



SUNNICA ENERGY FARM

EN010106

8.115 Response to Rule 17 Request

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010



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

Sunnica Energy Farm

8.115 Response to ExA's Rule 17 Request

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1 Introduction

1.1.1 This document constitutes the Applicant's response to the questions set out in the Examining Authority's ('ExA') Rule 17 Request for Information dated 10 March 2023. It should be read alongside the Applicant's response to the ExA's Proposed Schedule of Changes to the draft DCO of the same date.

1.1.2 This document answers the questions that have been posed by the ExA, but should be seen in the context of the Applicant's overall position in respect of the issues raised by the ExA's questions, which is that it considers that there are no environmental or policy reasons why any of Parcels E05, E12, E13 or W3-W012 should be removed from the Scheme, and that doing so would result in a material and unjustified loss in renewable energy generation, contrary to national policy.

1.1.3 It is vital to note that in respect of those parcels, the Scheme:

- mitigates the impacts to ecology (in particular stone curlews) with Natural England, the relevant statutory environment body, in agreement with the mitigation measures that have been proposed, as set out in the SoCG between the Applicant and Natural England.
- causes less than substantial harm to heritage assets, which is agreed with Historic England, with the impacts on the RPG limited to impacts on setting alone; and
- whilst causing some residual adverse landscape and visual impacts, none of them are to receptors protected by national or local policy; and the Applicant has brought forward appropriate mitigation measures as reflected in the parcel-by-parcel schedule submitted to the Examination.

1.1.4 There is therefore no sound reason in policy terms why these parcels should be removed. This is particularly the case in light of the power generation that would be lost if they were to be removed:

Parcel(s)	Power (MW)
E12	41.5
E13	14.7
E05	43.5
W03-W12	228.6
Total	328.3

- 1.1.5 The Applicant considers that such a reduction in function, in the context of the compelling need case for maximising low carbon energy generation, cannot be justified in light of that lack of policy justification for their removal.
- 1.1.6 In this context, the Applicant's response to the ExA's questions on parcel removal are set out in section 2 of this document. The ExA's other questions are answered in section 3 of this document.

2 Response to Questions on Parcel Removal

Question 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] (note, we assume this is referring to REP7-073) there would be no need for any electrical cables as authorised by Work No. 1 in those parcels?

and

Question 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?

- 2.1.1 The answer to these questions is different for each parcel(s) as set out below:
- 2.1.2 For Parcel E05, if no solar panels or above ground infrastructure were provided, then no cabling would also be required. Plots 01-07, 02-01 and 3-10 would also not be required for cabling of any kind.
- 2.1.3 For Parcel E12, cabling would still be required even if no solar panels or above ground infrastructure were provided, for two purposes:
- 400 kv cabling (being Work No. 4) would be required to take electricity from East Site A through to the transformers in field E18 and then onto Burwell Substation. This could take the route currently shown as Work No. 4 on Sheets 5 and 7 of the Works Plans, but the Applicant would need to review whether this is still the most efficient route, taking account of other known constraints in the absence of other infrastructure.
 - 33kv cabling (being Work No. 1B(iii)) would be required along the eastern edge of E12 to take the electricity from fields E24-E32 to the transformers in field E18. Part of this route is shown in the area marked as 'Work 1B(iii), 6B and 10' shown on Sheet 5 of the Works Plans, but there is no set corridor currently shown for the southern part of this route. The Land Plans (and DCO Schedule 8) and Works Plans would therefore need to be updated to account for a specific corridor.
- 2.1.4 For Parcel E13, part of this land is currently shown on the Works Plans as being part of Work No. 4 and Work No 1B(iii). If Parcel E13 were removed,

references to Work No. 1B would become just 1B(iii). If solar panels and above ground infrastructure were removed from this parcel then the scheme would likely be re-designed to change the Work Nos. 1B (iii) and 4 routing to avoid this field (and the Land Plans, DCO Schedule 8 and Works

Plans amended accordingly). This parcel would otherwise not require any other cabling.

