



SUNNICA ENERGY FARM

EN010106

Volume 8

8.51 Applicant's response to other party Deadline 2 First Written
Question Submissions

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009



28 November 2022
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Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed Forms and
Procedure) Regulations 2009**

**Sunnica Energy Farm
Development Consent Order 202[x]**

**8.51 Applicant's response to other party Deadline 2 First Written
Question Submissions**

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Table of contents

Chapter	Pages
1 Introduction	2
1.1 Purpose of this document	2
2 Applicant's response to Environment Agency's first written question responses	3
3 Applicant's response to National Grid Electricity Transmission first written question responses	8
4 Applicant's response to East Cambridgeshire District Council, Cambridgeshire District Council, Suffolk County Council and West Suffolk Council first written question responses	9

1 Introduction

1.1 Purpose of this document

- 1.1.1 This document provides Sunnica Energy Farm Ltd's (the Applicant's) response to other party responses to first written questions submitted to the Planning Inspectorate (PINS) at Deadline 2 on 11 November 2022.
- 1.1.2 Sections 2 of this report is tabularised to respond to a particular parties submission document where an issued has been raised for the applicant to respond.
- Chapter 2 – Applicant's response to Environment Agency's first written question responses
 - Chapter 3 – Applicant's response to National Grid Electricity Transmission first written question responses
 - Chapter 4 – Applicant's response to East Cambridgeshire District Council, Cambridgeshire District Council, Suffolk County Council and West Suffolk Council first written question responses
- A response is not provided to Isleham Parish Council and Suffolk Wildlife Trust's responses to questions, as the issues raised in those responses are similar to their Written Representations, which the Applicant has also responded to at Deadline 3A.

2 Applicant's response to Environment Agency's first written question responses

ExQ1 Ref	Question	Other party response	Applicant's response
1.1.41	Battery Energy Storage System (BESS): <ul style="list-style-type: none"> Are you satisfied with the current outline mitigation provisions in RMM15 in table 12 of the outline Battery Fire Safety Management Plan [APP-267]? 	<p>We are satisfied with the provisions at this stage. The outline mitigation provisions in RMM15 appear to reduce the risk of pollution to surface and groundwaters arising from any leaks or spillages both inside and outside of the batter (BESS) enclosures, during normal operations and in the event of a fire. We would like to be included in the consultations on the detailed Battery Fire Safety Management Plan required by draft DCO Schedule 2 Requirement 7.</p>	<p>The Applicant confirms that it will update the draft DCO that will be submitted at Deadline 4 to include the Environment Agency as one of the bodies to be consulted prior to approval of the battery fire safety management plan pursuant to requirement 7.</p>
1.5.16	Art 6: Disapplication of legislation <p>Art 6 would disapply sections 23 and 32 of the Land Drainage Act 1991, byelaws made under section 66 of the Land Drainage Act 1991, byelaws made or having effect under Schedule 25 of the Water Resources Act 1991 and Regulation 12 of the Environmental Permitting (England and Wales) Regulations 2016 and the legislation listed in Schedule 3.</p> <ul style="list-style-type: none"> Are you content that your interests are adequately protected? 	<p>The applicant seeks only to disapply Regulation 12 insofar as it applies to flood risk permitted and provided that protective provisions which we have now agreed with the applicant are included in the DCO we are content that these provisions are disappplied.</p>	<p>The applicant confirms that Regulation 12 of the Environmental Permitting (England and Wales) Regulations 2016 is disappplied insofar as it applies to flood risk activities. This is reflected in the drafting of Article 6(1).</p>
1.11.4	<p>Please confirm whether the five issues or omissions in the submitted FRA referenced in your RR [RR-1208] of 16 March 2022 (Issues 1.1-1.5 and Solution 1.1-</p>	<p>The five issues with the submitted Flood Risk Assessment (FRA) referenced in our Relevant Representations have not been addressed by the revised FRA submitted by the Applicant [AS-007 to AS-012].</p>	<p>The Applicant is continuing technical discussions in relation to the assessment of Flood Risk with the Environment Agency.</p>

