



SUNNICA ENERGY FARM

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Volume 8

8.118 Applicant's Response to Other Parties' Deadline 8

Submissions

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010



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

Sunnica Energy Farm

Development Consent Order 202[x]

8.118 Applicant's Response to Other Parties' Deadline 8 Submissions

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1 Introduction

1.1 Purpose of this document

1.1.1 This report responds to other parties' Deadline 8 submissions. The Applicant has responded to these submissions thematically in Section 2, under the following themes:

- BESS/Air Quality
- BESS
- Climate Change
- Consultation
- Cultural Heritage
- Design
- Ecology
- Funding
- Landscape and Visual
- Noise
- Other consents
- Planning
- PRow
- Socio-economics
- Soils

1.2 List of parties whose Deadline 8 submissions are responded to via thematic response in Section 2:

Reference	Party
REP8-050	Say No To Sunnica
REP7-112	Health and Safety Executive
REP8-043	Anne Noble
REP8-058	Parish and Town Council Alliance
REP8-048	Peter Goodyear on behalf of Fordham (Cambs) Walking Group
REP8-049	Sandie Geddes
REP8-054	Alan B Smith

REP8-045, REP8-045a-d	Dr Edmund Fordham
REP8-047	John Leitch
REP8-061	Worlington Parish Council
REP8-060	Jan Anderson on behalf of the Travellers Community Elms Farm

1.3 List of parties whose Deadline 8 submissions are not responded to via thematic response in Section 2

Party	Comment
Dr Catherine Judkins	The Applicant has responded to the matters raised in these submissions at previous deadlines. The Applicant's position is summarised in the End of Examination Summary Position Paper submitted at Deadline 10.
Isleham Parish Council	
A G Wright & Son Farms Ltd	
Chippenham Parish Council	
Huntingdonshire District Council	
Natural England	
Snailwell Parish Council	

2 Comments on Other Parties' deadline 8 submissions

2.1 Other Parties

Topic	Document Ref	Summary of issue raised	Applicant's response
BESS/Air Quality	SNTS Appendix F Sections 3-7	Comments on emissions / worst case scenarios	<p>Comments from SNTS have largely been addressed in the response to Dr Fordham in 8.86 Applicant's Response to other parties' Deadline 5 Submissions [REP6-036]. SNTS's comments can be summarised as:</p> <ul style="list-style-type: none"> • The OBFSMP and Unplanned Emissions assessments are not "reasonable worst case scenarios"; • That the Applicant does not consider an assessment of the likely emissions to be of merit. <p>The Applicant rejects the assertion made at paragraph (5) of the response that it accepts that a worst-case scenario has not been considered. The Applicant stands by its position that the assessment is a reasonable worst case, which aligns with previous assessments undertaken for solar farm DCOs.</p> <p>The Applicant's position on "toxic emissions" is set out in [REP6-036]. HF was used as an indicator pollutant as it has been shown to be released in the highest concentrations of the pollutants of potential concern. As a worst case assessment, this approach is considered to be appropriate. The Applicant would reiterate that far from avoiding the issue, detailed modelling will be undertaken when the precise details are known, therefore providing an accurate assessment of the impacts.</p>
BESS	SNTS Appendix F Sections 8, 22 & 23	Comment on BESS system design for Sunnica	<p>The Applicant does not accept that it has made inconsistent statements into the examination.</p> <p>The Applicant has committed to detailed risk analysis and consequence modelling at the detailed design stage and has committed to integrating explosion prevention and protection</p>

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			<p>systems. There is a commitment in the OBFSMP [Table 6] and the unplanned Emissions document that detailed consequence modelling will be undertaken (and secured by requirement 6 of the DCO) to <i>“demonstrate that the impacts associated with an unplanned fire would not exceed the effects outlined in this report or cause any significance adverse health effects to the local community.”</i></p> <p>It is simply not possible to conduct accurate and detailed risk analysis and consequence modelling for any current BESS system unless real time gas production and burn data is incorporated, this data is only shared as part of the procurement process.</p> <p>SNTS or Dr Fordham do not understand the realities of BESS system supply chains and the validation / certification process. Comprehensively tested Tier one BESS systems typically undergo 3-year development, validation and certification programs.</p> <p>Battery OEMs typically produce new cells / modules for BESS systems every two years. This means that BESS systems likely to be considered for Sunnica at the detailed design stage will either be in the process of final testing / certification in 2023 or undergoing testing, validation and will receive certification in 2024-2025.</p> <p>Details and specifications of these systems are highly commercially sensitive and are not shared until the BESS design official product launch.</p> <p>However, these new BESS systems will be better tested and certified to higher safety standards than current BESS systems</p>

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			because of recent multiple safety standard revisions coupled with the ongoing development of a wide range of new standards.
BESS	SNTS Appendix F Sections 9-12	Comments on HSC / COMAH	<p>The Applicant has responded multiple times to the comments made by SNTS on the requirement for HSC/COMAH consent. The Applicant is clear in its approach, that if HSC/COMAH consent is required then it will apply for it at the appropriate time which is not at this stage. This approach is not contrary to NPS EN-1. Please refer to our response to Dr Fordham below.</p> <p>The Applicant simply does not accept that it has not considered this matter. The fact that SNTS disagree with our submissions on this matter is not evidence of this.</p> <p>It is also notable that HSEs latest submissions to the Examination have made it very clear that they do not wish to be consulted on the BFSMP.</p>
BESS	SNTS Appendix F Sections 13, 14, 15, 16 & 21	Comments on submissions to the Examination and indicative site plans.	<p>The Applicant has clearly stated that this is an unprecedented time for the revision and development of BESS codes. The Applicant has developed its approach to the OBFSMP taking this into account and ensuring that the detailed design of the BESS takes into account these latest codes. It is emphatically not evidence that these proposals are produced 'on the fly'. Quite the contrary. Such an assertion is not based on fact and is unnecessarily derogatory and unprofessional.</p> <p>The Applicant has reviewed and integrated standards and codes into the OBFSMP as they have been published or publicly shared. The Applicant has identified and shared six major BESS standards that will be revised later in 2023 and another sixteen new BESS safety codes in development and could be applicable by 2025-2026.</p>

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			<p>Chapter 3 Scheme Description contains complete details of the maximum and minimum parameters including images, dimensions and descriptive text. This text has been available since early in the process and forms the basis around which the environmental impacts have been assessed. The indicative plans are just that, indicative only and comprise a visual representation of what the BESS compounds might look like. They are in no way final, and it is likely given the speed of technological innovation these designs will become obsolete and need updating within the assessed parameters ahead of the procurement process.</p> <p>The Applicant's design and fire safety team had to put together the drawings internally. This was an ongoing process from July to October. NFPA 855 (2023) was not released until the end of October and general site indicative layouts needed to be checked against NFPA recommendations.</p> <p>The main purpose of the plans is to illustrate how key infrastructure (access routes, observation areas, water capture lagoons, etc.) and resources for first responders could be integrated on the Sunnica site. The Sungrow & Tesla designs will likely be obsolete by 2024 so provide no value for risk analysis. They just provide sizing information / battery energy figures to include in the indicative drawings. Distances between equipment and site infrastructure follow NFPA and NFCC guidelines.</p> <p>The fact that they are Sungrow and Tesla BESS containers is only relevant for their physical dimensions and current battery energy capacity, this does not need to be noted in the OBFSMP.</p> <p>The drawings incorporate safety recommendations available at the time of drafting. The NFCC released the draft consultation document in January after the documents were submitted. The official NFCC document has not yet been published. The</p>