2.1.5 For parcels W03-W12, cabling would still be required through these parcels even if solar panels were not provided. Such cabling would include:

- 400kv cabling, potentially along the route of Work No. 4 currently shown on the Works Plans (thus necessitating relevant changes to the Land Plans, Works Plans and DCO Schedule 8) although this route would need to be reviewed for efficiency by the Applicant's designers given no solar would be within the fields; and
- 33kv cabling (being Work No. 1C(iii)), to deal with electricity still being generated in parcel W15. As explained in response to question 5 below, the Applicant would need to react to the decision made by the Secretary of State in respect of the transformers in parcel W17. If the transformers were removed from that field, the 33kv cabling would need to be routed back up to the transformer in field E18 to be transformed to 400kv, to then pass back through West Site A on its way to Burwell Substation. The Applicant would need to determine the appropriate routing back to E18 from W15 with reference to land take and environmental considerations (noting that this would likely require two trenches instead of one in the cable corridor between East Site B and West Site A) and noting that the Scheme currently provides for 2 options for that new routing in plots 10-31 to 10-33 and plots 10-12 to 10-18.
If the transformers were retained in parcel W17, then 33kv cabling would only be required through parcels W11 and W12 to ensure connectivity between W15 and the transformers in parcel W17.

2.1.6 Based on the above, the LPA's proposals to simply amend Work No. 1 are not sufficient. Given these points, and the responses to the questions below, the Applicant does not consider that those changes (as reflected in the ExA's Schedule of Changes) should be made if the decision was made to delete these parcels. Instead, should the Secretary of State determine that they wish to remove all or part of Parcels E05, E12, E13 or W3-W012 then the most appropriate method would be via the necessary amendments to the Works Plans, Land Plans and Schedule 8, to enable Schedule 1 and the powers in the DCO to reflect the considerations set out above. As explained below, the Applicant should be afforded an opportunity to submit those plans if the Secretary of State is minded to make a DCO which excludes these parcels. Aside from the deletion of Work Number 2C (should the Secretary of State remove the battery storage from W17 whilst retaining parcel W17 for the transformers) and Work Number 10 (should the Secretary of State remove parcels E05, E12 and E13), there would be no other amendments to Schedule 1 as it would be the Works Plans and Land

Plans that identify the developable areas based on the Secretary of State's decision on the Scheme.

Question 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.

and

Question 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.

- 2.1.7 As noted above, the Applicant does not agree to a reduced DCO. Furthermore, as set out in its response to Questions 1 and 2 above, its response to the ExA's Third Written Questions and its post-hearing submissions at ISH4, any reduction in the size of the Scheme is not a simple exercise of providing a specific cable corridor with the various parcels removed.
- 2.1.8 In particular, any change to the Land and Crown Land Plans and Works Plans and DCO Schedule 8 will be dependent on the nature of reductions proposed – given the varying nature of the objections raised to each of the parcels in questions, it is possible to conceive of a number of permutations of decisions in respect of any reduction, including:
- removing only one of E05, E12, E13 and W3-W12;
 - removing different combinations of parcels from the Scheme – for example only E05 and W3-W12; only E12 and E13; only E05, E12 and E13; or only E05 and one of E12 or E13;
 - taking a view on the need for transformers within the different locations currently determined for the Scheme dependent on the permutation that they choose; or
 - seeking the "half-way house" position on some or all of the parcels in question, given the SCC's position that such an approach would largely address its concerns.
- 2.1.9 Should the Secretary of State consider that a particular permutation or permutations is appropriate, then the Applicant at that point should be invited to submit the relevant plans. The Applicant would need time to respond in design terms to any prospective decision and prepare the

appropriate plans and the corresponding changes to Schedule 8 which reflect the permutation(s) being considered by the Secretary of State.