ExQ1 Ref	Question	Other party response	Applicant's response
	<p>1.5) have been addressed by the revised FRA submitted by the Applicant [AS-007 to AS-012] in response to s51 advice, and if not please explain what matters, in your view, remain to be addressed and why?</p>	<p>We are having ongoing discussions with the Applicant and have been consulted on a draft FRA Technical Note (dated September 2022), submitted to us on 30 September 2022, which has been prepared to address the issues we have raised. We understand the FRA Addendum will be submitted by the Applicant to address the issues we have raised.</p> <p>Based on our review of the draft FRA Technical Note, we consider the following matters still remain to be addressed:</p> <p>Issue 1.1 - The applicant has undertaken breach modelling of Burwell Lode to address the issue but as there are some uncertainties with the model that has been used, sensitivity testing of this model needs to be undertaken before we can consider whether the outputs of this and the proposed mitigation measures are acceptable. As such, this issue remains to be addressed.</p> <p>Issue 1.2 - The FRA Technical Note demonstrates that all solar stations will be located outside of the floodplain; we are therefore satisfied that no floodplain compensation is required. This issue should be addressed in the forthcoming FRA Addendum.</p> <p>Issue 1.3 - Although relevant modelled flood levels have been included in the FRA Technical Note, further assessment of the impact of climate change on flood risk still needs to be undertaken based on the credible maximum scenario. It still needs to</p>	<p>The Applicant has revised the flood risk technical note to satisfactorily address Issues 1.1 and 1.3. This is included in the FRA Addendum as Annex C. The Applicant looks forward to the Environment Agency's consideration of this updated Information.</p> <p>In relation to Issue 1.2 this is agreed with the EA and is recorded in the Statement of Common Ground (SoCG). It has not been included in the FRA Addendum and it is not considered necessary, as agreed in the SoCG.</p> <p>In relation to Issue 1.4, the relevant drawings are now included within the FRA Addendum, which will be submitted to the Examination in due course.</p> <p>Issue 1.5, the Plans have been updated and will be included in the FRA Addendum, which will be submitted to the Examination in due course.</p>

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		<p>be demonstrated that the solar panels within Flood Zone 3 will be raised high enough to ensure these will remain operational for the lifetime of the development, taking into account the likely effects of climate change. As such, this issue remains to be addressed.</p> <p>Issue 1.4 - Drawings have been included in the FRA Technical Note that show the proposed site layout in relation to the extent of Flood Zones 3b, 3a and 2. We understand that these drawings will also be included in the RA Addendum. As such, this issue should be addressed in the forthcoming FRA Addendum.</p> <p>Issue 1.5 - No drawings have been included in the FRA Technical Note showing the proposed location of temporary site compounds and storage areas in relation to flood zone extents. We understand that these drawings will be included in the FRA Addendum.</p>	
1.11.16	<p>In assessing the groundwater resource including abstractors has the Applicant taken adequate account of your records of unlicensed groundwater abstractions for agriculture and domestic uses previously present in the area, referred to in ES Chapter 9 [APP-041] Table 9-4 Main Matters Raised within the Scoping Opinion and statutory consultation, and if not why not?</p>	<p>We are satisfied that the assessments presented in Chapter 9 consider the potential for impacts licensed and unlicensed (private) groundwater abstractions.</p> <p>Certain water supplies do not require a licence and therefore may not be known to the Environment Agency. Local authorities act as the regulators for private water supplied. The applicant indicated in their submissions (in Chapter 9, paragraph 9.4.5) that they have obtained a search of licenced and unlicensed (private) water abstractions within the vicinity of the Order limits and this</p>	<p>This comment is noted.</p>

ExQ1 Ref	Question	Other party response	Applicant's response
		information is incorporated into their assessments.	
1.11.18	Are you satisfied that all soakaways and other infiltration SuDS meet the criteria in your Groundwater Protection Positions Statement G1 and G9 to G13 (see ES Chapter 9 [App-041] Table 9-4) and if not why not?	<p>Based on the information previously reviewed we are satisfied that all soakaways and other infiltration SuDS are likely to meet the criteria in our Groundwater Protection Position Statements G1 and G9-G13. Based on the previous submissions we understand that existing contamination is not anticipated to be present within the Order Limits. However, in line with the requirements of the Draft DCO Schedule 2 Requirement 18, further investigations are proposed and there is a protocol for unexpected contamination. We understand that shallow infiltration SuDS systems are proposed, with no proposals for construction of deep soakaways.</p> <p>Draft DCO Schedule 2 Requirement 12 includes requirement for the submission and approval of detailed surface water drainage strategy information for each phase prior to development commencing.</p>	This comment is noted.
1.11.22	How have records of any sewers been obtained and reviewed to inform the drainage technical note and the Flood Risk Assessment [APP-095 to APP-098] and the CEMP?	This question is not relevant to us, however it may be relevant to Anglian Water. We have not discussed this matter with the Applicant. Our engagement on flood risk has been specifically focused on fluvial flooding.	Sewer records have been reviewed in locality to compound and BESS areas with regards sewer flood risk and drainage. No wastewater assets exist in the vicinity of these locations; therefore, no plans are available from DigDat website (REDACTED - where Anglian sewer records are purchased from).
1.11.23	Is the content of the Framework CEMP [APP-123] adequate to secure best practice mitigation measures, site investigation and	We are satisfied that the Framework CEMP together with the Draft DCO Schedule 2 Requirements would provide the necessary	This comment is noted and this will be included in the next iteration of the Framework CEMP.