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			Sunnica BESS site design will conform to all key safety standards that apply at the detailed design stage.
BESS	SNTS Appendix F Sections 17-20	Firefighting water requirements	<p>1900 litres per minute was the original request by SFRS and a provisional minimum flow rate of 1500 litres per minute was agreed. The revised OBFSMP clarifies this is just a provisional figure and the amount of water storage and flow rate required will be agreed with SFRS at the detailed design stage and will be validated by an independent Fire Protection Engineer.</p> <p>Firefighting water supply requirements fit within the Rochdale Envelope assessed and described in Chapter 3.</p>
BESS	SNTS Appendix F Section 24	Explosion mitigation	<p>The OBFSMP submitted at Deadline 2 commits to following NFPA 855 (2023) BESS design standards. This includes integrated explosion prevention and / or explosion protection.</p> <p>At Deadline 8 the Applicant submitted a revised OBFSMP which clarifies the requisite NFPA standards (68 & 69) that will apply within the NFPA 855 standard.</p>
BESS	HSE Comments on the Examining Authority's schedule of changes to the draft Development Consent Order (dDCO) R.7(3)	There is no statutory requirement to consult HSE in relation to a Battery Safety Management Plan (BSMP) and HSE does not provide comment on them. HSE ask that Requirement 7 and any other references to HSE consultation/approval of the BSMP are removed from the Development Consent Order	The Applicant has removed the requirement to consult with, or gain approval from, the HSE within the Outline Battery Fire Safety Management Plan and the dDCO at Deadline 10.
Climate Change	Anne Noble Deadline 8 Submission - Comments on any submissions received by Deadline 7 [REP8-043]	Lack of clarity around source of operational carbon intensity figure of 0.3 gCO ₂ e/kWh.	The source of the 0.3 gCO ₂ e/kWh figure for the operational carbon intensity of the Scheme, comparable with future projections of grid carbon intensity, is provided in 8.96 Applicant's Response to other Parties' Deadline 6 [REP8-022]. This figure is consistently below any projected value for grid carbon intensity, as

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	Comments on Carbon Assessment	<p>Comparison with OCGT and CCGT not appropriate; should use grid average.</p> <p>Overstating carbon benefits given ongoing grid decarbonisation.</p> <p>Assessment does not take account of grid losses.</p> <p>Overall battery efficiency figure.</p>	<p>is the 1.44 gCO₂e/kWh figure estimated by Cranfield. Either figure suggests that the Scheme will continue to contribute to grid decarbonisation over its entire design life.</p> <p>The use of specific carbon intensity figures for OCGT and CCGT generating capacity are justified when estimating the carbon impact of the Scheme relative to a counterfactual scenario in which it does not go ahead, in which case the power generated would in all probability come from the marginal generator, currently a CCGT. Power supplied from the BESS for grid balancing purposes would likely displace a higher carbon OCGT. The use of grid average carbon intensities is not relevant or appropriate in these calculations.</p> <p>As previously noted, the grid decarbonises only if low-carbon capacity such as the Scheme is developed. Comparisons with a future decarbonised grid to suggest reduced carbon benefit are fundamentally misplaced.</p> <p>The issue of losses in the grid will apply to all generating capacity, irrespective of type.</p> <p>A representative value for overall battery efficiency from the charge-discharge cycle has been factored into all carbon calculations, which clearly show an additional net carbon saving from use of the BESS.</p>
	Parish and Town Council Alliance Deadline 8 Submission [REP8-058] Comments on Carbon	<p>Figures in the PEIR indicated the scheme produces more carbon than it saves.</p> <p>Better to charge batteries from the grid rather than from the Scheme.</p>	<p>The GHG assessment carried out by the Applicant and published in the PEIR showed a net carbon benefit for the Scheme. This assessment was repeated in the Environmental Statement, and also showed a clear carbon benefit. Further analysis, looking at the use of the BESS for grid balancing purposes, shows additional</p>

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		<p>Lack of clarity around elements included in the GHG assessment.</p> <p>Questions around battery efficiency.</p> <p>Impact of grid decarbonisation on overall carbon benefit.</p>	<p>GHG savings due to generation from higher-carbon OCGTs being displaced.</p> <p>The analysis carried out does not show that it would be preferable to charge the batteries from the grid rather than from the output of the Scheme. The carbon benefit from using the BESS for grid balancing derives from the carbon intensity of power used to charge the battery relative to the carbon intensity of generation capacity displaced when supplying power to the grid. Given that the carbon intensity of the Scheme is lower than the grid average for every year of its design life, it follows that there must be a higher net carbon benefit from charging the battery from the Scheme than from the grid itself.</p> <p>The GHG and climate chapter of the Environmental Statement provides details of the elements included in the GHG assessment.</p> <p>The assumption of an overall efficiency of 85% for a charge-discharge cycle has been factored into the analysis of the GHG impact of the BESS, along with a cautious estimate of overall battery capacity of 80% to represent reduction over time. All assumptions have previously been provided in Appendix A to the Applicant's Response to Say No To Sunnica Action Group Ltd Deadline 2, 3 and 3A Submissions [REP4-036].</p> <p>Regarding the future decarbonisation of the grid, this can clearly only take place with continued investment in low-carbon generation capacity, including projects such as the Scheme. Any suggestion that grid decarbonisation weakens the case for the Scheme fails to take account of this point. Rather, projections of future grid carbon intensity assume that projects such as the Scheme do proceed and result in ongoing decarbonisation. The</p>

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			Applicant is entirely confident in their assertion that the Scheme will save carbon, and the analysis already provided supports this.
Consultation	Peter Goodyear on behalf of Fordham (Cambs) Walking Group	The Applicant has been unwilling to cooperate with Fordham Cambs Walking Group (FCWG) and respond appropriately to questions asked and points made. There has been a lack of consultation and discussion of the proposed permissive routes during the design process. Responses to points made at deadlines do not equate to full consultation or discussion. The Applicant also did not respond to FCWG's supplementary question on 2 February 2023 as claimed.	The Applicant has responded to FCWG's submissions at the appropriate Examination deadlines following their submission. This has included responding to FCWG's written representation in REP3A-035. This is appropriate in the context of the Examination and it therefore remains incorrect to say that the Applicant is unwilling to cooperate. The Applicant has not agreed to all of FCWG's requests but that is not the same issue. Where the Applicant does have a different view to FCWG it has sought to explain the reasons for that. The Applicant confirms that it emailed FCWG on 2 February 2023 answering its supplementary question and has re-supplied a copy of the email as requested.
Cultural Heritage	SNTS Appendix B Sections 2.1 and 2.3	By reference to the B050 crash site report, SNTS consider that the extent of the physical crash site has been underestimated and that there is still potential for human remains (noting that the crash site report does not confirm that they were all removed)	The Applicant considers that the crash crater as identified by the Applicant's geophysical survey and historic Crash Report constitutes the only <i>in situ</i> physical evidence of the crash. The Applicant wishes to preserve this buried feature by removing it from the Scheme and providing long term protection from agricultural impact. The Applicant has applied for a licence to undertake development around the crash crater site under the Protection of Military Remains Act 1986. The MoD and JCCC are currently reviewing the supporting information provided by the Applicant, including the Crash Report, and will either grant or deny a licence based on the available evidence. One of the primary considerations in granting a licence will be the potential for the presence of human remains.
	SNTS Appendix I	The Limekilns Gallops constitute significant features of the historic environment and should be considered to be a non-designated heritage asset. The close proximity of the southern boundary of the Sunnica West Site A to	The Applicant acknowledges that the Limekilns have heritage interest as part of the horse racing industry. They represent an important feature in the historic development of the racing landscape. However, their heritage interest cannot be seen in isolation and their significance lies in their contribution to the understanding and appreciation of the wider context.

