



Date: 11 September 2023  
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Dear Mr Wheadon,

**Re: Request by the Secretary of State for comments on the information provided in response to his information request of 27 July 2023 and 23 August 2023**

Thank you for your invitation for comments on information provided in response to the request by the Secretary of State of 27 July and 23 August 2023. This response provides comments from all four host authorities on the matters which are raised in the letter.

Deed of obligation

The councils can confirm the information provided by the applicant that the Deed of Obligation has been completed.

Battery Energy Storage System Design and Hazardous Substance Consent

The district councils, in their role as Hazardous Substances Authorities, note the developer has stated “The requirement for Hazardous Substances Consent was a live issue throughout the examination”; this statement is agreed with.

It remains the district councils’ view that the Secretary of State should consider if a Hazardous Substance Consent is required and if so grant a deemed consent as part of the DCO or otherwise refuse the application on a lack of information.

Isleham Bomber Plane Crash Site

The councils’ position with regard to the bomber plane crash site is not changed by the provision of the license by the Joint Casualty and Compassion Centre. The councils’ position is best summarised in paragraph 13 of East Cambridgeshire District Council and Cambridgeshire County Council’s ISH4 Post Hearing Submission [REP7-079] and more context and detail is provided in the table entry for E05 in the deadline 7 submission titled *The Councils’ position on ‘parcel by parcel’ mitigation and residual effects* [REP7-072].

In brief, the councils’ view is that in order of preference: E05 should be removed from the scheme, if this is not possible then E05 should be reduced to an existing field boundary, and finally if development must take place in close proximity to the site a more thorough approach to sensitive design should be taken.

Side Agreement with the Local Highways Authority

The information provided by the applicant was correct. By way of update, both Suffolk and Cambridgeshire County Council are close to completing their side agreements with the applicant. Though the side agreements would make the protective provisions moot, the Councils would like to note that the Local Highways Authorities’ position on the protective provisions remains as it did

at Deadline 9. Detailed comments were submitted alongside a preferred form of protective provisions at [\[REP9-010\]](#).

#### Glint and Glare

The councils have no comment on information provided by the applicant in relation to glint and glare.

#### Breckland SPA

The position as set out in West Suffolk's deadline 8 submission [\[REP8-052\]](#) has not changed in relation to the Natural England draft evidence on whether populations of stone curlew are functionally linked to the Breckland Special Protection Area.

#### Agricultural Land

The councils note that the Secretary of State received a letter from Say No to Sunnica on 25 July 2023 concerning the classification of agricultural land. This is an important issue due to the strong agricultural heritage of Suffolk and Cambridgeshire, so in order to assist the Secretary of State the councils can say that there has been no change to our position since deadline 7, at which time we provided the ExA with an additional submission concerning agricultural land classification [\[REP7-095\]](#). We do not repeat our point, except to briefly summarise that a Rochdale Envelope approach taking the reasonable worst-case scenario into account would be a robust way to deal with the issue.

#### Stone Curlew off-setting

The councils note that the applicant, in paragraph 2.3 of their letter dated 30 August, advised that the appropriate methods for creating and managing Stone-curlew plots within those areas also containing sensitive archaeology were discussed with the relevant consultees, culminating in the submitted Outline Historic Environment Management Plan. They go on to highlight that the Statement of Common Ground (SoCG) with the Local Planning Authorities does not indicate any concern in respect of that document.

The councils' position with regards to Stone-curlew off-setting has not changed since the close of the examination, where Stone-curlew mitigation was a matter not agreed, as set out in the final SoCG [\[REP8-029\]](#). We remain unconvinced that the measures in areas which are archaeologically sensitive are acceptable for both preservation of archaeology and Stone-curlew nesting plots.

We trust that you find this response helpful.

Kind regards,

Cambridgeshire  
County Council

East  
Cambridgeshire  
District Council

Suffolk County  
Council

West Suffolk  
Council