ExQ1 Ref	Question	Other party response	Applicant's response
	eventual remediation works to protect the water environment in Source Protection Zones, Secondary Aquifers and the bedrock Principal Aquifer associated with chalk strata and the Cam and Ely Ouse Chalk groundwater body? If not please explain what additional measures you consider necessary to include in the Framework CEMP that would provide the necessary protection, and why?	<p>protection of the water environment, provided the following amendment is made.</p> <p>Table 3-4 of the Framework CEMP shows that all best practice measures are proposed to be followed, with the exception of vehicle washwater. Page 16C-26 states "wash water will be prevented from passing untreated into watercourses", however vehicle washwaters are a trade effluent and should therefore be discharged to a foul sewer or collected and disposed of to a suitably licensed facility.</p>	

3 Applicant's response to National Grid Electricity Transmission first written question responses

ExQ1 Ref	Question	Other party response	Applicant's response
1.5.41	Art 32: Benefit of the Order: Are you content with the provisions in this Article in respect of Work No. 5?	Response to Q1.5.41: The dDCO remains drafted to the effect that NGET have the benefit of Work No.5. As previously advised in its Relevant Representation, NGET do not consider that this is necessary, especially following the removal of Option 1 from the dDCO together with other concerns with this drafting.	The Applicant is discussing this with National Grid Electricity Transmission as part of ongoing engagement captured in the SoCG and will update the Examining Authority on the status of these discussions when the next version of the SoCG is submitted at Deadline 4.

4 Applicant's response to East Cambridgeshire District Council, Cambridgeshire District Council, Suffolk County Council and West Suffolk Council first written question responses

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
Principle and Nature of the Development				
1.0.2	The Applicant and/or East Cambridgeshire District Council and West Suffolk Council	Impact on local populations Please quantify how many residential properties are within 400m and 100m of the Order limits.	<p>Within the District of West Suffolk there are approximately 1923 residential properties within 400m of the Order limits and 78 residential properties within 100m of the Order limits.</p> <p>Within the District of East Cambridgeshire there are approximately 1402 residential properties within 400m of the Order limits and 156 residential properties within 100m of the Order limits</p>	No additional response required as this was responded to in our Deadline 2 submissions.
1.0.5	The Applicant, and relevant Local Authorities and Statutory Parties	Design principles The National Infrastructure Strategy (November 2020) states that: "All infrastructure projects to have a board level Design Champion in place by the end of 2021 at either the project, programme or organisational level, supported ... by design panels".	a) Firstly, the Councils note that at para 4.6.5 of the emerging Draft Overarching National Policy Statement for Energy EN[1] it suggests that both the developer and the Secretary of State should consider taking independent professional advice on the design aspects of the scheme. WSC, SCC, ECDC	The Applicant maintains the position set out in the Applicant's Response to First Written Questions [REP2-037], which in summary is that the Applicant does not consider that a Design Champion would be desirable or beneficial to the delivery phase of the project, since good design has been achieved at a higher level and landscape architect

