions;

[\[REP6-013\]](#), [\[REP6-014\]](#) clean/tracked updated versions of dDCO sent at D6

[\[REP5-101\]](#) WSC D5 - Comments on dDCO, draft SoCG and Applicant's written summary of oral submissions

[\[REP5-085\]](#) WSC D5 – Response to ExA's Second Written Questions

[\[REP5-076\]](#) SCC D5 - Comments on Applicant's draft dDCO

[\[REP5-075\]](#) CCC D5 - Comments on Applicant's revised dDCO

[\[REP5-091\]](#) CCC Comments on Applicant's D4 submissions

[\[REP5-073\]](#), [\[REP5-074\]](#) ECDC D5 - Comments on Applicant's revised dDCO

[\[REP6-077\]](#) SCC D6 - Comments on the de-commissioning section of the Applicant's response to the LPA Deadline 4 submissions.

7. Any other matters the ExA may wish to consider

8. Next Steps

9. Close of the Hearing

Participation, conduct and management of the Hearing

The Examining Authority (ExA) has identified the matters to be considered at this ISH, and those on which it requires additional information, and these are set out in this Agenda. It is intended that the scope of the ISH will be limited to those matters. However, the ExA may wish to raise matters arising from oral submissions and pursue lines of inquiry in the course of the discussions which are not listed on the Agenda. The actual Agenda on the day, including the order of items, may be subject to change at the discretion of the ExA.

Oral submissions on other matters or from persons who are not registered Interested Parties (IPs) may only be heard at the discretion of the ExA and reliance should not be placed upon the exercise of that discretion.

Participation in the ISH is subject to the ExA's power to control the Hearing. It is for the ExA to determine how Hearings are to be conducted, including the time allowed at the Hearing for the making of a person's representations. IPs may be invited to make oral representations at the ISH (subject to the ExA's power to control the Hearing), on the specific issues being examined at the Hearing, as set out in this Agenda. The ISH will be managed in the interests of ensuring that the submissions of invited persons are fully heard within the allotted time. However, if there are additional matters to be dealt with or there are submissions that take a considerable amount of time at any Hearing there may be a need to prioritise some matters and defer others.

Oral representations should be informed by the Relevant Representations, Written Representations and Local Impact Report made by the person by whom (or on whose behalf) the oral representations are made.

However, representations made at the Hearing should not simply repeat matters previously covered in a written submission. Rather, they should draw attention to those submissions in summary form and provide further detail, explanation, and evidential corroboration to help inform the ExA.

The ExA may ask questions about representations or ask the Applicant or other parties to comment or respond. The ExA will probe, test, and assess the evidence through direct questioning of persons making oral representations. Questioning at the Hearing will therefore be led by a member of the Panel, supported by other Panel members.

All participants are advised that written summaries of their oral submissions at this Hearing should be submitted at **Deadline 7**, Friday 3 March 2023.

The Hearing will run until the ExA is content that all matters on the Agenda have been addressed. Breaks will be provided after about 90 minutes of business, subject to the ExA's discretion.

Arrangements Conference

Those participating in the Hearing virtually will receive an email shortly before the event containing a joining link and telephone number. Please join the Arrangements Conference at the appointed time for the Hearing. The Case Team will admit you from the Lobby and register your attendance. The Arrangements Conference allows procedures to be explained and will enable the Hearing to start promptly.

Livestream / Recording

For those that wish to observe the Hearing, a link to a livestream of the event will be published on the [project webpage](#) shortly before the Hearing is scheduled to begin. If you are unable to watch the livestream a recording of the Hearing will be published on the [project webpage](#) shortly after the event has finished.