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		the Limekilns Gallops will have a detrimental impact upon their setting by transforming what is currently an open agricultural landscape to its north into the semi-industrialised landscape of the solar farm. SNTS conclude that the scheme will result in a 'moderate adverse' effect. This is a significant impact, and is one which by the Applicant's own admission cannot be mitigated by the proposed landscape management strategy. In planning terms, the identified harm constitutes 'less than substantial harm', which given the contribution setting makes to the significance of the Limekilns lies towards the middle of the scale.	<p>While the Scheme will be visible in views to the north from the Limekilns, it is not considered that it will dominate the view, but will be seen in the context of surrounding vegetation and the wider view from the Limekilns which includes the A14. The Applicant, therefore, disagrees that the setting will be semi-industrialised.</p> <p>It should be noted that, as a non-designated heritage asset, there is no requirement under the NPS or NPPF to quantify the extent of harm as substantial or less than substantial. Instead, in weighing applications that affect non-designated heritage assets, <i>'a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'</i> (NPS EN-1 paragraph 5.9.26).</p>
Design	SNTS Paragraphs 9-10 and 48	The Applicant has clearly not considered this option. When criticisms are advanced against the proposals of Suffolk CC this is done from a position of assumption and assertion. It is not done from a position grounded in fact. That the Applicant has not worked through an alternative case cannot weigh in its favour in the planning balance when the Secretary of State assesses the main case. In circumstances where the ExA might have consented a scheme with some or all the parcels identified by the Councils removed, but the Applicant has not provided the necessary fallback application, the scheme must be refused.	<p>The position advanced by SNTS in paragraphs 9 and 10 are untenable. There is no obligation on the Applicant to consider how it might give effect to every scheme amendment suggested by each Interested Party. Rather, it would be prudent to consider representations made and consider whether the points raised warranted any changes to its Application. The Applicant has been clear throughout the Examination that it does not consider that the removal of the parcels referred to by the Councils in the LIR was necessary in environmental or planning policy terms. On that basis it was not obliged to put forward its drafting to give effect to that request. The Applicant's position is amplified in its Response to the Rule 17 Request [REP9-005]. In that submission it is explained why it is not a simple task to provide drafting for a reduced Scheme until one knows exactly what parts of the Scheme remain in and out [§ 2.1.7 - 2.1.19].</p> <p>The Applicant struggles to understand the point being made that it should not benefit in the planning balance having not offered a</p>

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		<p>Indeed, where the Applicant relies on assertion alone to deny the Councils' position, an adverse inference should be drawn in assessing the planning balance of the scheme as advanced by the Applicant. In addition, the ExA should be very cautious in assessing any last-minute proposal for a fallback scheme (as is suggested by para 1.1.3 cited above). Such a proposal would come at a late stage with no possibility for input from Interested Parties. This should weigh against any such last-minute proposal.</p> <p>As at the outset, SNTS maintain that the planning balance is not in favour of this scheme. SNTS does not accept the reading of the National Policy Statements that the Applicant takes; this should be a scheme that has good design, good placement, and properly avoids and mitigates harms where appropriate. There may be weight in favour of green energy generation, but the specific harms of the Applicant's scheme significantly outweigh them. The planning balance does not favour this scheme, or (as a secondary position) favours the removal of all those parcels identified by the Councils.</p>	<p>fall back. If a reduced Scheme is seen as the only consentable Scheme by the Secretary of State then the Applicant has made submissions on how that could be achieved in the determination period in its Rule 17 response. However, the lack of a fall back has no place in undertaking the planning balance assessment.</p> <p>Regarding paragraph 48, SNTS' appraisal of the planning balance is flawed. It states that <i>"There may be weight in favour of green energy generation"</i>. This very much underplays the weight that should be afforded to the renewable energy benefits of the Scheme. In the SoS's decision letter for the 'Little Crow Solar Park' DCO it is concluded that: <i>"the Secretary of State ... considers that it is appropriate to accord substantial positive weight to the project due to the contribution it will make towards the decarbonisation of the UK's energy production"</i> (para 4.32). The generation capacity of the Scheme will be substantially larger than the generation capacity of Little Crow Solar Park. The Applicant considers that the SoS must therefore afford substantial positive weight to the benefits of the Scheme in terms of generating a large amount of renewable energy that will make a significant contribution to achieving the country's objectives and commitments for a net zero carbon power system within the next 12 years (by 2035).</p> <p>Section 7 of the Planning Statement Part 1 [APP-261] considers the planning balance of the Scheme. This sets out at paragraph 7.1.5 that the Scheme will deliver against the above policy objectives and commitments and will be a critical part of the national portfolio of renewable energy generation that is required to decarbonise the country's energy supply quickly whilst providing security and affordability to the energy supply. At paragraph 7.1.8, the Planning Statement Part 1 [APP-261] explains that with the mitigation that is proposed, the Scheme avoids significant adverse effects in relation to designated landscapes, biodiversity sites or protected species or habitats;</p>

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			<p>flood risk and water quality; transport networks; access; noise and vibration; soils; air quality and land uses. It acknowledges that the Scheme will result in residual significant adverse effects upon landscape and visual receptors and heritage assets.</p> <p>With regard to the landscape impacts, paragraph 7.1.9 of the Planning Statement Part 1 [APP-261] explains that landscape and visual impacts have been minimised by the design of the Scheme and sets out that: <i>"In terms of the planning balance, the fact that these effects are localised; will be reversed following the 40 year operational period; and that NPS EN-1 and Draft NPS EN-1 acknowledge that adverse effects are likely, given the scale of energy NSIPs, the national benefits of the Scheme outweigh these localised effects."</i></p> <p>Regarding impacts on heritage assets, paragraph 7.1.10 of the Planning Statement Part 1 [APP-261] sets out that a total of three designated heritage assets would experience a time limited and reversible loss of significance to their setting, and that these impacts represent less than substantial harm, which would be outweighed by the benefits of the Scheme.</p> <p>Paragraph 7.1.11 of the Planning Statement Part 1 [APP261] concludes that <i>"As described in Section 6 and Appendix B of this Planning Statement, whilst it has not been possible to avoid all impacts these have been minimised, where possible, through careful design and detailed mitigation strategies. When considered against the NPS and NPPF, the Scheme accords with relevant policies, and with regard to specific policy tests, the national and local benefits of the Scheme are considered on balance to outweigh its adverse impacts. The Scheme is also considered to be broadly consistent with relevant local planning policy. Therefore, it is considered that development consent for the Scheme should be granted."</i></p>

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			In light of the above, the Applicant considers that the planning balance is substantially in favour of Development Consent being granted and that the benefits of the Scheme significantly outweigh its impacts.
	Sandie Geddes – Deadline 8 Submission	<p>Seeks clarity on what crossings are proposed of U6006.</p> <p>Considers there is a sufficient gap between houses and the start of the CWS which should leave sufficient room for HDD without the need to impact the CWS.</p> <p>Suggests that There doesn't seem to be any logic in having a northern crossing at all, as the cable will need to recross south of the Lane at some point to link into the BESS. This could be avoided if the cable connected to the BESS from E24 via E13 (the Quarry extension doesn't appear to extend as far as the U6006 boundary, so would allow this route, see p.56, Ecological Assessment PDF, Appendix A attached). This would avoid any damage to the CWS in Badlingham Lane and obviate the necessity of cable trenching inside E12 with potential to damage the trees along U6006 if sited too close to their roots. This route could be used if E12 were removed from the scheme entirely</p>	The Applicant can confirm trenchless methods, such as HDD, moling or similar would be utilised for the cables crossing the U6006 and there would be no physical impact on the CWS or the roots of trees within the CWS.