2.1.10 In the Applicant's view, at this stage of Examination, there is not sufficient time to undertake this exercise for each of the various permutations (which appear to the Applicant to number at least 13) that could be brought forward, or even for the 'worst case' scenario of all the parcels in question being removed.

2.1.11 As such, the Applicant does not propose to submit updates to the Land Plans, Works Plans and Schedule 8 to the Examination. Instead, at Deadline 10, the Applicant proposes to submit its final 'full' DCO seeking consent for all parcels given it is the Applicant's case that the Scheme as currently before the ExA is one that meets the urgent need for new renewable electricity generation and which is acceptable in planning and environmental terms), **and** a separate, second 'without prejudice to its position' DCO, which:

- does not make the changes to Schedule 1 set out in the ExA's Schedule of Changes, because, as discussed above and in its Examination submissions, it is considered that this is not sufficient to deal with the consequential impacts of parcel removal (but which would square bracket Work Number 2C and Work Number 10 for the reasons outlined above);
- provides for amendments to Schedule 2 of the DCO, which will set out that the various management plans that must be submitted pursuant to the Requirements must be substantially in accordance with the final outline management plans; save that:
 - they will not need to provide for mitigation or monitoring measures for any elements of the outline plan which relate to development proposals that do not form part of the authorised development in the DCO as made; and
 - that changes can be made to the mitigation and monitoring measures in the outline plan to reflect the removal of development proposals that do not form part of the authorised development in the DCO as made, as long as such changes can be shown to not lead to impacts to receptors materially worse than those assessed in the Environmental Statement.

This is seen by the Applicant as the 'cleanest' and simplest way of dealing with the issue of the fact that the Applicant's mitigation and green infrastructure proposals would need to be amended to account for the removal of developable areas;

- will square bracket Requirement 23 as no crash site interpretation scheme or exclusion area would be required if parcel E05 were removed;
- will square bracket Schedule 8 pending the Applicant preparing the Land and Crown Plans dealing with the permutation(s) that the Secretary of State is minded to grant; and

- will square bracket the entries for the book of reference (which given the definition of 'Order land', will also need to be updated), Land and Crown Land Plans and Works Plans in Schedule 10 pending any updated revisions to take account of the permutation(s) that the Secretary of State is considering in their decision making.
- 2.1.12 It is the Applicant's submission that if the Secretary of State was minded to grant development consent subject to the removal of some parcels, the Applicant could be invited to 'fill in' those blanks, for whichever permutation or permutations is considered appropriate.
- 2.1.13 This could be done in the usual way, where the Secretary of State issues a letter requesting the Applicant to provide certain information, which could be any one or more of the permutations of parcel removal. In this case this 'certain information' could be the updated Land and Crown Land Plans, Works Plans, book of reference and Schedule 8 for the chosen permutation(s).
- 2.1.14 The Secretary of State could then invite comments of Interested Parties on those updated documents. Given that (a) the Applicant and Interested Parties' views on each of the parcels has been well rehearsed in Examination, meaning that *Beachcroft* and *Holborn Studios* considerations are already accounted for; and (b) the correspondence in the determination period will allow for any final submissions on the detail of how any such alternative DCO that could be made, it is considered that this approach is acceptable.
- 2.1.15 The Applicant recognises that the ExA will need to make a form of 'recommended' DCO once it has considered and made recommendations on each of the parcels in question. However, if the ExA did come to the view that one or more of the parcels in question should be removed, the Applicant considers that the ExA's recommended DCO could take the form proposed in the Applicant's proposed 'second' DCO at Deadline 10, and be accompanied by text in its Recommendation Report which simply states that:
- the determined parcel removal is its recommendation; and
 - that a consequential recommendation is that the Secretary of State should request that the Applicant provide the updated plans and DCO Schedule(s) to enable the square brackets to be completed and removed in the recommended DCO to reflect the removal of development from those parcels.
- 2.1.16 The Applicant notes that in setting out the above approach, it has for ease not discussed that if parcels were removed, it is likely that the full extent of powers shown on the access and rights of way plans and the traffic regulation measures plans (and their corresponding DCO schedules) would not be required. The Secretary of State would also need to consider if it would also wish for the Applicant to update these matters, which could potentially be done at the same time as updating the rest of the documents discussed above.