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		<p>a) Comment on the desirability of implementing the following measures to ensure that good quality sustainable design and integration of the proposed development, particularly the solar panels, BESS and substations, into the landscape is achieved in the detailed design, construction and operation of the projects.</p> <ul style="list-style-type: none"> • A Design Champion to advise on the quality of sustainable design and the spatial integration of energy infrastructure structures, buildings, compounds, security fences, landscape, heritage, woodland, new landscape features, public rights of way and visual amenity. • A 'design review panel' to provide informed 'critical-friend' comment on the developing sustainable design proposals; • An approved 'design code' or 'design approach 	<p>and CCC would support the principle of a Design Champion being engaged to oversee the detailed design stage of the process. The Councils would also support the use of a design review panel, design code/design approach document and an outline of the design process, including key stakeholders and consultees. A Design Champion would have the potential to contribute to the consideration of sustainable design issues and to the integration of the proposals into the landscape at the detailed design, construction and operation stages of the project. However, it may also be required to review the design principles which have been applied to the project thus far and assess how they accord with the Design Principles of the National Infrastructure Commission [Climate People Place Value, Design Principles for National Infrastructure, National</p>	<p>is expected to retain a role in detailed design.</p> <p>Should the Secretary of State see fit to require a Design Champion during the delivery phase of the Scheme the Applicant agrees with the Councils that it would be more appropriate if they were to be a landscape architect rather than an architect. However, the Applicant draws the ExA's attention to its statement in the Applicant's Response to First Written Questions [REP2-037] that that a landscape architect would retain a role in the detailed design in any case. The Applicant also considers that should a Design Champion be implemented it should be someone with experience of delivery of large-scale solar farms.</p> <p>The Applicant does not agree with the Councils that "it may also be required to review the design principles which have been applied to the project thus far". As set out in the Applicant's Response to First Written Questions [REP2-037], if a Design Champion was to be required, "their remit should be tightly defined within the elements of the design that remain to be developed</p>

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		<p>document' (as approved in the Hinkley Point C Connector Project) to set out the approach to delivering the detailed design specifications to achieve good quality sustainable design;</p> <ul style="list-style-type: none"> An outline, including timeline, of the proposed design process, including consultation with stakeholders and a list of proposed consultees. <p>b) What qualifications and experience should the Design Champion have?</p> <p>c) How might the above measures be secured? and:</p> <p>d) Are any further measures needed? And</p> <p>e) In the opinion of the local authorities and other statutory parties, would the implementation of any or all of the above measures assist in determining post-consent approvals (including the discharge</p>	<p>Infrastructure Commission, Design Group, Feb 2020].</p> <p>Even with a Design Champion in place, sustainable design issues and the integration of the proposals into the landscape would probably still need to be incorporated into the discharge of requirements related to design, which is a matter for the relevant planning authority.</p> <p>b) The skillset required of a Design Champion has not been clearly defined within the National Infrastructure Strategy (November 2020). The Institution of Civil Engineers (ICE) and the National Infrastructure Commission Design Group (NICDG) have produced a useful working paper ('Defining and developing the design champion role', version of 25/08/2022) in this respect.</p> <p>A Design Champion should be a person 'of sufficient gravitas and ability to hold the project team to account in terms of a macro vision of design' [...] They will have</p>	<p>and the parameters that are already set out for those elements".</p>

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		of requirements) in relation to achieving good design?	<p><i>experience of setting and upholding design priorities for large, complex projects, in the context of cost and programme pressures, and will have excellent advocacy skills to communicate the value of design to the rest of the board.'</i> (p.5).</p> <p>In terms of the type of design champion for this project the Councils consider that such a person should be a Landscape Architect rather than an Architect, given the nature of the development and the issues to which it gives rise.</p> <p>c) The measures should be secured by requirement, ensuring that the Design Champion is in place prior to any applications to discharge any requirements that include an element of design.</p> <p>d) On-going review of the value added by the Design Champion.</p> <p>Yes – the implementation of these measures would assist in determining post consent approvals in relation to achieving good design.</p>	
1.1.5	Cambridgeshire County Council, Suffolk County Council, East	Battery energy storage system (BESS):	<ul style="list-style-type: none"> This comment is correct, in that the Outline Battery Safety Management Plan was produced by the 	This comment is noted.

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
	Cambridgeshire District Council, West Suffolk Council	<p>By way of background</p> <ul style="list-style-type: none"> Paragraphs 3.4.23 to 3.4.32 of the Scheme Description [APP-035] give a brief description of the Battery Energy Storage System (BESS) but do not mention fire risk or refer to other relevant documents. Fire is mentioned in general terms in section 16.5 of ES Chapter 16: Other Environmental Topics [APP-048] (Major Accidents and Disasters) with brief references to ES Appendix 16D entitled "Unplanned Atmospheric Emissions from Battery Energy Storage Systems (BESS)" [APP-124]. Concerns about the fire risk of the batteries being installed are mentioned briefly in the penultimate entry in ES Table 16.8 [APP-048] which covers Section 47 response (statutory consultation): the response states that <i>"an Outline Fire Safety Management Plan has</i> 	<p>Applicant in response to concerns raised by the Councils. Though the proposal retains flexibility for the precise implementation of the project, the general siting of the BESS systems would be relatively fixed. The Councils therefore consider it prudent to ensure that operational requirements and any potential siting issues which might arise are considered at an early point in the planning process.</p> <ul style="list-style-type: none"> At the point this comment was made (assumed to be written in the lead up to submission) the Councils believe they had sight of an early draft of the Outline Battery Fire Safety Management Plan, but the ES chapters and appendices would not have been seen until the DCO application documents were published. The Applicant seeks flexibility over the precise technology and configuration of the BESS so it is not possible for concerns to be entirely 	

