



SUNNICA ENERGY FARM

EN010106

Statement of Common Ground with Anglian Water

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010



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

Sunnica Energy Farm

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Planning Inspectorate Scheme Reference	EN010106
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Version	Date	Status of Version
Rev 00	11 November 2022	Deadline 2
Rev 01	16 December 2022	Deadline 4
Rev 02	13 March 2023	Deadline 8

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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 application for the proposed Sunnica Energy Farm Development Consent Order ("the Application") made by Sunnica Limited ("Sunnica") to the Secretary of State for the 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 a ground mounted solar farm 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) Anglian Water.

1.2.2 Sunnica is a Special Purpose Vehicle (SPV) incorporated in 2013 to construct, operate, and decommission the Sunnica Energy Farm.

1.2.3 Anglian Water is a statutory undertaker for water and sewerage and an interested party to the Examination of the Application.

1.2.4 Collectively Sunnica and Anglian Water are referred to as 'the parties'.

1.3 Terminology

1.3.1 In the tables in the Issues chapter of this SoCG:

- "Agreed" indicates where the issue has been resolved.
- "Not Agreed" indicates a final position of the parties that is not agreed, and
- "Under discussion" indicates where these points are 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 Anglian Waters' representation and therefore have not been considered in this document. It is recognised however that engagement between both parties will need to continue due to their joint interest in matters arising from the Scheme. That engagement may bring to light further matters which the parties will work collaboratively on to resolve.

2 Issues

2.1 Matters Agreed

2.1.1 **Table 1** below details the matters agreed with Anglian Water.

Table 1: Matters agreed

Topic	Sub-topic	Details of Matters Agreed
None	None	<p>The parties agree that the protective provisions, which are included in Part 3 of Schedule 12 to the draft Sunnica DCO [APP-019], are in agreed form.</p> <p>Under these provisions, the Applicant will only be able to exercise any powers in the DCO subject to those protective provisions, which ensures protection and safeguards for Anglian Water's assets and interests are in place. The parties therefore agree that appropriate protection is in place for Anglian Water and that as a result Anglian Water will not suffer serious detriment to the carrying on of its undertaking as a result of the Scheme.</p> <p>With the protective provisions in place, the parties agree that the tests set out in section 127 and 138 of the Planning Act 2008, to the extent they apply, are satisfied.</p>
None	None	<p>It has been agreed that should development consent be granted on the terms that it has applied for that Anglian Water's ability to access its Broad's Road treatment facility will not be prevented as a consequence of the construction or operation of the Sunnica scheme. This is secured by the Protected Provisions for the benefit of Anglian Water. They are current in Part 3 of Schedule 12 of the DCO (Revision 4). At paragraph 24 it states:</p> <p><i>If in consequence of the exercise of the powers conferred by this Order the access to any apparatus is materially obstructed the undertaker must provide such alternative means of access to such apparatus as will enable Anglian Water to maintain or use the apparatus no less effectively than was possible before such obstruction.</i></p>

2.2 Matters Under Discussion

2.2.1 **Table 2** below details the matters under discussion with Anglian Water.

Table 2 Matters under discussion

Topic	Sub-topic	Details of Matters Under Discussion
None	None	AW have confirmed they have no other matters they wish to raise in respect of the Application.

2.3 Matters Not Agreed

2.3.1 **Table 3** below details the matters not agreed with Anglian Water.

Table 3: Matters not agreed

Topic	Sub-topic	Details of Matters Not Agreed
None	None	AW have confirmed they have no other matters they wish to raise in respect of the Application.

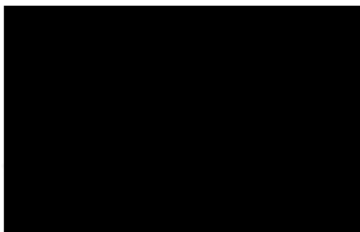
3 Signatures

This Statement of Common Ground is agreed:

On behalf of Anglian Water:

Name: Darl Sweetland, Spatial Planning Manager

Signature

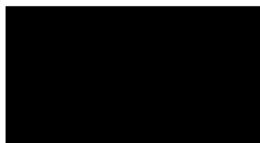


Date 7 March 2023

On behalf of the Applicant:

Name Luke Murray

Signature



Date 9 March 2023