- 2.1.17 As set out in its Deadline 7 submissions, and for the same reasons as set out in the first section of this note, the Applicant does not consider that the LPAs' 'halfway house' position is acceptable, as it would still lead to a significant loss of function for the Scheme, to deal with impacts that are not significant or relevant to decision making in policy terms.
- 2.1.18 The Applicant has in its Deadline 7 submissions sought to accommodate the LPAs' concerns by allowing for a larger setback from U6006 in both fields E12 and E13, which has been reflected in the updated Works Plans Rev 5 [REP7-004] and Environmental Master plan submitted at that deadline. The Applicant does not agree to any further restriction to the developable area in these fields, and does not consider that such restrictions could be justified on the basis of the impacts concerned.
- 2.1.19 Further to this, and in light of the reasoning given for not providing updated documentation for 'full' parcel removal set out above, the Applicant does not propose to make amendments to the dDCO to provide for the 'halfway house' scenario.

Question 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.

- 2.1.20 This is not the case. Firstly, Parcel W15 would still remain, which is estimated to produce c. 50MW of electricity. That would still need associated BESS facilities as associated development (for the reasons given for the need for BESS set out in the Applicant's submissions throughout the Examination) for that amount of electricity (which is nearly a NSIP in its own right) which, based on the current plans, would be located in parcel W17.
- 2.1.21 Secondly, Work No 2C includes at sub-paragraph (iv) 'battery stations', which are defined at the start of Schedule 1 as including 'transformers'. This aspect would need to be retained, even if the remainder of the BESS infrastructure were to be removed. This is because these transformers are needed to 'step up' 33kv voltage to 400kv, to enable the generated electricity to be transferred to the National Grid.
- 2.1.22 It is therefore the case that if solar was removed from parcels W3-W12, the Secretary of State would need to decide if it is appropriate for field W17 to be retained for both the BESS facilities and the transformers or just the transformers (with a suitably revised work description for Work No 1C). As discussed in the answer to question 2, the Applicant's cabling proposals would then need to change in consequence of the Secretary of State's decision.
- 2.1.23 The Applicant considers that it would not be appropriate for the transformer to be moved to parcel W15, as this would mean reducing the amount of solar in that field in a scheme that would already have been substantially reduced in size.

2.1.24 Any decision to remove parcels W3-W12 will therefore also need to take into account W17 and its relationship with W15 and the wider cabling proposals. This is therefore another reason why the changes suggested for Schedule 1 is insufficient; and why the Applicant would need to understand exactly what changes are suggested to allow for appropriate design responses to be made and updated documents to be submitted.

Question 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.

2.1.25 Whilst the Applicant would agree that SCC's proposals do adequately provide that green infrastructure cannot be provided except in relation to mitigating impacts from cabling within the relevant development parcels, the Applicant considers that SCC's proposals are conceptually flawed. This is because the nature and extent of green infrastructure that would need to be provided for the Scheme would be dependent on the extent of above ground infrastructure that would remain in the rest of the Scheme, both in the 'worst' case scenario, or any of the permutations that may be made.

2.1.26 SCC's amendments provide that large plots cannot be used for the purposes of green infrastructure to mitigate impacts from above ground infrastructure when that may in fact be required. For example, even if parcel E05 were deleted in full, some green infrastructure might still be required to be put in place on fields 02-02 and 03-01 to provide ecological mitigation for the rest of East Site A (although SCC's amendments would indicate that they consider no such green infrastructure would be required which is helpful).