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		<p><i>been prepared as part of the DCO submission [EN010106/APP/7.9]."</i></p> <ul style="list-style-type: none"> ES Appendix 16D entitled "Unplanned Atmospheric Emissions from Battery Energy Storage Systems (BESS)" [APP-124] and mentions fire along with out-gassing and emissions generally. <p>Paragraph 2.3.4 of the outline Battery Fire Safety Management Plan [APP-267] states that "<i>The councils have expressed a concern that the risks associated with battery storage fires have not been fully explored and a request has been made to develop an Outline Battery Fire Safety Management Plan for the BESS and to be included as part of the DCO application for the Scheme. This document addresses this request.</i>"</p> <ul style="list-style-type: none"> Is this comment correct? At the time it was made, which of these documents had you reviewed? Does the outline Battery Fire Safety Management 	<p>addressed as the necessary details are simply not available. The Councils consider instead that the DCO and the supporting outline Battery Fire Safety Management Plan should provide a robust framework for approval of detailed matters. This means that at the post-consent stage the final management plan should at least cover the provision of water supplies, access for emergency response, emergency preparedness measures, and the containment of environmental damage. The DCO and outline plan should require that the detailed design of fire safety features is justified by reference to rigorous modelling and testing by qualified fire engineers.</p> <p>It is noted that the Applicant intends to submit a revised OBFSMP, which we will review and provide feedback on, taking into account the above.</p>	

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
		Plan [APP-267] address your concerns? If not, please explain why.		
1.1.23	Cambridge Fire and Rescue Service, Suffolk Fire and Rescue Service, East of England Ambulance Service	<p>Battery energy storage system (BESS):</p> <p>Table 3 of the outline Battery Fire Safety Management Plan (APP-267) at item 2 states that <i>"The Battery Fire Safety Management Plan will include an emergency response plan during the detailed design stage of the Scheme"</i>.</p> <ul style="list-style-type: none"> • Would you expect the Battery Fire Safety Management Plan to include an emergency response plan throughout the life of the Scheme? • Are you satisfied with the outline emergency response plan as currently included in the outline Battery Fire Safety Management Plan, with the detail to be added during the detailed design stage? • If not, please explain what you would like to see included. 	<ul style="list-style-type: none"> • Yes • The current outline BFSMP does not contain an outline emergency response plan, but commits to producing one • Detailed information regarding the systems on site and emergency procedures in relation to these. This should include information detailed information regarding the system design, the suppression systems, isolation practices, ability to discharge the system prior to intervention, emergency procedures to follow on site and emergency contact details. There should also be clear consideration and information for on and off site emergency response, environmental considerations including containment of water run-off, with details in the quantities of storage on site and removal of this water run[1]off. Prevailing wind 	<p>This comment is noted.</p> <p>A comprehensive Emergency Response Plan (ERP) will be produced at the detailed design stage in consultation with the Fire & Rescue Service. It is not feasible to produce a comprehensive ERP document before the BESS system is selected and the final design is known.</p> <p>The Applicant has committed to involving Local Resilience Forums in the ERP planning process.</p> <p>The Applicant has committed to producing documentation which complies with the latest BESS safety standards. The Sunnica ERP will be modelled on recommendations and templates contained in NFPA 855 (2023), UK National Fire Chiefs Council BESS guidelines (2023) and EPRI international ERP template (2023).</p>

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			response plans, access and egress routes. The final document should be produced in collaboration with the Local Resilience Forums for Suffolk and Cambridgeshire. Since BESS technology is a fast-moving field, it is important that the information provided is prepared by a suitably qualified fire engineer and justified with reference to rigorous modelling and testing.	
1.1.26	Cambridge Fire and Rescue Service, Suffolk Fire and Rescue Service, East of England Ambulance Service	<p>Battery energy storage system (BESS):</p> <p>Table 3 of the outline Battery Fire Safety Management Plan [APP-267] at item 7 refers to a water drenching system, and the response to each of items 23 and 24 refers to the response to item 7, ie the upgrade from a gas to an automatic water based extinguishing system.</p> <ul style="list-style-type: none"> • Are you satisfied with the water based system now proposed? • If not, please explain why not. 	Water is useful to be included as an option alongside gas and other technologies which may be available, because it typically has better performance as a heat-sink than gas system which can be important in the event of chemical reactions causing thermal runaway. However, it should be noted there are different types of water system (e.g. mist or drenching), and details need to be confirmed at detailed design stage by a qualified fire engineer.	This comment is noted.

