



SUNNICA ENERGY FARM

EN010106

8.20 Draft Statement of Common Ground with National Gas
Transmission plc

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010



Planning Act 2008

**The Infrastructure Planning
(Examination Procedure) Rules 2010**

Sunnica Energy Farm

Draft Statement of Common Ground with National Gas
Transmission plc

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed Sunnica Energy Farm Development Consent Order ("the Application") made by Sunnica Limited ("Sunnica") to the Secretary of State for Department for Business, Energy and Industrial Strategy ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2 The Order, if granted, would authorise Sunnica to construct, operate (including maintain) and decommission ground mounted solar photovoltaic ("PV") panel arrays across Sunnica East Site A, Sunnica East Site B and Sunnica West Site A, The Scheme includes the following key components:
- a. Solar PV modules;
 - b. PV module mounting structures;
 - c. Inverters;
 - d. Transformers;
 - e. Switchgear;
 - f. Onsite cabling (including high and low voltage cabling) and cabling between the Sites and to the Burwell National Grid Substation;
 - g. One or more BESS (expected to be formed of lithium ion batteries storing electrical energy) on Sunnica East Site A, Sunnica East Site B, and Sunnica West Site A;
 - h. An electrical compound comprising a substation and control building (Sunnica East Site A, Sunnica East Site B, and Sunnica West Site A only).
 - i. Office/warehouse (Sunnica East Site A and Sunnica East Site B only)
 - j. Fencing and security measures;
 - k. Drainage;
 - l. Internal access roads and car parking;
 - m. Landscaping including habitat creation areas; and
 - n. Construction laydown areas.
- 1.1.3 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.
- 1.1.4 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties to it, and where agreement has

not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Sunnica as the Applicant and (2) National Gas Transmission plc (“NGTNGT”).
- 1.2.2 NGT is the owner and operator of the gas transmission network across the UK and have apparatus within the Order Land.
- 1.2.3 Collectively Sunnica and NGT are referred to as ‘the Parties’.

1.3 Terminology

- 1.3.1 In the table in the Issues chapter of this SoCG:
- a. “Agreed” indicates where the issue has been resolved.
 - b. “Not Agreed” indicates a final position of the Parties that is not agreed, and
 - c. “Under discussion” where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the Parties.
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to NGT’s representation and therefore have not been considered in this document.

2 Record of Engagement

- 2.1.1 The Parties have been engaged in consultation since the beginning of the proposed Scheme. A summary of the key meetings and correspondence that has taken place between Sunnica and NGT in relation to the Application is outlined in **Table 1**.

Table 1: Record of Engagement pre application.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
24 November 2020	Online Meeting	All parties meeting held. An overview of the Scheme was provided by Sunnica and proposals for substation extension Options 1 and 2 were presented.
10 February 2021	Online Meeting	All parties meeting held. Overview of NGT’s asset interactions provided by Sunnica Protective provisions also discussed and National Grid legal to be instructed.
02 March 2021	Online Meeting and Email	High level discussion on technical deliverability of the Scheme including construction requirements for NGT assets.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
05 March 2021	Email	Email from National Grid Gas's lawyers sending draft protective provisions.
16 March 2021	Email	Email from Sunnica's lawyers in relation to negotiation of protective provisions.
30 March 2021	Email	Email from NGT's lawyers in relation to negotiation of protective provisions.
01 June 2021	Email	Email from Sunnica's lawyers sending comments on protective provisions.
23 July 2021	Email	Email from NGT's lawyers in relation to negotiating protective provisions.
17 August 2021	Email	Email from NGT's lawyers with comments on protective provisions.
20 August 2021	Email	Email from Sunnica's lawyers in relation to negotiating protective provisions and potential SoCG.
03 September 2021	Email	Email from Sunnica's lawyers with comments on draft protective provisions.
04 November 2021	Online Meeting	All parties meeting between Sunnica and National Grid. Protective provisions were discussed and details provided on respective legal teams.

Table 2: Record of Engagement since the application was submitted.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
14 January 2022	Email	Email from Sunnica's lawyers requesting an update on the draft protective provisions.
26 January 2022	Email	Email from NGT's lawyers confirming that negotiations on the protective provisions are on hold whilst engineering discussions are ongoing.
01 March 2022	Email	Email from Sunnica's lawyers requesting an update on the draft protective provisions.
18 July 2022	Email	Email from Sunnica's lawyers requesting an update on the draft protective provisions.
1 August 2022	Email	Email from NGT's lawyers with comments on protective provisions.
19 August 2022	Email	Email from NGT's lawyers requesting an update on whether a SoCG will be submitted on 30 th August 2022.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
24 August 2022	Email	Email from Sunnica's lawyers with comments on the protective provisions, requesting a general update from NGT and confirming an SoCG won't be submitted on 30 th August as the Examination timetable has changed following the adjournment of the first part of the Preliminary Meeting.
30 August 2022	Email	Email from Sunnica's lawyers in relation to negotiating the protective provisions.
30 September 2022	Email	Email from NGT's lawyers in relation to negotiating the protective provisions.
28 October 2022	Email	Email from Sunnica's lawyers sending the draft SoCG for review.
14 December 2022	Meeting	Meeting between NGT, Sunnica and their legal teams to discuss the status of the protective provisions and for the Applicant to give an update on Option 2 and Option 3 for connecting into the Burwell Substation, including the upcoming change request to remove Option 2 from the Application.
20 December 2022	Email	Email from National Grid's lawyers in relation to negotiating the protective provisions.
20 January 2023	Email	Email from Sunnica's lawyers in relation to negotiating the protective provisions and requesting an update on when the next draft will be available to review.
2 February 2023	Email	Email from National Grid's lawyers in relation to negotiating the protective provisions.
9 March 2023	Email	Email from Sunnica's lawyers in relation to finalising the protective provisions.

- 2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between the Parties in relation to the issues addressed in this SoCG.
- 2.1.3 Both Parties have agreed that engagement to date has been positive and collaborative and that this engagement will need to continue throughout the DCO process, detailed design and construction stage and beyond.
- 2.1.4 The issues and matters highlighted in Tables 3, 4 and 5 summarise the key issues that have been in discussion between the Parties.

3 Issues

3.1 Matters Agreed

3.1.1 **Table 3** below details the matters agreed with NGT.

Table 3: Matters agreed

Topic	Sub-topic	Details of Matters Agreed
Development Consent Order	Protective Provisions	The protective provisions are substantially agreed between the Parties and it is intended that the same will be included in the draft DCO that will be submitted at Deadline 10.

3.2 Matters Under Discussion

3.2.1 **Table 4** below details the matters under discussion with NGT.

Table 4: Matters under discussion

Topic	Sub-topic	Details of Matters Under Discussion
Development Consent Order	Ancillary Consent / Agreements	The parties are in the late stages of finalising terms of ancillary matters in order to facilitate the withdrawal of NGT's objection.

3.3 Matters Not Agreed

Table 5 below details the matters not agreed with NGT.

Table 5: Matters not agreed

Topic	Sub-topic	Details of Matters Not Agreed
None	None	None

4.0 SIGNATURES

This Statement of Common Ground is agreed:

On behalf of National Grid Gas plc:

Name

Signature

Date

On behalf of the Applicant:

Name

Signature

Date