2.1.27 Accordingly, whilst the Applicant would agree with the basic question – that the amendments would mean that green infrastructure could only be provided in the specified land parcels for purposes associated with the electrical cable works only, it is the Applicant's position that the extent of the green infrastructure required following removal of parcels needs to be reviewed in light of the remaining Scheme. Once there is clarity over the permutation or permutations that are being considered as part of the decision-making process, then the Applicant can consider the revisions to the Works Plans, and following the revisions to the Works Plans update the Land and Crown Land Plans. This would mean that the basic amendments made by SCC would not need to be made, as Work 6 would follow through to the Works Plans that would have been updated based on proper consideration of the permutation or permutations that were being considered. The Applicant's proposed amendments to Schedule 2 and the OLEMP requirement in its "without prejudice" DCO, as outlined above and in the Applicant's response to the ExA's Schedule of Changes, would require the final form LEMP to be updated taking into account the reduced Scheme.

Question 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?

- 2.1.28 As set out in the Applicant's application and Examination documentation, surveys undertaken by the Applicant between 2019 and 2021 recorded the presence of Stone-curlew across ECO1, ECO2, ECO3, E05, E12 and E13, as well as outside the Order limits to the west and north of ECO1/ECO2 and north of Freckenham.
- 2.1.29 The Applicant has proposed ECO1, ECO2 and ECO3 to mitigate the impacts of development across the entirety of E05, E12 and E13. If only E12 and E13 were removed but E05 was retained, then it is possible that Scheme impacts to stone curlew could be mitigated through one field (but this would require work to confirm this dependent on the extent of reduction to the Scheme). In such a scenario it is likely that the Applicant would choose (and it would be more environmentally appropriate) to do this through ECO2 rather than ECO1, as ECO1 also has archaeological mitigation requirements. ECO3 could, however, be removed.
- 2.1.30 If all of E05, E12 and E13 were removed, then all three of ECO1-3 (and Work No. 10) may be unnecessary and able to be removed, but this would require work to confirm this dependent on the extent of reduction to the Scheme).
- 2.1.31 However, further to the response to question 6, it may be the case that (and dependent on the commercial position with the land take with the relevant parties) that some of these parcels could be used for ecological mitigation purposes (e.g. ground nesting farmland birds) and thus would be needed for Work No. 6 purposes.

Conclusions on Questions on Parcel Removal

- 2.1.32 In conclusion, whilst it fundamentally disagrees with the suggested removal of parcels, the Applicant's position is that if parcels are to be removed, it will be necessary to make consequential changes to plans which will depend on the particular permutation of removal proposed. As a consequence, and in light of the remaining time available in the examination, it is suggested that such plans should be prepared if and when the Secretary of State indicates that revised plans should be produced.
- 2.1.33 The Applicant considers that no amendments would be required to Schedule 1 (other than deletion of all or part of Work No. 2C depending on the conclusions of the Secretary of State regarding the BESS and transformers and Work No. 10 depending on whether all of E05, E12 and E13 were to be removed). This is because the changes would be made via the Works Plans and then the Land and Crown Land Plans. These plans can be updated to accommodate the revisions during the determination period by the Secretary of State asking for views on the permutations that are being considered and asking the Applicant to provide updated Works Plans and Land and Crown Land Plans to accommodate those permutations.

- 2.1.34 It is not, however, possible to do this for all permutations at this late stage in Examination, including for the worst case scenario of all parcels being removed. In any event, the Applicant does not consider that this is a scenario which could be justifiable, given that it would involve removing c. 50% of the potential installed capacity of the Scheme.

3 Other Questions

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.

