

FAO of Mr John Wheadon  
Head of Energy and Infrastructure Planning Delivery  
Department for Energy Security and Net Zero  
3-8 Whitehall Place  
London  
SW1A 2AW

By e-mail to [Sunnica@planninginspectorate.gov.uk](mailto:Sunnica@planninginspectorate.gov.uk)

24<sup>th</sup> January 2024

Dear Mr Wheadon,

**RE: Application by Sunnica Limited for an order granting Development Consent for the proposed Sunnica Energy Farm**

**Suffolk Wildlife Trust comments following Sunnica Limited (Sunnica) and Natural England responses to request for information from Secretary of State dated 14<sup>th</sup> December 2023.**

Suffolk Wildlife Trust has consulted with the RSPB for the purpose of preparing the comments below in relation to the question of whether stone-curlews nesting on land within area of the proposed Sunnica Energy Farm is functionally linked to the Breckland SPA.

Stone-curlew is a rare breeding bird in the UK and is protected under Schedule 1 of the Wildlife & Countryside Act 1981 (as amended). In addition, under Regulation 10 of the Conservation of Habitats and Species Regulations 2017 (as amended), there is a duty on the Secretary of State to preserve, maintain and re-establish a sufficient diversity and area of habitat to maintain the population of bird species, as well as use all reasonable endeavours to avoid any pollution or deterioration of the habitats of wild birds. In the context of the loss of habitat for a significant proportion of the UK population of this rare breeding bird, this duty is particularly important.

On average five pairs of stone-curlew nest within the proposed Sunnica East site each year and would be directly affected by the development. The UK breeding population of stone-curlew has recently been estimated at 328 pairs (5-year average 2015-2019)<sup>1</sup>. The Sunnica East site therefore holds nationally significant numbers of breeding stone-curlew, with over 1% of the UK population and thus the offsetting of these impacts proposed during the Examination will be important to avoid significant impacts on the UK stone-curlew population and would be consistent with the duties described above.

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<sup>1</sup> Rare Breeding Bird Panel, cited by BTO <https://www.bto.org/understanding-birds/birdfacts/stone-curlew>

We note the responses to the Secretary of State's letter of 14<sup>th</sup> December 2023<sup>2</sup> from Sunnica Ltd<sup>3</sup> and Natural England<sup>4</sup> on the potential functional linkage of stone-curlews present within the area of the proposed Sunnica scheme with the Breckland SPA, for which stone-curlew are a designated feature, and that these responses explain that, as yet, evidence around this issue is not available. However, we consider that the most pertinent points for the Sunnica scheme were made by Natural England in section 3 of their response at Deadline 5 of the Examination<sup>5</sup>, following a discussion of functional linkage (our emphasis):

“However, stone curlew remain a protected species under the Wildlife and Countryside Act 1981 as well as the EU birds directive and, therefore, all mitigation measures and concerns raised to date remain relevant.”

and that the project should:

“continue to consider the mitigation measures through the robust mechanism provided by an appropriate assessment”

We fully support these points and given the proportion of the national population of this species potentially affected by this one proposal, consider it essential that the highest standards of mitigation and offsetting for stone-curlew are required for the Sunnica project.

It is our considered opinion that the same rigorous approach to assessing, avoiding, mitigating, and compensating for likely impacts of the proposals on stone-curlew must apply regardless of the potential functional linkage between stone-curlews nesting within the Sunnica scheme area and the Breckland SPA.

Yours sincerely,

Rupert Masfield

Planning and Advocacy Manager  
Suffolk Wildlife Trust

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<sup>2</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010106/EN010106-005906-December%2023%20information%20request.pdf>

<sup>3</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010106/EN010106-005908-Sunnica%20Limited.pdf>

<sup>4</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010106/EN010106-005907-Natural%20England.pdf>

<sup>5</sup> [EN010106-004798-Natural England - Other- Comments on submitted documents and response to ExQ2.pdf \(planninginspectorate.gov.uk\)](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010106/EN010106-004798-Natural%20England%20Other%20Comments%20on%20submitted%20documents%20and%20response%20to%20ExQ2.pdf)