

From: [Alice Tithecott](#)
To: [Sunnica Energy Farm](#)
Cc: [Frank Jordan](#); [Emma Fitch \(she/her\)](#); [Planning DC](#)
Subject: Cambridgeshire County Council Response to SoS Request for Information - Sunnica Solar Farm
Date: 30 August 2023 17:15:46
Attachments: [RFI.20230830 - Response to Sunnica Request for Information .docx](#)

Good afternoon,

Please find attached a letter from Cambridgeshire County Council in response to the Secretary of State's Request for Information on Sunnica Solar Farm, dated 23 August 2023, with regard to the final position with landowners and councils.

Please direct any follow up correspondence on this matter to PlanningDC@cambridgeshire.gov.uk in the first instance.

Kind regards,
Alice

Alice Tithecott | Planning and Growth Manager

Place and Sustainability
Cambridgeshire County Council

Pronouns: she/her ([why have I put this here?](#))

Email: [REDACTED]

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Our Ref: RFI.20230830
Your Ref: EN010106

Date: 30 August 2023

Contact: Alice Tithecott
Telephone: [REDACTED]
E Mail: PlanningDC@cambridgeshire.gov.uk

John Wheadon
Head of Energy Infrastructure Planning Delivery
Department for Energy Security and Net Zero

Sunnica@planninginspectorate.gov.uk

Email only

Place and Sustainability
Frank Jordan
Executive Director
New Shire Hall, Emery Crescent
Enterprise Campus, Alconbury Weald
Huntingdon
PE28 4YE

Dear Sir,

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

I am writing on behalf of Cambridgeshire County Council (the Council) in response to the Secretary of State’s Request for Information on Sunnica Solar Farm, dated 23 August 2023.

Final position with landowners and councils

The Council notes the Secretary of State’s request for its views, in the absence of an agreement, 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.

Plots 9-07, 11-05 and 11-06 all reference ‘verge and hedgerow’ on La Hogue Road. From its perspective as local highway authority the Council has not been able to precisely define the boundary of the highway in these locations and therefore cannot guarantee that any works carried out in these areas would be within the highway. The common law presumption in relation to highway boundary features is that, unless there is evidence to the contrary, hedges bounding the highway are part of the adjoining private land and therefore the responsibility of the relevant landowner; the Council believes that presumption is likely to apply in this instance. Therefore, in the event highway works are required to these areas as a result of “alteration to streets”, and subsequently adoption of these works as public highway is necessary, it is the Council’s view that the freehold of the land should be in the ownership of the Applicant, because the land could only be dedicated by the freehold owner of the land to become highway maintainable at public expense. If the Applicant were to pursue acquisition of rights only, it would not be possible for that land to be dedicated by the Applicant to become highway maintainable at public expense.

The Council is also aware that the Applicant intends to carry out landscaping/environmental mitigation to land included within these plots. It is therefore

the view of the Council that the Applicant should acquire the freehold land within plots 9-07, 11-05 and 11-06.

The Council also notes paragraph 7 within the Secretary of State's Request for Information asks for an update on the side agreement. The Council can confirm that this document is in an agreed form and will be completed shortly.

If you have any queries regarding the submissions or require any further information, please contact planningdc@cambridgeshire.gov.uk / 01223 715518.

Yours sincerely

Frank Jordan
Executive Director, Place and Sustainability
Cambridgeshire County Council