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Ecology	Sandie Geddes – Deadline 8 Submission	The applicant's plans for proposed improvement in relation to Badlingham Lane CW appear laudable but are possibly unnecessary and impracticable. There is only a short section of verges along U6006, already a suitable habitat for the plants they support. The suggestion that it should be improved or grazed by sheep [5.12.26] I can only assume to be a 'cut and paste' error, introducing sheep onto a public highway popular with dog-walkers and motor cyclists would be dangerous to both users and livestock. There seems to be some overlap in the text as to whether Applicant means the CWS running along U6006 (Badlingham Lane CWS) or the CWS beside U6006 in ECO3 (Worlington Heath CWS).	This has been amended in the OLEMP submitted at Deadline 10, to make it clear that management of Badlingham Lane CWS will not incorporate sheep grazing.
	SNTS Appendix C	<ul style="list-style-type: none"> In the absence of evidence that the provision of habitat in these areas is adequate to accommodate the predicted displaced numbers of pairs of stone curlew AND lapwing, no weight can be put on the applicant's claims made here. The ExA are therefore in the dark about whether the displacement impacts for species such as skylark and lapwing, that will not nest within the solar arrays, will be 	<p>The Applicant's position on Stone-curlew is set out in the Ecology Position Statement submitted at Deadline 6.5 [AS-320]. The provision of offsetting habitats for Stone-curlew has been based on the best available evidence and guidance. The Applicant would also like to emphasise to the ExA that Natural England are satisfied with the measures proposed for Stone-curlew. The measures provided for Stone-curlew, along with the extensive areas of undeveloped land proposed for grassland creation, will benefit Lapwing. The presence of one species doesn't preclude the use by the other.</p> <p>The Applicant has clearly set out in the OLEMP the measures embedded within the Scheme, e.g., extensive areas of undeveloped created grassland, that will offset the loss of arable farmland for species such as Skylark and Lapwing.</p>

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		<p>significant at local county or even regional level.</p> <ul style="list-style-type: none"> By cross-reference to the Environmental Masterplan detailed plans, it is also noted that the challenges presented by soil type and agricultural land-use history, whilst now acknowledged in the text of the BNG assessment and to some extent in the revised OLEMP, do not appear to have resulted in changes to what is assumed to be delivered in the BNG calculation. SNTS considers that the applicant is now amending its target habitat conditions in light of recognition of the challenges in delivery, and yet the implications of this for the project's ecological performance are not being appropriately recognised or conveyed to the Examination SNTS are concerned that planting of woodland around E05 is uncharacteristic in this open landscape, and would remark that the introduction of woodland blocks at this location could affect the efficacy of the stone curlew compensation at ECO1-ECO2, and prevent stone curlew use of field units outside the proposed order limits to the north of E05, by reducing sightlines and providing dense scrub and latterly woodland 	<p>The Applicant has been consistent in the assessment of the soils within the Scheme and that grassland creation in ECO1 and ECO2 (and for other grassland areas) is based on existing knowledge of the soils (Appendix 12B) and the soil map (Appendix D of the OLEMP), the baseline data for which will be further expanded prior to construction. The soils are generally quite basic due to the presence of chalk and are light and sandy with a relatively low surface area for the retention of nutrient cations and phosphate. Nitrate is very weakly retained in these soils such that any unused excess is rapidly leached out. Ammonia is very rapidly consumed and given that fertilisation will cease, nitrogen will decline to a low equilibrium. Phosphate binds very strongly to the narrow edges of clay mineral sheets (cations being held on the larger faces between clay sheets), so the decline in current phosphate availability will be slower. Given that these are sandy soils with low clay content, this leaves relatively fewer sites onto which phosphate can bind (see data tables from page 91 in Appendix 12B).</p> <p>There is no "woodland planting around E05". The planting along the edge of E05 facing onto Beck Road will be a belt of shrubs and trees with the groups of trees being limited to the corner of E05 where Sheldrick's Road meets Beck Road, and the northern part of the E05. These groups of trees will not have any effect on ECO1 or ECO3 and the planted boundary is at least 75m from the edge of ECO1. This will not increase the scope for predation pressure on stone curlew in this area.</p>

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		<p>habitat that is likely to be exploited by corvids and other avian and mammalian predators. This could increase the scope for predation pressure on stone curlew in this area.</p> <ul style="list-style-type: none"> The OLEMP also makes unevidenced and eminently challengeable statements such as (5.10.7) "the 469ha of modified grassland that will be created is immediately more biodiverse than the arable habitat". Where arable habitat of District and/or County importance for scarce arable flora and/or supports scarce invertebrate faunas and/or declining farmland birds, as acknowledged by the applicant in APP-079, the impacts of such land-use conversion are likely to be net negative. An arable field with scarce annual plants and nesting lapwing and skylark is more biodiverse than a poor-quality modified grassland unusable by such species due to the presence of solar arrays. 	<p>The comparison that is made in, for example 5.10.7, is between field habitat types, that is arable and grassland. As identified in the Phase 1 Habitat survey, the fields as arable habitat are of minimal biodiversity value as shown in the biodiversity assessment, as will be required as part of the Environment Act 2022, which concludes with a significant net gain in biodiversity, a significant part of which derives from the change from arable field to grassland. This is unsurprising given the regime of pesticide application including herbicides, insecticides, fungicides and molluscicides. The scarce arable flora is restricted to the margins of the fields and the farmland birds mentioned, Lapwing and Skylark, prefer grassland to arable farmland (Winspear, R. and Davies, G. 2005. A management guide to birds of lowland farmland. The RSPB, Sandy). It is acknowledged that Skylark and Lapwing use arable fields and that there will be a loss of this habitat (6.2 Environmental Statement - Appendix 8I - Report on Surveys for Breeding Birds). However, this loss is mitigated through the provision of nesting habitat within the grassland managed for these and other birds in EC01 to ECO5, the enhanced foraging in the grassland around the solar arrays, with the latter also benefiting those bird populations beyond the Scheme boundary in sub-optimal arable fields.</p>
	SNTS Appendix D	<p>Bioscan/SNTS accept that, on this evidence, the scope for a likely significant effect on barbastelle populations within the Eversden and Wimpole Woods SAC might appear remote (in contrast to the position with</p>	<p>The Applicant has cited the research undertaken by South Cambridgeshire District Council, Cambridge City Council and the Cambridgeshire Bat Group which has been used widely to inform a range of planning applications including the recent A428 DCO which also included further investigation supporting that already undertaken. These investigations clearly show that Barbastelle</p>

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		the Breckland SPA, as discussed above), but it is not altogether absent. Given that it is not absent, Bioscan and SNTS consider that for the Habitats Regulations obligations to be duly discharged, this matter needs to be engaged with and not dismissed out of hand and in an evidence vacuum. Rather, it requires due and proper consideration of relevant evidence and a rational and reasoned conclusion to be drawn, in line with HRA procedure. The evidential basis for the applicant's assertions that there is no functional link between the Proposed Development and the Eversden and Wimpole Woods SAC should be made available to the Examination in order that the applicant's assertions can be independently assessed.	from the SAC do not forage or commute as far as the Scheme. As stated in the Section 5.6 of the Greater Cambridge Shared Planning Biodiversity Supplementary Planning Document (July 2021), it is well outside the 10km sustenance or wider conservation area SAC buffer zone that would require consideration for functionally linked habitat. The Scheme is well outside this functionally linked habitat. Taking a pedantic view, the removal of the West B part of the Scheme means that the nearest part of the Scheme with any notable permanent works is beyond the 30 km study area used for sites designated for bats, from Eversden and Wimpole Woods SAC. The part of the Scheme falling within this distance is mainly temporary works for the cable route and upgrades to Burwell substation which do not impact any habitat that might be used by Barbastelle.
	SNTS Appendix J	The Examining Authority is unsighted on whether the mitigation and compensation measures that are proposed in respect of habitat loss, in particular for scarce arable plant communities, provide a means to avoid net loss in simple quantitative terms, let alone in consideration of concerns around deliverability	Further information is being provided at Deadline 10 to direct the Local Planning Authorities and other interested parties to show where this information has been provided. There is a commitment to provide mitigation for scarce arable flora and, should this not meet the objectives, the Ecology Advisory Group will be able to advise on what remedial measures may be necessary.
		In particular, we agree that the compensation proposals for the displacement of the stone curlew population that habitually nests within the proposed DCO limits appear predicated on a de minimis basis,	Stone curlew mitigation is planned to mitigate for five pairs using ten plots which would provide sufficient nesting and foraging habitat for each pair, although there is the potential that further pairs will occupy plots and that, in some years, the population may be greater. By providing offsetting habitat for five pairs the Applicant has used a maximum population size and provided in