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
1.1.29	Cambridge Fire and Rescue Service, Suffolk Fire and Rescue Service, East of England Ambulance Service	<p>Battery energy storage system (BESS):</p> <p>Table 3 of the outline Battery Fire Safety Management Plan [APP-267] at item 21 refers to the need "to observe the minimum of 6m separation between containers rather than the provision of 1-hour fire separation ... due to the potential for thermal runaway".</p> <ul style="list-style-type: none"> Is the minimum of 6m separation a regulatory requirement? How will it prevent thermal runaway compared with a 1- hour fire separation? 	<p>The Councils do not believe there is any current UK based legislation that regulates adequate separation of units. However, we feel that modelling should be completed by a competent fire engineer to understand the requirement. We understand that the 6m figure comes from Property Loss Prevention Datasheet 5-33, authored by FM Global, an American insurance firm. This and other best practice codes should be used in consultation with an expert to understand a suitable distance.</p> <p>Distance has an advantage over other separation techniques as the reduced risk of fire spread can be maintained over a longer period of time however a registered fire engineer would need to calculate the heat output and would require detailed information regarding the exact systems being implemented. Thermal runaway is a chemical process which, depending on the design of the system and nature of an incident, may continue for a significant period of time and well over 1 hour. A competent engineer will be able to model based upon the system design and protection</p>	<p>The UK National Fire Chiefs Council will be issuing BESS planning and incident response guidelines for local fire rescue services in 2023. The Applicant will observe this guidance as part of designing the spacing requirements for the Scheme.</p> <p>The updated outline Battery Fire Safety Management Plan submitted at Deadline 2 clarifies that the selected battery system and BESS enclosure design for Sunnica will have completed UL 9540A unit / installation testing and NFPA 855 (2023) recommended 3rd Party Fire and Explosion testing. These tests will quantify thermal runaway gas emissions and ensure that deflagration potential from a thermal runaway event will not compromise BESS structural integrity. Safe distances to adjacent BESS equipment will be established through this testing.</p> <p>An independent fire protection engineer will review test data and Sunnica site BESS spacing proposals. Additional modelling will be conducted if necessary.</p>

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			measures to understand suitable separation.	
1.1.31	Cambridge Fire and Rescue Service, Suffolk Fire and Rescue Service, East of England Ambulance Service	<p>Battery energy storage system (BESS):</p> <p>Table 3 of the outline Battery Fire Safety Management Plan [APP-267] at item 29 refers to isolation of battery racks and modules, and says "Battery discharge is not possible once isolated".</p> <ul style="list-style-type: none"> Please explain what measures you would expect to see implemented so that the safety of responding personnel is ensured. 	<p>Whilst there is stored energy within battery systems there remains a high risk for responding personnel. Due to thermal runaway and the chemical nature of these incidents significant risk can remain present for hours and even days after a fire. There should be sufficient protections measures in place to prevent the spread of any involved battery units to other battery units. This may be through the installation of a suitable suppression system, design and safety practices embedded to minimise spread and conclude any incident as safely and quickly as possible. The design of the system, appropriate suppression systems and safety features should be designed by a competent person.</p> <p>Firefighting tactics for dealing with BESS are evolving and it is not known what safety measures need to be in place for responders until a specific response plan is in place. Discussion of this can be found at paragraph 18.24 of the LIR [REP1-024].</p>	This comment is noted. The Applicant has responded to paragraph 18.24 in the response to the LIR.

