

**3 March 2023 – Deadline 7****Application by Sunnica Ltd for an Order Granting Development Consent for the Sunnica Energy Farm Project EN010106**

This document sets out the comments on the Applicant's Deadline 6 (D6) submissions by West Suffolk Council (WSC). The tables below set out the document in question that the Council is commenting on, together with the relevant paragraph or reference number.

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

8.15 Draft Statement of Common Ground with Natural England Rev 02 [REP6-041]

West Suffolk Council endorses the comments being made by Cambridgeshire County Council.

6.7 Biodiversity Net Gain Assessment (tracked) Rev 03 [REP6-024]

Topic	Paragraph Number (where applicable)	Council's Comment
BNG		This revision of the BNG document does not appear to have changed since the Deadline 5 submission except to include the BNG Metric headline results. The Council's comments at Deadline 6 still stand [REP6-080]

Appendix B&C		There are discrepancies between hedgerows shown as within the baseline and post-development BNG drawings (Appendix B/C) and hedgerows shown as retained, temporarily / permanently lost within Hedgerow Creation / Retained / Loss Status [AS-326]. The BNG assessment should be updated to reflect the Hedgerow Creation / Retained / Loss Status [AS-326].
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8.92 Ecology Position Statement rev 00 [AS-320]

Topic	Paragraph Number (where applicable)	Council's Comment
Arable Flora	P3	<p>The Council's concerns in relation to arable flora as set out in LIR 8.152-8.153 [REP1-024], Q1.7.3 [REP2-078], [REP4-080], [REP4-131], [REP4-149] and [REP6-080] have not been adequately addressed.</p> <p>The Council has no confidence that the proposed 2000m of arable field margins will be delivered as part of the scheme given that the OLEMP does not include any information about the creation or management of arable field margins / plots within the scheme.</p>
Stone Curlew	P4-5	<p>The Council's concerns in relation to the mitigation hierarchy have not been adequately addressed. See ISH2 Agenda Item 2b [REP4-131] and West Suffolk Council post hearing notes to ISH4 Agenda item 4.</p> <p>The Council agrees with NE that five pairs of stone curlew is an accurate estimate of the number of birds found in and around the order limits [REP6-070] section 1.2</p> <p>The Council also agrees with the proposals for monitoring Stone Curlew but reiterates that this should be consistent throughout the documents.</p> <p>The Applicant has not provided sufficient evidence to demonstrate that adequate Stone-curlew mitigation can be delivered on-site. Concerns regarding impact to</p>

		<p>archaeology have not been settled. The Council stills have significant concerns regarding aspects of habitat creation involving sub-surface disturbance as this could result in cumulative degradation of archaeological assets, where these have been identified and targeted for preservation in situ. As well as the sub-optimal quality of the habitat and potential disturbance by people and dogs. As set out in responses [REP4-131], [REP5-085], and [REP6-080].</p> <p>Given the uncertainty over the potential efficacy of the proposed Stone Curlew mitigation, the Council requires further guarantees that if the mitigation is not successful, that a contingency plan will be secured. LIR 8.150[REP1-024], [REP4-131], [REP6-080], and West Suffolk Council post hearing notes to ISH4 Agenda item 6.</p>
Biodiversity Net Gain		<p>The mitigation for Stone Curlew is considered to be nesting plots (10 x2ha plots) <u>and</u> foraging habitat (5 x 16ha of grassland) [REP5-047] p10-11. Both these elements should be identified in the Metric calculation to demonstrate that this habitat is not the 'net gain' (noting that it can be counted in the BNG calculation).</p>
Farmland birds		<p>The Council seeks clarification as to the Applicant's position to address uncompensated adverse impacts to farmland birds.</p>
EAG		<p>The Council is concerned with the Applicant's reliance, throughout the Applicant's deadline 5 and 6 submissions, including the OLEMP [REP5-011], on the EAG to deliver the design, mitigation and monitoring of the scheme.</p> <p>It must be made clear the EAG is an advisory group. It may provide advice on design, mitigation / monitoring and remedial works. However, the responsibility for successful delivery of the scheme lies solely with the Applicant.</p> <p>The Council is concerned that the EAG will not be successful unless it is adequately funded throughout the operational period of the development. Please see the Councils' response to Question 3.2.4.</p>
Decommissioning		<p>The Council consider that habitat management should extend beyond the decommissioning period, as set out in the LIR 8.165 [REP1-024] and [REP6-057]</p>

		The Council supports the position on delivering habitat management beyond the decommissioning phase, as set out in the Response by Suffolk County Council to Action Point No. 8 Consequent Upon ISH2 on Environmental Matters [REP1-143] and at ISH4
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8.87 Design Principles Rev 00 [REP6-037]

Topic	Paragraph Number (where applicable)	Council's Comment
External finish to structures		<p>The embedded design mitigation listed in the landscape and Visual Amenity chapter of the ES [APP-042] 10.7.4a & b states, in relation to the BESS and substation, that 'the tonal rendering of shades which are suitable to integrate within the landscape will help reduce the perceived overall mass of these structures'.</p> <p>The Councils LIR 10.171 recommended to 'ensure that the tonal rendering of the structures is appropriate an Environmental Colour Assessment should be undertaken prior to or as part of the detailed design and presented with the details of construction materials to show how the colour of the structures has been selected to integrate with the landscape'.</p> <p>The design principles for the BESS are detailed on page 8-12 of the Design Principles Document. The external finishes (p10) are specified as 'to be in keeping with the prevailing surrounding environment, most likely with a green, light grey or white painted finish'.</p> <p>Similarly, the same requirement is specified for the office and warehouse building (p20)</p>

		<p>There is no specification for the onsite substations; the onsite substation control building is specified as a painted block building with external colours and finishes to be confirmed prior to construction (p14).</p> <p>The current wording in the Design Principles Document, would not in the Councils view meet the commitment in the ES. A commitment to inform the colour of external finishes of structures through Environmental Colour Assessment should be included in Table 1 p5, p6, Table 2 p10, p14 and Table 8 p20. The wording should be amended to say</p> <p>'Externally finished to be in keeping with the prevailing landscape determined through an Environmental Colour Assessment'</p>
Stone Curlew reserve design	P26	The design of the Stone Curlew reserve should follow the detail in the 'Offsetting Habitat Provision for Stone-Curlew Specification' which is referred to in Requirement 10

Additional Submission – Hedgerow Creation/Retained/Loss [AS-326]

Topic	Paragraph Number (where applicable)	Council's Comment
Tree lines	Note 1 on all plans	It is not clear why tree lines have been include on this plan. Although trees within hedges are considered to be part of a hedge, lines of trees are not normally considered to be hedges including for the purposes of the hedgerow regulations. Tree lines have been distinguished from hedgerows in the Phase 1 and in the Biodiversity Net Gain baseline plans [REP6-024]. If they are to be included on this plan they should also be distinguished from hedgerows through appropriate annotation.
Inconsistencies	Sheet 1 of 9	The hedgerow plans are not consistent with other Examination documents including the Environmental Masterplan, the AIA, the Phase 1 mapping and the BNG baseline mapping which casts doubt on the applicant's assessment of the

		<p>affects of the proposals on hedgerows including the figures in the BNG calculations. Some examples from sheet 1 include:</p> <ul style="list-style-type: none">• The proposed hedge to the east of E12 is not shown• The existing hedge to the north of E30 is not shown• The hedge (north south alignment) shown within ECO3, to the north of U6006 and east of E12 is a pine line• The hedge along the northern boundary of U6006 is described in the AIA as a 'significant woodland group with numerous mature oak trees present' and is shown on the BNG baseline map as a row of trees.
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