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		<p>introducing a high risk of net negative impact in the event of failure, the risk of which is itself rendered high by the absence of contingency or headroom provision. Even if NE has satisfied itself that there is no functional linkage vector that could translate such negative effects to impacts on the Breckland SPA, this is a rare species, and such negative effects would be of high significance in their own right.</p> <p>In respect of the ongoing shortfall of information in the applicant's EIA and subsequent submissions about the local and regional significance of the populations of bird species of principal importance for the conservation of biodiversity that are likely to be displaced by the scheme, the ExA and SoS can have no confidence that the presented impact assessments for these species are correct, or that related statutory obligations can be appropriately engaged and discharged. The applicant's approach, typified by its throwaway submissions that displaced lapwing (for example) will simply use the same de minimis quantum of compensatory habitat as provided for stone curlew, provide no assurance that appropriate consideration has been given to the mitigation hierarchy as regards such species, let alone opportunities to enhance conditions for them.</p>	<p>excess of the recommended habitat provision requirement, certainly not a 'de minimis' as suggested by SNTS. These plots will provide permanent and largely undisturbed habitat for the species that will sustain the population in the local area. Whilst high quality grassland will take a number of years to establish, the principal habitat provision is the creation of disturbed ground nesting plots. These have been shown to be the most important habitat feature for Stone-curlew providing both preferred nesting and foraging habitat, i.e., areas of short sward or bare ground. These will be delivered prior to the loss of any arable farmland.</p> <p>As set out in the above responses and previous submissions, the Applicant maintains that the significance of bird populations has been determined using appropriate sources, as set out in the ES chapter and Appendix 8I - Report on Surveys for Breeding Birds, and that therefore, the impact assessments presented are robust. The Applicant would note that SNTS have not provided any evidence to the contrary, to support their argument.</p>

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Funding	Alan Smith	Concerns relating to the adequacy of the Funding Statement	<p>Mr Smith spoke at the recent compulsory acquisition hearings and the Applicant responded at the hearing and its position was summarised in the Written Summary of Applicant's Oral Submissions at the Resumed Compulsory Acquisition Hearing on 14 February 2023 [REP7-066].</p> <p>The Applicant has also updated the Funding Statement [REP7-007] as Mr Smith notes in his representation.</p> <p>The Applicant maintains that the Funding Statement is sufficient and complies with the relevant guidance.</p> <p>In response to some of the queries raised:</p> <ul style="list-style-type: none"> • There is no legal requirement for the UK companies to bring forward their audited accounts ahead of April 2023. Sunnica will submit its next audited accounts at the required time. The fact that this is after the Examination closes is irrelevant and Sunnica will be complying with the April 2023 requirement. • Sumando Limited has no part to play in the funding of Jigg FM Limited or Sunnica Limited and so was not referred to in the Funding Statement. • The previous parent of Sunnica Limited was not subject to a partial takeover. The Spanish and Italian assets were sold to Solar Pack. This raised revenue for the group, which is now in a stronger financial position than before the sale. • Mr Mills makes various assertions under the heading of transparency and quality of information. The Applicant has prepared a Funding Statement, consistent with other similar documents submitted for other DCO applications, and has shown that the Scheme is fundable as it is required to do. One might get the impression that Mr Smith and Mr Mills will find any information provided by

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			<p>the Applicant as inadequate. The Applicant is satisfied that the Funding Statement submitted provides the information required by the Ex A and ultimately the Secretary of State.</p> <ul style="list-style-type: none"> Mr Mills' comments on finance belie a misunderstanding of how the Applicant intends to finance the Scheme. It has never said it will fund it off the back of its balance sheet. It has very clearly stated in its Funding Statement that it will go to market to obtain finance to construct the Scheme. This is very common place in the market and for privately funded infrastructure projects. Should a consent be granted, then Sunnica Limited will seek third party funding and then take a finance decision. Should that decision be passed, funding will be drawn down. At that point, the necessary security will be demonstrated to the Secretary of State as required under the draft DCO before any compulsory acquisition powers of any outstanding land rights not secured voluntarily are exercised.
Funding	SNTS Paragraphs 11 – 16.	<p>The funding statement is insufficient. Costs of the Scheme have not been set out as required and have not be updated since the application was made.</p> <p>Comments are made on decommissioning costs.</p>	<p>The Applicant provided further comments on SNTS comments on funding at Deadline 8 [REP8-022]. It does not repeat those submissions here, other than to say that it considers that the Funding Statement is sufficient and complies with the relevant guidance.</p> <p>The latest version of the Funding Statement does provide more information concerning the costs of the Scheme and Sunnica considers the information it has supplied is what is required for a DCO application. It is also noted that Article 43 of the DCO includes a requirement on the undertaker to put in place a guarantee or alternative form of security before it exercises its powers of compulsory acquisition. With that guarantee in place individual landowners are protected in the circumstances that Sunnica is unable to meet its compulsory acquisition liabilities.</p>

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			There is nothing in SNTS submissions about decommissioning which changes the Applicant's position set out at the compulsory acquisition hearing [REP7-066] .
Landscape and Visual	SNTS Appendix A	<ul style="list-style-type: none"> • Seeks clarification on changes in tree loss and hedgerow loss figures. • Suggests planting in the 'setbacks' added to East Site B • Suggests mitigation will be less effective in winter and so would affect assessment. • Suggests that the site selection process should have been informed by a landscape and visual appraisal. 	<p>The Applicant has continued to work to provide further clarity on where vegetation loss, including trees and hedgerows, will be avoided. These avoidance commitments have meant that the worst-case loss presented for trees and hedgerows has been reduced.</p> <p>SNTS state that the space created by setting back the security fencing by 30m from the edge of the existing vegetation which lines the section of U6006 between parcels E12 and E13 should be planted. The Applicant does not consider that this is necessary or appropriate, given the density of existing vegetation, which will be further increased through interplanting and natural regeneration. The distance from the path through the trees to the nearest solar panels will be approximately 40m. Keeping this space open also preserves the immediate setting and legibility of the landscape feature.</p> <p>Regarding the effectiveness of mitigation in addressing the openness of views across the landscape from Beck Road, the Applicant accepts that it will take time for the proposed planting to establish to achieve its intended functions. This is reflected in the year 1 assessment, in winter, to represent the worst-case. However, the OLEMP sets out the type of woodland planting that is proposed and the inclusion of shrubs which are characteristic of the landscape and will quickly establish and densely screen. Regarding the harm to the landscape, this has been covered in previous responses. In summary, this is a landscape without statutory status, without national or local designation and without evidence at the local level through published landscape character assessments which elevates it above an everyday landscape. NPS-EN1 does not support the exclusion of parcel E05.</p> <p>As set out in its submissions, the Applicant has carefully considered detailed landscape and visual matters in its design</p>

