



Sunnica Energy Farm project
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13 March 2023

Dear Mr Kean

Deadline 8

**Application by Sunnica Limited for an order granting development consent
EN010106**

I am pleased to submit the Applicant's Deadline 8 submissions. They consist of the following documents:

Document	Reason
Updated Guide to the Application (Appendix A) [EN010106/APP/1.2]	As required by the examination timetable.
Updated Book of Reference (BoR) [EN010106/APP/4.3]	As required by the examination timetable.
Updated Schedule of Changes to the BoR [EN010106/APP/4.3]	As required by the examination timetable.
Updated Schedule of Negotiations and Powers Sought [EN010106/APP/4.4]	As required following the ExA's First Written Questions.
Updated ES Appendix 16C - Framework Construction Environmental Management Plan (CEMP) [EN010106/APP/6.2]	Updated following comments by Natural England
Updated ES Appendix 16F - Framework Operation Environmental Management Plan (OEMP) [EN010106/APP/6.2]	Updated following comments by the LPAs
Updated ES Appendix 16E - Framework Decommissioning Environmental Management Plan (DEMP) [EN010106/APP/6.2]	Updated following comments by Natural England
Updated Outline Battery Fire Safety Management Plan [EN010106/APP/7.6]	Updated in response to Interested Parties' submissions.
Updated Statement of Commonality [EN010106/APP/8.12]	As required by the examination timetable.
Updated Statements of Common Ground:	As required by the examination timetable.

<ul style="list-style-type: none"> • Joint Local Planning Authorities [EN010106/APP/8.13] • Environment Agency [EN010106/APP/8.14] • Natural England [EN010106/APP/8.15] • Historic England [EN010106/APP/8.16] • National Highways [EN010106/APP/8.17] • Suffolk Wildlife Trust [EN010106/APP/8.18] • National Grid Electricity [EN010106/APP/8.19] • National Grid Gas [EN010106/APP/8.20] • Ministry of Defence [EN010106/APP/8.32] • National Air Traffic Services [EN010106/APP/8.33] • East of England Ambulance Service [EN010106/APP/8.34] • Say No to Sunnica and Newmarket Horseman Group [EN010106/APP/8.35] • Anglian Water [EN010106/APP/8.36] • Town and Parish Council Alliance [EN010106/APP/8.67] 	
Updated Objections Schedule [EN010106/APP/8.49]	As required following the ExA's First Written Questions.
Updated Statutory Undertaker Representations Schedules (138) [EN010106/APP/8.55]	As required following the ExA's First Written Questions.
Updated Statutory Undertaker Representations Schedules (127) [EN010106/APP/8.68]	As required following the ExA's First Written Questions.
Applicant's Response to Other Parties Deadline 7 Submissions [EN010106/APP/8.108]	As required by the examination timetable.
Applicant's Response to LPA Deadline 7 Submissions [EN010106/APP/8.109]	As required by the examination timetable.
Applicant's comments on REIS [EN010106/APP/8.110]	As required by the examination timetable.

Sunnica High-level Route Summary [EN010106/APP/8.111]	As requested by the LHAs and discussed at ISH4.
Applicant's Parcel by Parcel Response [EN010106/APP/8.112]	Submitted in response to the LPAs version of this document submitted at Deadline 7.

OLEMP, OHEMP and Environmental Masterplans

The Applicant notes that it has not submitted updates to the OLEMP, OHEMP and Environmental Masterplans at this stage. It is however, discussing these documents with the relevant stakeholders and will submit them as the Applicant's final position on those documents, further to those discussions, at Deadline 10.

Position on Government Response to BNG Consultation and the Scheme's BNG Results

DEFRA's 'consultation on biodiversity net gain (BNG) regulations and implementation' was launched in January 2022 and ran for 12 weeks. The findings from the consultation were published 21st February 2023. Part of the response focused on setting out the future direction of BNG within the NSIP/DCO process which is due to be mandated no later than November 2025.

In relation to the provision of additionality within the NSIP process the consultation response recognises the following:

*"Some NSIPs need to include significant areas for environmental mitigation within their project boundaries. **We do not intend to make a distinction for NSIPs between on-site habitats (which are subject to BNG) and any dedicated environmental mitigation areas included in the project boundary.** This maintains consistency with the approach for TCPA development. We will consult further on this proposal through the draft biodiversity gain statement".*

The Sunnica calculations have included the whole of the Order Limits within the calculation regardless of what function certain areas have been identified to perform in terms of environmental mitigation and are therefore consistent with this approach.

The Consultation response also provides further guidance in section 5.6 'Additionality', quoted below:

"Mitigation and compensation for protected species and protected sites can be counted within a development's BNG calculation. The consultation document stated that: 'at least 10% of the gain should be delivered through separate activities which are not required to mitigate or compensate for protected species impacts'. This has been interpreted in different ways. To clarify, this means that at least 10% of the total (110+%) post-development biodiversity score should be from measures which are not undertaken to address impacts on protected species or protected sites (e.g. nutrient mitigation). For example, if a development has a baseline score of 10 biodiversity units and needs to achieve a score of 11 units, at least 1 unit should come from separate activities (such as an onsite habitat or the wider market for biodiversity units)"

Under this expanded guidance at least 10% of the total (110+%) post-development biodiversity score should be from measures which are not undertaken to address

developmental impacts upon protected species or protected sites. This guidance has been applied to the Sunnica metric calculation:

- Sunnica has a baseline habitat score of 2997.92 biodiversity units.
- Therefore, it would need to achieve a unit value of 3297.71 units to deliver a 10% net gain.
- Under the guidance above at least 299.79 units of the 3297.71 total would need to be delivered by non-mitigation related habitat interventions to demonstrate the required approach to additionality.
- The scheme delivers an additional 1258.61 units (40.25%)
- Of those 1258.61 units only 79.08 units are generated through the mitigation interventions designed for Stone Curlew (6.29% of the 1258.61 habitat unit uplift delivered by the scheme and 1.88% of the 4204.51 biodiversity units on site post-intervention)

Therefore, the BNG calculation has taken into account the need for additionality when considering the schemes wider environmental planning policy and legislative requirements.

Kind regards,



Luke Murray
Sunnica Ltd