



Pinsent Masons

BY E-MAIL

FAO of Mr John Wheadon
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20 February 2024

Dear Mr Wheadon

PLANNING ACT 2008 AND THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

APPLICATION BY SUNNICA LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE PROPOSED SUNNICA ENERGY FARM

Pinsent Masons LLP is instructed by Sunnica Limited ("**Applicant**") in respect of its application for an order granting development consent for the Sunnica Energy Farm ("**SEF**"). The Applicant has reviewed the responses submitted to the Secretary of State's Consultation of 15 January 2024. It has not been asked to respond to those responses. However, in light of the submission made by Say No To Sunnica Action Group Limited, the Applicant would like to draw the Secretary of State's attention to the Applicant's Habitats Regulations Assessment: Report to Inform an Appropriate Assessment [REP5-045].

The Applicant's position has remained consistent since prior to the submission of its DCO application in that the land used by the Stone-curlew population within the Order limits for the proposed SEF has been treated as being functionally linked to the Breckland Special Protection Area (SPA).

The Secretary of State therefore, has in front of her the necessary information to assess the potential for effects on the Stone-curlew population in the context of the Breckland SPA.

It should be re-iterated that irrespective of the position taken regarding the link between Stone-curlew associated with the proposed SEF and the Breckland SPA, Natural England as the statutory nature conservation body is satisfied that the Applicant's mitigation measures are adequate to avoid adverse effects on Stone-curlew as a species. This is irrespective of whether

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the land in the Order limits is considered to be functionally linked land or not. This position is recorded in the signed Statement of Common Ground with Natural England [REP10-027].

Yours sincerely
Tom Edwards
Senior Associate
for Pinsent Masons LLP
This letter is sent electronically and so is unsigned