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			process, at the appropriate stage. Appropriate weight was applied to those considerations in the site selection process in light of the policy considerations which apply to solar development and policy requirements.
	SNTS Appendix H	Implications of the applicant's comments relating to mitigation around E05 are: i. The applicant has failed to accurately describe the changes that would occur as a result of their proposals for mitigation. ii. The applicant has failed to recognise the inappropriateness of their proposals for mitigation in the context of the prevailing landscape character. iii. The applicant has failed to assess the effect on landscape character and visual amenity of their proposals for mitigation. iv. The applicant has overestimated the ability for their mitigation proposals to be effective in integrating the scheme into the landscape around Isleham.	The Applicant does not share SNTS's position on this matter and has set out in detail the reasons why in previous submissions, most recently at Deadline 8 [REP8-026]. In summary, the effects on the landscape in and around parcel E05 are detailed in the Landscape and Visual Impact Assessment summarised in Chapter 10 of the ES [APP-042]. The Applicant has designed E05 (including the mitigation proposals) carefully to minimise effects on the landscape, including offsets from Beck Road and the Lee Brook, with planting to enclose and screen the development. Paragraph 5.9.8 of NPS EN-1 recognises that virtually all nationally significant infrastructure projects will have effects on the landscape. The Applicant has embedded reasonable mitigation for the landscape and visual effects arising from the development of E05 and enhancements through the introduction of permissive paths through woodland and native grassland linked with a memorial to the B50 crash site which enhances public amenity and cultural heritage. The ability for the mitigation proposals to be effective in integrating the Scheme into the landscape are set out clearly in the OLEMP and secured through requirement 8 of the DCO.
Noise	SNTS Deadline 8 Submission – Comments on D7 Submissions, Comments on RIES, and Summary of Position [REP8-050] Noise impacts on users of PROW	Concerns outlined in detail previously still remain and will not be repeated, save to say that the negative impacts on users of PROW and other routes routinely used by local people have not been adequately assessed, in particular from a noise and visual perspective, nor from the perspective of all users of these routes (e.g. horse riders).	Please refer to Table 2.1 in REP7-057 and REP8-022 where the Applicant has outlined its position on this matter. This approach is in-line with approaches that have been accepted in other projects that have gone through the DCO process such as A303, HS2 and A428. Consequently, the approach follows the current industry best practice.

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Other consents	Dr Fordham REP8-045 (including a, b,c and d)	The Interested Party has made further submissions about the applicability of the Control of Major Accident Hazards regulations 2015 and Planning (Hazardous Substances) Regulations 2015 ("PHS Regulations 2015").	<p>The Applicant made submissions on this topic at Page 68-73 of Applicant's Response to other Parties Deadline 5 submissions [REP6-036].</p> <p>The Applicant submits, as it did in the aforementioned submission, that it is able to seek Hazard Substances Consent post grant of any development consent order if that is necessary and that NPS EN-1 plainly does not prevent this.</p> <p>The Applicant's previous submissions do not consider the effect of regulation 26 of PHS Regs 2015. Dr Fordham says that the safety appraisal of the HSE must be submitted with the Application. It seems that Dr Fordham accepts that this would only be the case if the Applicant was seeking a direction under S.12(2B) of the Planning (Hazardous Substances) Act 1990; which it isn't and so this requirement doesn't apply.</p> <p>Even if that is wrong, the application of the Regulations is contingent on the project being an "establishment" and for the reasons already outlined that cannot be said at this stage.</p> <p>In any event the requirements of Regulation 26(2) of the PHS Regs 2015 have been complied with through the examination process. Dr Fordham appears to elide the obligations on (1) the competent authority with (2) the COMAH CA. It is not the case, for example, that a report by the COMAH CA is required before a consent is given (cf para. 83 of Dr Fordham's submissions), simply that the COMAH CA is consulted (Reg. 26(2)(b)). It is clear that this has happened as referred to in the Consultation Report [APP-026] and the Health and Safety Executive letter for Deadline 7 [REP7-112].</p> <p>Dr Fordham endorses the submissions that the Councils do not have the technical expertise to determine an application for Hazardous Substances Consent. The Applicant responded to these submissions at Deadline 8 [REP8-023]. For clarity though,</p>

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			the Councils cannot abrogate responsibility to determine an application for Hazardous Substances Consent if it is made. The Ex A are entitled to expect the statutory regime for Hazardous Substances Consent to operate normally at that stage and there is no reason to suggest that HSE will not advise the Councils as necessary.
PRoW	John Leitch Deadline 8 Submission [REP8-047] Comments on the U6006	Will the crossing of the U6006 via trenchless methods take one week. "However, an access road will still be required to cross the U6006 to facilitate access to EC03 and E12. Therefore, a temporary closure of no more than one week will be required to facilitate construction of the access road." Will this be another closure for one week?	The Applicant can confirm that as trenchless methods would be utilised for the cables crossing the U6006, the U6006 would not need to be closed to install the cables. However, the U6006 would need to be closed for a short period, up to a maximum of one week to install the access track.
		Paragraph 3.5.61 of Chapter 3 [REP2 – 022] of the Environmental Statement states that the internal access roads will be 'compacted stone tracks up to 3.5m wide with 1:2 gradient slopes on either side'. Will the dimensions of the access road planned for E13 to E12 / EC03 be the same as the internal access roads above or bigger?	The access road would be 'compacted stone tracks up to 3.5m wide with 1:2 gradient slopes on either side' as outlined in Chapter 3 [REP2 – 022] of the Environmental Statement.

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		This planned crossing cuts through some of the most densely shrubbed and wooded areas along the length of the U6006. How will the Applicant mitigate for this woodland damage?	The Framework CEMP includes the following requirement to minimise tree loss along the U6006 as a result of the proposed access: <i>An access road will be required from E12 to E13; however, tree loss will be kept to a minimum through micro-siting at the Detailed Design stage and a no-dig construction to further minimise tree impacts and reduce the extent of loss.</i>
		Will this crossing will be an active crossing for the duration of the scheme (40 years plus decommissioning)? How will this access road between E13 and E12 / EC03 be managed by the Applicant regarding NMU users? What safety features will be in place to protect NMU users and their pets bearing in mind most pets will be off their leads.	The crossing will be an active crossing which will be managed by the Applicant throughout the construction and operational phase to avoid conflict between the NMU users and the Scheme traffic. The crossing will be utilised by site personnel needing to access E12 or ECO3. A fence will be installed at the start of construction behind the existing vegetation lining the U6006 to protect NMU users and their pets.
		Please explain the significance of "14m" in E13 of the map figure 3-1 Sunnica East Parameter Plan 60589004 and why this is unique to E13	The '14m' is part of the OS Base Mapping and is not related to the Scheme design.
	Worlington Parish Council Deadline 8 Submission [REP8-061] Comments on the U6006	Green Lane/ Badlingham Lane U6006 Worlington Parish Council would like to stress the importance of U6006, contrary to what Sunnica Ltd. have stated. It is a well used track and we believe it is vital to stay as such for the	The Applicant acknowledges the importance of the U6006 to local residents. The U6006 will remain open for the duration of the construction and operational phase of the Scheme, apart from one week during construction.