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1.1.34	Cambridge Fire and Rescue Service, Suffolk Fire and Rescue Service, East of England Ambulance Service	<p>Battery energy storage system (BESS):</p> <p>Table 3 of the outline Battery Fire Safety Management Plan [APP-267] at item 30 refers to safe dissipation of residual charge and says "it's currently unknown whether a residual charge can be safely dissipated to a remote location. This will be confirmed during the detailed design stage ...".</p> <ul style="list-style-type: none"> Do you have any comments to make on this statement? And are you satisfied that this issue can be dealt with properly and effectively post consent? 	<p>This will be essential information to provide at detailed design stage. It is challenging for any emergency responders to properly assess the potential risk without detailed system designs and fully detailed emergency plans. These would allow responding agencies to provide a suitable considered response to an application to discharge a requirement. We recommend that any analysis is completed by a competent person to provide re-assurance that any residual charge can be safely dissipated and that tests on the specific system can demonstrate this.</p> <p>The issue regarding the removal of residual charge will directly impact on the safety of our responders and the operational tactics in response to an emergency. We believe it would be beneficial to understand the design details of the system as soon as possible, so that response plans can be formulated appropriately. Providing that the DCO requirement and supporting management plan are robustly constructed so that this information must be provided, it can in principle be dealt with post-consent.</p>	<p>The Applicant has clarified this issue in its response to the First Written Questions submitted at Deadline 2 [REP2-037].</p> <p>Please refer to the Applicant's response to Q1.1.30, Q1.1.32 and Q1.1.33 for further details.</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
1.1.42	Cambridge Fire and Rescue Service, Suffolk Fire and Rescue Service, East of England Ambulance Service	<p>Battery energy storage system (BESS):</p> <p>Are you satisfied with the current outline mitigation provisions in RMM15, RMM17 and RMM18 in Table 12 of the outline Battery Fire Safety Management Plan [APP-267]?</p>	<p>In general, due to the fact that detailed system design information is not available it is not possible to be sure at this stage that these measures are sufficient. Evidence will need to be provided at detailed design stage that the chosen mitigation is suitable.</p> <p>RMM15: An internal sump to contain any electrolyte and chemical run off is welcomed however the capacity will need to be considered alongside the extinguishing media of use. If a water drenching system is in use there will need to be sufficient capacity to contain all water run for the total time of application. 10% above the total volume of electrolyte may be insufficient. There needs to be information provided regarding the detail of the system and relevant testing information to ascertain the rate and volume of water application required. Wider containment of potentially contaminated water is welcome however the total volume will need to be considered. It is noted that a fire in Victoria Australia took in excess of 900,000L of water to extinguish.</p>	<p>This comment is noted.</p> <p>Please note that some RMM amendments have been made in the revised outline Battery Fire Safety Management Plan submitted at deadline 2 [REP2-032].</p> <p>All three RMM provisions will be specified at the detailed design stage for the Scheme and comments made on RMM provisions are noted.</p> <p>To add additional clarification to comments made with regard to RMM17, NFPA 855 (2023) was published in October and the code makes clear detection product and BESS monitoring capability recommendations.</p> <p>As outlined in the revised Battery Fire Safety Management Plan the BESS fire protection design for the Scheme will follow the NFPA 855 (2023) code.</p> <p>A range of NFPA recommended products will have been performance tested on the BESS design for the Scheme during UL 9540A / 3rd party testing and certification. The most effective suite of detection products</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>RMM17: Although detection is proposed to be in place it would be beneficial to explore these options further to understand the best method of detecting any fault within the battery units. This may be through gas detection and smoke detection. It would be prudent to request the assistance of a qualified expert in this field. The practice of containment would also need to be discussed with an expert in battery technology as we are aware that this may contravene best practice when dealing with incidents involving thermal runaway and battery fires. There is mention that FRS's will be able to remotely monitor for an explosive atmosphere, however there is no detail provided as to how this will work and which system will be utilised.</p> <p>RMM18: The acceptance and implementation of any suppression system would need to be designed and signed off by a competent fire safety engineer. At this stage there is limited information as to the detailed design of the system, including battery type, size, density, and storage type. All of these factors will have a direct impact on the suppression system best suited</p>	<p>will be identified and integrated into the detailed design for the BESS.</p> <p>BESS ventilation systems are a key safety feature. BESS ventilation and gas exhaust systems will be validated during BESS UL 9540A testing and / or 3rd party fire and explosion testing. At a minimum the exhaust system will conform to NFPA 69 explosion prevention standards as referenced in the outline Battery Fire Safety Management Plan.</p> <p>NFPA 69 exhaust rate is designed to keep gas level under 25% of LFL (Lower Flammable Limit) and exhaust gases away from BESS openings. Controlled and automatic removal of flammable gases protects first responders and toxic gases are removed in a controlled way allowing for dispersion modelling to be reliably integrated into Emergency Response Planning (ERP).</p> <p>NFPA 855 (2023) also defines minimum system monitoring capabilities which the BESS system for the Scheme must comply and this information will be made available to site operatives and first responders.</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			to provide the best level of response.	
