



Department for
Energy Security
& Net Zero

1 Victoria Street
London
SW1H 0ET

Web:

<https://www.gov.uk/government/organisations/department-for-energy-security-and-net-zero>

To:

Sunnica Limited
Historic England
Suffolk County Council
Cambridge County Council

Our Ref: EN010106

Date: 23 August 2023

Dear Sir or Madam,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by Sunnica Energy Farm (“the Applicant”) for an Order granting Development Consent for the proposed Sunnica Solar Farm Project (“Sunnica Solar Farm”)

REQUEST FOR INFORMATION

1. Following the completion of the Examination on 28 March 2023, the Examining Authority submitted a Report and Recommendation in respect of its findings and conclusions on the above application to the Secretary of State on 28 June 2023. In accordance with section 107 of the Planning Act 2008, the Secretary of State for Energy Security and Net Zero (“the Secretary of State”) has three months to determine the application.
2. Further to his first information request of 27 July 2023, there are matters on which the Secretary of State would be grateful if the Applicant, Historic England, Cambridge County Council and Suffolk County Council could provide further information, as set out below.

Outline Historic Environmental Management Plan (oHEMP)

3. At Deadline 10, the oHEMP (within the outline Landscape and Ecology Management Plan) [EN010106/APP/6.2] was updated to address Historic England's comments outlined in an email received on 8 March 2023. Historic England, in its email of 22 March 2023, raised concerns that the oHEMP lacks a coherent approach to the management of the scheduled monument in W09. The oHEMP was further updated to provide that more information on this point will be provided in Method Statements to be provided post-consent, as set out in the updated oHEMP submitted at Deadline 10. The Secretary of State understands that the Applicant was discussing this wording with Historic England to seek to agree it prior to the end of the Examination. The **Applicant** and **Historic England** should confirm whether agreement has been reached.

Stone curlew

4. In responding to West Suffolk Council's Deadline 5 comments on the offsetting habitat provision for stone curlew, the Applicant [REP7-057, page 37] stated that, despite the evidence of previous impact to the upper soil horizons in ECO3, the Applicant agrees that, should topsoil strip be required to establish grassland habitat, trench evaluation within the proposed strip area could be undertaken post-consent. The Applicant stated that it understood that SCC would produce a brief for this requirement for Deadline 7. **The Applicant** and **Suffolk County Council** should confirm whether a brief has been agreed, and if so, the **Applicant** should provide any updated documents.
5. In responding to West Suffolk Council's Deadline 7 post-hearing submissions on stone curlew, the Applicant [REP8-023, page 21] states: "*The Applicant has discussed appropriate methods for creating and managing Stone-curlew plots with relevant archaeology consultees within the LPAs and these are presented in the OLEMP (and the OHEMP).*". The Secretary of State also notes that in the final Statement of Common Ground with Natural England [REP10-027], it is stated that: "These [the measures to applied to [sic.] creating Stone Curlew offsetting habitats within areas also containing sensitive buried archaeology] were agreed in consultation with the relevant archaeological consultees". **The Applicant** should confirm which archaeological consultees this refers to, and to provide evidence of the agreement reached with any such consultees.
6. **The Applicant** should clarify why the outline Landscape and Ecological Management Plan (Annex F, Section 4) states that creation of plots within ECO2 and ECO3 "will follow the details of plot creation and management provided by the RSPB information Note 'Managing nest plots for stone-curlews', with further requirements set out in the Countryside Stewardship Higher Tier 'AB4: Nesting plots for Stone-curlew' guidance note.", but not with reference to ECO1. The Secretary of State notes that Cambridgeshire County Council also queried this at Deadline 6 [REP6-057, page 22], but he cannot see that the Applicant responded

to this query in its 'Deadline 7 Submission - 8. 97 Applicant's Response to LPA Deadline 6 Submissions' [REP7-057].

Final position with landowners and councils

7. **The Applicant** should provide an update on the final position reached with landowners where issues remain outstanding in relation to compulsory acquisition and temporary possession. The Applicant should also provide an update on the final position reached with the relevant local councils, including regarding any side agreements made in their capacity as highway authorities.
8. In the absence of an agreement, **the Applicant** and **Cambridge County Council** are asked to provide their views on whether plots 9-07, 11-05 and 11-06, listed in the Book of Reference (BoR) as “verge and hedgerow (La Hogue Road)” should be subject to compulsory acquisition of the freehold title, or whether acquisition or rights only over these plots would be sufficient to allow for access.
9. The **Applicant** and **Suffolk County Council** are asked the same question in relation to plots 1-02 and 1-03, listed in the BoR as “verge and... overhead telephone lines (Unnamed Road)” and in relation to plot 5-11, listed in the BoR as “public bridleway and byway (U6006) and hedgerow”.

Next Steps

10. Responses to the requested information should be submitted by email only to **Sunnica@planninginspectorate.gov.uk** by **23.59 on 30 August 2023**.
11. Responses will be published on the Sunnica Solar Farm project page of the National Infrastructure Planning website as soon as possible after **30 August 2023**:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/sunnica-energy-farm/>

12. This letter is without prejudice to the Secretary of State's consideration of whether to grant or withhold development consent for the Sunnica Solar Farm Project or any part of the project. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.

Yours faithfully,

John Wheadon

Head of Energy Infrastructure Planning Delivery

Department for Energy Security and Net Zero