



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: 10 March 2023

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

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

Request for further information

The Examining Authority (ExA) has issued a request to the Applicant for further information under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 as follows.

Draft Development Consent Order

In its Response to Action Point No. 7 Consequent upon Issue Specific Hearing 4 on Environmental Matters and the draft Development Consent Order (dDCO) [REP7-073] Suffolk County Council (SCC) raised several points on which further information would assist the ExA in the examination.

- 1 Would the Applicant, with reference to parcels E05, E12, E13 and W03-W12, and works plans [REP6-006] confirm that in the event no solar panels or other above ground infrastructure may be provided in the specified land parcels in Table 1 of [REP-073] there would be no need for any electrical cables as authorised by Work No. 1 in those parcels?
- 2 Without prejudice to the generality of the above question, please confirm whether any of those electrical cables would or might be required in addition to the works in Work No. 4?
- 3 The ExA notes that the Applicant, in its Deadline 7 Submission - Applicant's response to SCC's proposed amendments to Schedule 1 [REP7-064], is concerned that SCC's drafting fails to account for their own "half-way house" position in which restrictions on the developable areas of E12, E13 and E05 were proposed, despite its recognition that its concerns could in large part be

addressed by restrictions on the developable area. The Applicant is therefore invited to provide alternative amendments to its dDCO to address its concerns if it wishes the Secretary of State to consider the “half-way house” position as a viable option.

- 4 Further, it would appear to the ExA that if the Applicant wishes the Secretary of State to consider granting a reduced DCO with the parcels deleted as proposed by the local authorities, the Applicant should identify and provide details of a cable corridor within the removed fields on the Land and Crown Land Plans and Works Plans, and propose any consequential amendments to Schedule 8 of the dDCO.
- 5 With regard to Work No. 2C (the BESS for Sunnica West A), it would appear to the ExA that there would be no need for this work if solar panels and other above ground infrastructure were to be excluded from parcels W03-W12. In that eventuality please would the Applicant confirm the position.
- 6 With regard to Work No. 6 (green infrastructure), would SCC’s proposed amendments to the dDCO adequately secure that green infrastructure could only be provided in the specified land parcels in Table 1 [REP-073] for purposes associated with the electrical cable works in those parcels authorised either by Work No. 1 or by Work No. 4? If not, please explain why not.
- 7 With regard to Work No.10 it would appear to the ExA that if there were to be no panels in parcels E12 and E13, parcel EC03 would not be required to be laid out for stone curlew offsetting. Does the Applicant agree and if not please explain why not?

Landscape and Ecology Management Plan

The Landscape and Ecology Management Plan [REP7-015] submitted at Deadline 7 refers to the 50m exclusion zone for the B50 crash site memorial place and the Landscape and Environmental Masterplan [REP7-054] also submitted at D7 identifies the 50m square. At ISH4 the Applicant stated that both options were being pursued pending the outcome of the application to the Joint Casualty and Compassionate Centre. Would the Applicant please submit a document clarifying this position and showing the alternative 100m exclusion zone.

Trees subject to tree preservation orders

Please state where the plan and accompanying DCO Schedule cited in your response to ExQ1.5.46 [REP2-037] may be found, and consider any consequential amendments that may need to be made to the dDCO.

Surface and foul water drainage

We note with reference to the dDCO Schedule 2 and R.12, that there appears to be no document explicitly entitled “outline drainage strategy” for the authorised project. It is also not clear from the current drafting whether there is an outline foul water drainage strategy. Please consider and provide any necessary amendments to define the outline drainage strategy in terms of an outline surface water drainage strategy and an outline foul water

drainage strategy including pollution control, to provide clarity as to what is to be included in each document.

Change to the Examination Timetable

The Examining Authority (ExA) has made the following change to the Examination Timetable:

- The further information requested above under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 is to be received by the ExA by **Deadline 9**
- Comments **on the further information requested by the ExA above received by Deadline 9 only**, and also, any further information that may be requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010, to be received by the ExA by **Deadline 10**
- Comments **on any further information that may be requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 and received by Deadline 10 only**, to be received by the ExA by **Deadline 11**

The updated Examination Timetable is provided at **Annex A** to this letter.

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

This communication does not constitute legal advice.

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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 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) • 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 Infrastructure Planning (Examination Procedure) Rules 2010 • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 6 	<p>Friday 3 March 2023</p>
20.	<p>Publication of:</p> <ul style="list-style-type: none"> • ExA’s commentary on, or schedule of changes to, the draft DCO 	<p>Friday 10 March 2023</p>

<p>21. Deadline 8</p>	<p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on the RIES • Final SoCG • 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>
<p>22. Deadline 9</p>	<p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on ExA's commentary on, or schedule of changes to, the draft DCO • 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>12:00 Noon Friday 17 March 2023</p>
<p>23. Deadline 10</p>	<p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Final DCO 	<p>Friday 24 March 2023</p>

	<p>Final DCO to be submitted by the Applicant in the SI template with the SI template validation report</p> <ul style="list-style-type: none"> • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 9 • Any further information requested by ExA Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	
24.	<p>Deadline 11</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 10 • 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>
25.	<p>The ExA is under a duty to complete the Examination of the application by the end of the period of six months</p>	<p>Tuesday 28 March 2023</p>

Submission times for Deadlines

The time for submission of documents at any Deadline in the timetable is 23:59 on the relevant Deadline date with the exception of **Deadline 9 where the time for submission is 12:00 Noon.**

Publication dates

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