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		well-being and health of our residents and those further afield.	
		<p>Usage</p> <p>The applicant stating that few people use the area and therefore deem it unworthy to keep is unjustified. Though Worlington Parish council disagree with the applicants calculations of use, we would also like the inspectors to consider the %. Numbers in a small, rural community are never going to be in the hundreds. An example: if just five people were to use the track daily that is 10% of Worlington's population. This is another example of how being a small parish has made us insignificant in the eyes of the applicant. This track is used daily by walkers, joggers, horse riders and cyclists. There are some who specifically drive here from further afield, to walk along a rural track sporadically lined with pines and oaks where the gaps provide views of fields beyond.</p>	<p>The Applicant has undertaken surveys of the PRoW as documented in 8.42 Technical Note: Transport and Access [REP2-041]. This recorded a daily average of five pedestrian movements and an average of three cycle movements. In real-term numbers this is considered a low number of daily users. However, the Applicant has committed to keeping the U6006 open for the duration of the construction and operational phase of the Scheme, apart from one week during construction. The Applicant has not attempted to use this data to argue for a longer closure and in fact has reduced the closure period by committing to install the cables via trenchless methods under the U6006.</p> <p>The data has only been provided to inform the baseline usage of the route.</p>
		<p>Access to vehicles</p> <p>U6006 may be classed as an unkept road, a green lane, but though a four wheeled vehicle such as a car could possibly navigate the path it is unlikely this would be achievable without the vehicle causing substantial damage. In order to achieve easy vehicle navigation both trees and hedges would need to be removed.</p>	<p>The Applicant has committed to not travelling along the U6006, the only vehicular access required is to cross the U6006 to get from E13 to E12 and ECO3. The Framework CEMP includes the following requirement to minimise tree loss along the U6006 as a result of the proposed access:</p> <p><i>An access road will be required from E12 to E13; however, tree loss will be kept to a minimum through micro-siting at the Detailed Design stage and a no-dig construction to further minimise tree impacts and reduce the extent of loss.</i></p>

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		<p>Site Access</p> <p>By creating site accesses the applicant has added a risk factor to those using the track. What volume of vehicles will be crossing? What type of vehicles? What times of day will the crossing be used. What happens if during construction or completion it is deemed too dangerous to allow public past? Removal of Trees, hedging and scrub will affect both the vista and wildlife hides, nesting areas and roosting spots. WPC have submitted Bat surveys in our Written representation.</p>	<p>The crossing will be an active crossing which will be managed by the Applicant throughout the construction and operational phase to avoid conflict between the NMU users and the Scheme traffic. The crossing will be utilised by site personnel needing to access E12 or ECO3. At this stage the Applicant expects an average of 5 to 6 HGVs will be required to utilise the crossing during construction between the hours of 7am and 7pm Monday to Saturday. During operation, the access will be used very infrequently for maintenance within E12 and ECO3.</p> <p>As outlined above, vegetation along the U6006 will be controlled through a requirement in the Framework CEMP.</p> <p>Please see response below on the Bat submission.</p>
		<p>Bats</p> <p>"A full bat roost survey will only be conducted before construction" and only it seems on the trees set for removal. Why would a survey be done after the fact. The applicant talks of small areas with potential low risk when removing the trees. It is a cumulative effect: -removal of trees - addition of fencing -addition of solar arrays -construction noise -disruption of flight paths for hunting We reiterate: Natural England have a published paper on their website dated 2017, Evidence review of the impact of solar farms on birds, bats and general ecology (NEER012) within this document it states "Based on this review, there is currently no experimental observational or theoretical scientific literature on the</p>	<p>Detailed surveys for bat usage of the Order limits have been undertaken and are provided in Appendix 8J - Report on Surveys for Bats of the ES [APP-087]. This has included determining the levels of bat activity across the Scheme and the potential for trees and other structures to support bats. These data have been used to inform the Scheme design. Given, that the Scheme will avoid impacts on trees identified as having moderate and high bat roost potential, no further surveys are required at this stage. However, following detail design should impacts on any potential bat roosts be identified, then appropriate surveys will be undertaken and if required, mitigation strategies and licence application prepared. These measures are secured in both the OLEMP and Framework CEMP.</p> <p>It should be noted that the guidance to which the Council points, makes this statement in acknowledgement that insufficient monitoring of operational solar farms has been undertaken to date to test effects (negative or positive) on bats.</p>

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		<p>effect solar panels may have on bats” The applicant is using outdated data that was never intended for installations of this size.</p>	
		<p>Addition of fencing The applicant stated fencing will be placed along each side of the track. Though this may be placed behind the existing tree line it will be visible. Part of the beauty of this area is seeing the fields beyond where the trees thin. Deer often frequent this area but will no longer be able to pass through. A fence with gaps even for smaller animals like hedgehogs is still a fence, still a barrier to keep things apart. Health and well being Taking away one of two easily accessible walking routes and cutting our village off from our neighbours will have a devastating effect on the communities. The applicant states it will only be closed for a few weeks. The applicant fails to acknowledge they will be changing the vista to an industrialised one, crossing points with daily vehicle movement, added noise both during and after construction and the removal of trees and scrub and the addition of fencing. All of this will impact the area and take away the reason why it is now used.</p>	<p>Security fencing is proposed to enclose fields of solar panel arrays. This fencing will be set back from the track, beyond existing vegetation and proposed planting. In the case of the section of U6006 between parcels E12 and E13, the Applicant has increased this setback to 30m measured from the outside edge of the existing vegetation. The part of the track north of these parcels and south of Worlington, which measures approximately 1km, will not be enclosed by security fencing but will include a section of anti-predator fencing to protect the sensitive ecology area. The character of these fences will be similar to other agricultural fences which are common across the rural landscape.</p> <p>The visual impact of the Scheme, including the fencing, has been assessed within the Landscape and Visual Amenity chapter of the Environmental Statement [APP-042]. This concludes that, based on the worst-case, there will be major significant effects during construction and moderate to major effects at Year 1 of operation during winter. These effects will reduce to minor adverse by Year 15 of operation as the proposed planting establishes. In addition, the Applicant has committed to providing additional permissive paths which will link with U6006 to provide alternative routes through parts of the countryside which are not currently accessible to the public. These paths will provide opportunities for shorter and longer routes, including circular routes around the southern edge of the village.</p> <p>Noise, traffic and vegetation loss will be controlled through measures outlined in the Framework CEMP. However, the Scheme will not restrict access to the U6006 and will provide additional planting and protection for wildlife for the duration of the Scheme. In addition, the Scheme will provide two new Permissive Paths one which will provide a circular route and a second which</p>

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			will provide access to Golf Links Road, thereby extending the walking route options for local residents which is considered to be beneficial for health and well-being.
		Getting things wrong The applicant has admitted several times to answering our and other's statements incorrectly. The latest was in regards to this very area. For example: • The applicant proposed tarmacking vehicle crossing points- on an earth lane • Proposing an alternative route while the lane is closed along a 60mph road without foot paths. To us this shows a lack of understanding to the countryside here, their answers are generalised and not thought through in regards to specific areas.	The Applicant has acknowledged this error and has taken steps to rectify mistakes when these are identified.
		In conclusion This is an historic trackway connecting ancient villages, documented in the Hodskinsons map of 1783 but far older-see written representation appendices item 6 pg47. An amenity space allowing direct access to the countryside where wildlife is abundant including several rare species. Is in its present form a valuable asset to our community. WPC are fearful this will be lost should the application be passed.	The Applicant acknowledges the importance of the U6006 to local residents. The U6006 will remain open for the duration of the construction and operational phase of the Scheme, apart from one week during construction. The U6006 will be maintained and enhanced with additional planting for the duration of the Scheme's operational life.
Socio-economics	Jan Anderson on behalf of the Travellers	Solar Panels and battery storage are in close proximity to the homes.	The Applicant has not committed to not installing solar panels within 500 yards of residential properties within any documents submitted within the Examination. The offset from the developable area to residential properties varies across the site depending on