- 3.1.1 The Applicant's position has been consistent ever since the introduction of Requirement 23 to the DCO – irrespective of whether or not a JCCC licence is granted, the Applicant has accepted a 50m exclusion zone around the crash site. This is set out in Requirement 23(1).
- 3.1.2 If that licence is not granted, then Requirement 23 reflects the Applicant's commitment that this exclusion area will be expanded to 100m (in line with JCCC guidance). This is the 'potential expanded crash site exclusion area' referenced in that Requirement and shown on the plan listed in Schedule 10. This plan has document reference AS-318 in the Examination Library.
- 3.1.3 The 50m exclusion zone is the Applicant's position even if a licence is granted. As such, the OLEMP refers to the 50m exclusion area and sets out the principles of the landscaping and interpretation arrangements that will be brought forward in and around the crash site, further to discussions with relevant stakeholders (and noting in paragraph 5.2.2 of the OLEMP the need to continue to engage with Isleham Parish Council). The updated Framework DEMP at Deadline 7 also provides for what happens to the interpretation arrangements at the time of Scheme decommissioning. Should the licence application be refused, the 100m exclusion area provided for in Requirement 23 would take effect in precedence to the area identified in the OLEMP.
- 3.1.4 Importantly, approval of the detailed LEMP for parcel E05 including the detailed interpretation materials, would need to take place prior to commencement of development on that parcel, pursuant to Requirement 8.
- 3.1.5 As noted in its Deadline 7 submission, the Applicant proposes to amend Requirement 23 at Deadline 10 to account for the OLEMP now dealing with the landscaping and interpretation proposals rather than needing a separate 'bomber crash site interpretation scheme' and noting that approval of the detailed LEMP for parcel E05 including the detailed interpretation materials, would need to take place prior to commencement of development on that parcel.

- 3.1.6 The amendments will also provide for the scenario where the licence is not granted and thus the expanded 100m exclusion zone applies, and the detailed LEMP for Work 1A therefore needing to be updated to account for that.
- 3.1.7 This amendment will involve the removal of sub-paragraphs (4) and (5), and the amendment of sub-paragraph (3) so it reads as follows:

If the undertaker makes a confirmation under sub-paragraph (2)(b) then-

(a) no part of the authorised development shall take place within the potential expanded crash site exclusion area; and

(b) take one of the following steps-

(i) the potential expanded crash site exclusion area should be accounted for in the detailed landscape and ecological management plan to be submitted in respect of Work No. 1A under Requirement 6 if no such plan has yet been approved;

(ii) if a detailed landscape and ecological management plan in respect of Work No. 1A has been submitted but not yet approved, the undertaker must re-submit for approval the detailed landscape and ecological management plan in respect of Work No. 1A to account for the potential expanded crash site exclusion area; or

(ii) the undertaker must amend and submit for approval, under Requirement 3, any detailed landscape and ecological management plan in respect of Work No. 1A to account for the potential expanded crash site exclusion area.

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.

- 3.1.8 The plan referred to in that response was submitted at REP3-023 and REP5-055, with a final version due to be submitted at Deadline 10 following engagement with the LPAs. The intention has always been that article 37 will be amended to make that power apply specifically only to the trees identified on that plan (in line with precedents for DCO drafting of this power), and this will now be possible as it is understood that this plan is agreed.
- 3.1.9 The DCO will therefore be updated at Deadline 10 to include a schedule which will 'talk' to that plan (with existing schedules renumbered- accordingly); and the start of article 37 will be amended to read as follows: "~~The undertaker may fell or lop any tree within or overhanging land within the Order limits subject to a tree preservation order any tree described in Schedule 10 (trees subject to tree preservation orders) and shown on the tree preservation order trees location plan or cut back its roots.....~~"

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.

- 3.1.10 At Deadline 10, Requirement 12(2) will be amended to refer to the ‘drainage technical note’ (with consequential amendments to the definition in article 2 and to Schedule 10) that was submitted at REP5-070. This was the title of that document, rather than ‘drainage strategy’ and so these changes will be made to ensure consistency between the documents.
- 3.1.11 That technical note sets out the outline drainage proposals for the Scheme, including control measures for pollution.
- 3.1.12 In respect of foul water, paragraph 9.7.57 of the Flood Risk, Drainage and Water Chapter sets out that *‘As there would be no discharge of foul water to a watercourse, and only small volumes would removed from site using a suitable waste management contractor, no further assessment of foul waste from the Scheme is proposed.* In light of this statement, there is no requirement for a foul water drainage strategy.