



The Planning Inspectorate

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Planning
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Email: Sunnica@planninginspectorate.gov.uk

To: Sunnica Ltd
And to: Dr Fordham

Your Ref:

Our Ref: EN010106

Date: 22 March 2023

By e-mail only

Dear Sir/Madam

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

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

Request for further information - Crown land

The Applicant is requested to provide an update on whether Crown consent has been obtained and, if not, whether this is likely to be achieved before the close of the Examination.

Please note that if this matter will not have been resolved by the close of the Examination the ExA requires a submission from the Applicant setting out how the Proposed Development could proceed without Crown land. This submission is required by no later than Deadline 11 in the Examination timetable.

Request for further information – Hazardous Substances Consent

The Applicant and Dr Fordham are requested to comment concisely by no later than Deadline 11 on the following:

NPS EN-1 at 4.12.1 notes that Hazardous Substances Consent can be left until post-consent: however, pre-application consultation with HSE is nevertheless required and details must be included in the DCO (NPS EN-1, footnote 94).

The footnote states: '*However, the guidance in 4.12.1 still applies i.e. the application should consult with HSE at the pre-application stage and include details in their DCO*'.

The implication of the guidance might appear to suggest that full details of hazardous materials and the hazard assessment must be considered in the Examination. Do you agree? Please set out in your response how you believe the guidance and footnote should be interpreted.

If you have any further questions concerning any of the matters set out in this letter, please contact the Case Team at sunnica@planninginspectorate.gov.uk or 0303 444 5000.

Yours faithfully

Grahame Kean

Grahame Kean
Lead Panel Member of the Examining Authority

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