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	Community Elms Farm [REP8-060] EQIA	Panels are more than 500 yards from the homes of residents in Worlington.	the local characteristics of the specific parcel, such as the potential to provide adequate visual screening, ecological constraints and engineering requirement. Linear belts of trees and shrubs along the east boundary of E20 and E21 will be 15m wide. A timber closed boarded fence will also line the eastern boundary to screen views from the adjacent travellers' site. The distance between the site boundary and proposed solar panel arrays is 30m or greater in this location, and the distance to the BESS area is 200m or greater.
		There has been no engagement from Sunnica.	The Applicant has set out its pre-application engagement with the Travellers Community living at Elms Road in section 4.9 of the Consultation Report [APP-026]. Following acceptance of the Application, the Applicant has responded to submissions that the Travellers Community living at Elms Road has made into the Examination. The Applicant has updated the Equality Impact Assessment at Deadline 10 to provide further information on the consultation approach for groups with protected characteristics.
Soils	Anne Noble Deadline 8 Submission - Comments on submissions received by Deadline 7 [REP8-043a]	Soil Lab analysis results sheets provided by Anne Noble	The Laboratory Assessment Results sheets include analysis that is not relevant to determining ALC Grade. These include the nutrient assessments. The result sheets omit analysis that is needed to assess ALC Drought limitation including stone presence and sand fraction.
	SNTS Deadline 8 Submission – Comments on D7 Submissions, Comments on RIES, and Summary of Position [REP8-050] Appendix E	Drought Assessment Soil Pits RAC survey comparisons	Natural England have reviewed the Applicant's ALC assessment including the calculation of drought limitation [REP8-057]. NE conclude " <i>Therefore Natural England remains satisfied that the results of the ALC surveys are reliable.</i> " Soil inspection pits were dug throughout the lengthy site assessment of ALC Grade. Notes on some of these pits can be seen in the auger boring record. At the conclusion of the field work

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			<p>six additional pits were dug at representative locations within the Sites to provide a definitive set for the ES.</p> <p>Field survey work by the Applicant found areas of soil similar to those reported by RAC in their assessment of the quarry site. However the Sites contain a much larger area of shallow soils over chalk. The RAC survey for the sand and gravel quarry would not have extended onto the areas of shallow soils over chalk as the quarry applicant would know that there was no sand and gravel present. There is no discrepancy between the ALC survey work on behalf of the Applicant and the RAC assessment on behalf of the quarry. The RAC assessment of the quarry site does however contradict subsequent claims made by RAC on behalf of SNTS on the role of irrigation, cropping and strategic scale mapping in assessing ALC Grade.</p>
Planning	Peter Goodyear on behalf of Fordham (Cambs) Walking Group	<p>Compliance with the following policies in relation to :</p> <ul style="list-style-type: none"> -NPPF Paragraphs 92, 104, and 112 -ECDC Local Plan Policy COM7 -Forest Heath and St Edmundsbury Local Plan: Joint Development Management Policies Document policies DM2 parts K&L, DM37, DM44, and DM45 -Fordham Neighbourhood Plan Policy 10 	<p>In response to the Fordham (Cambs) Walking Group submission, the Applicant notes that the Scheme will not result in the closure or diversion of any rights of way beyond limited very short term closures during the construction period, which will be undertaken only as a last resort and be for a maximum duration of 3 weeks. The concerns raised by the Fordham (Cambs) Walking Group submission therefore relate to the enhancements to routes that are proposed by the Applicant and further enhancements that the Fordham (Cambs) Walking Group considers to be desirable. Fordham (Cambs) Walking Group identifies various policy references which it asserts the Scheme does not comply with. The Applicant disagrees and considers the Scheme is in accordance with the policies identified by the group, as summarised below.</p> <p>NPPF paragraph 92 sets out that developments should promote social interaction and opportunities for people to meet; be safe and accessible; and enable and support healthy lifestyles including (for example) through provision of accessible green infrastructure. The Scheme accords with these objectives. No</p>

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			<p>existing routes will be closed off and additional permissive routes and additional monies for the Council to improve/establish paths in the local area will be provided as part of the Scheme, enabling continued and enhanced access to green infrastructure and opportunities for people to meet.</p> <p>NPPF paragraph 104 sets out that transport issues should be considered from the earliest stages of plan-making and that opportunities to promote walking and cycling should be identified and pursued. The Scheme complies with this policy. From the early stages of the design process efforts have been made to retain the existing network of routes and provide permissive paths to enhance this. These objectives have been successfully incorporated into the Scheme for which consent is sought. Details of permissive paths proposed were provided at statutory consultation in September 2020.</p> <p>NPPF paragraph 112 states that it is to be read in the context of its preceding paragraph (111) which states that <i>“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”</i> It sets objectives that applications for development should include. These are of limited relevance to energy infrastructure developments when compared with residential or mixed-use developments. They, however, include giving priority to pedestrian and cycle movements, creating places that are safe, secure and attractive, and avoiding the scope for conflicts between pedestrians and cyclists and vehicles. The Scheme achieves these objectives by retaining all existing routes, providing enhancements via new permissive routes and providing substantial stand-offs between rights of way and built infrastructure that forms part of the Scheme.</p> <p>ECDC Local Plan Policy COM 7 sets out at clauses b and c that developments should provide a comprehensive network of routes giving priority for walking and cycling and should protect existing rights of way or allow for agreed diversions in</p>

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			<p>exceptional circumstances. As set out in the Planning Statement [APP-261], the Scheme complies with this policy through the retention of existing routes and the provision of permissive paths which will enhance the network.</p> <p>Parts k and l of policy DM2 of the Forest Heath and St Edmundsbury Local Plan: Joint Development Management Policies Document seek the provision of pedestrian and cycle links and the maintenance of highway safety. As set out in the Planning Statement [APP-261], the Scheme complies with this policy through the retention of existing routes and the provision of permissive paths which will enhance the network.</p> <p>Policy DM37 of the Forest Heath and St Edmundsbury Local Plan: Joint Development Management Policies Document concerns developments in towns and Key Service Centres and is not relevant to the Scheme.</p> <p>Policy DM44 of the Forest Heath and St Edmundsbury Local Plan: Joint Development Management Policies Document sets out that development should not adversely affect the character or result in the loss of rights of way and that improvements to rights of way will be sought in association with new development. The Scheme will not result in the loss of any rights of way and will provide improvements to the network via permissive paths and a financial contribution. Impact on the character of rights of way have been carefully managed through the design of the Scheme through proposed planting and stand-offs between rights of way and built solar farm infrastructure.</p> <p>Policy 10 of the Fordham Neighbourhood Plan sets out that development should not obstruct or significantly impact on the enjoyment of a public right of way and that the appearance of a development from a right of way should be considered with green infrastructure incorporated to reduce visual impacts. The Scheme is in accordance with this policy as it retains existing rights of way and enhances the network through the addition via permissive paths and a financial contribution. It has been designed to minimise visual impacts from rights of way by</p>

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			<p>keeping the maximum heights of solar panels to 2.5m. This will help avoid or minimise visibility of panels above hedgerows which will be managed to a height of between 2m and 3m as part of the Scheme. In addition, substantial stand-offs between rights of way and built solar farm infrastructure are incorporated into the design of the Scheme, with enhancements to green infrastructure also proposed to enhance visual screening where appropriate.</p> <p>In summary, existing poor provision of rights of way in the local area is not the fault of the Scheme. Through keeping existing routes open, providing additional permissive routes and additional monies for the Council to improve/establish paths in the local area, the Applicant has met and exceeded any policy requirement to protect and seek opportunities to enhance the local network of routes. Fordham (Cambs) Walking Group's desire for yet further enhancement to the network of paths has no bearing on the Scheme's compliance the compliance of the Scheme with the policies they identify.</p>