1.4.5	The Applicant and the local authorities	<p>Historic Environment Management Plan (HEMP)</p> <p>It is noted within chapter 7 of the ES [APP-039] that the Applicant does not intend to submit a HEMP. This was originally requested within the Scoping Opinion and has been requested within the Cambridgeshire County Council Relevant Representation.</p> <p>Please comment on the requirement to submit a HEMP to the Examination, and for it to be secured within the DCO.</p>	<p>A HEMP is required as the provisions in APP-108 Framework LEMP, APP-123 Framework CEMP or APP-125 Framework DEMP do not allow long term security for the archaeological sites that are the subject of in-situ preservation. In the APP-108 F LEMP, there is mention of an Ecological Clerk of Works to be appointed but no overlap occurs within their remit to manage the grassland in archaeological protection areas specifically for their long term protection.</p> <p>In the FDEMP at Table 3-2 Cultural Heritage is stated that "Decommissioning will not have any impact beyond the already-disturbed footprint of the Scheme; therefore, it is not anticipated that decommissioning activities will have a direct physical impact upon archaeological remains.</p>	<p>The Applicant is preparing a HEMP for inclusion in the LEMP. This will be developed in response to a brief currently being prepared by the LPAs.</p> <p>As noted in the Heritage and Substation Connection Update, for heritage reasons the Applicant now proposes to remove area W01 from the Scheme.</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>No previously undisturbed land will be disturbed within the Sites to deliver the decommissioning activities."</p> <p>In the FDEMP at Table 3-3 Biodiversity where under "Habitat Restoration" it states, "Habitats to be temporarily lost or damaged during decommissioning will be fully reinstated on a like-for-like basis at the same location on completion of the works", and</p> <p>At Table 3-7 Socio-Economics and Land Use it states, "Agricultural soils will be managed, preserved, retained and reinstated in accordance with Department for Environment, Food and Rural Affairs (Defra) guidance. Key mitigation measures from this guidance will be included in the DEMP(s)."</p> <p>We consider that the initial tenet that archaeological remains will not be affected by decommissioning is wrong. If vehicular movements occur in wet weather in the fields where cover soils are known to be thin, even where archaeological excavations will have occurred in advance – understanding that these are never 100% of the remains but</p>	<p>The HEMP will include a section on surface protective measures to be employed during decommissioning of the Scheme. This will include detailed information on the location of all known high-risk areas and methodologies for low impact installation and removal of temporary track matting. The HEMP will be a dynamic document that will be updated in agreement with the</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>differ between 30% of ditches, 50% of discrete features (pits/postholes) but 100% of structural remains and discrete inhumations/cremations (rather than in ditches where they are harder to find), there will be damage and loss of archaeological features from this type of impact. This would be most damaging in the River Snail floodplain at Sunnica West Site B W01, an area we do not consider appropriate for solar panel erection owing to the waterlogged aspect of archaeological remains and palaeochannels associated with the scheduled monument of a Roman Villa on the adjacent bank to the west and hope to see this area placed under grass through the extension of Eco4.</p> <p>The new grassland protecting sizeable archaeological sites at Sunnica East Site A Eco1 (E06), Sunnica West Site B Eco4, Sunnica West Site A at W04, W08 and W09 will become new habitat areas. The plan in the FDMP (APP-125) to restore land back to cultivation will place the protected archaeological sites in jeopardy of attrition through measures to allow plough cultivation again in these areas that</p>	<p>relevant planning authorities to reflect relevant information from the Phase 2 evaluation and mitigation fieldwork as they progress. Ground conditions will be monitored and recorded in consideration of the potential effect from decommissioning. All environmental enhancements such as ecological mitigation areas will be retained and left in-situ during decommissioning.</p> <p>The Framework DEMP [REP2-028], requires the contractor to prepare a detailed Soil Management Plan, which will ensure the protection of soils during decommissioning.</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>will have benefitted from 40 years of protection and loss of new habitats.</p> <p>There is nowhere in the plan that ensures long term protection, such as agreements with Historic England to schedule these sites that have already been classed as significant – possibly equivalent to sites they have recommended to the Secretary of State (DCMS) for scheduling in other situations by invoking the relevant policy NPS EN-1 Paragraphs 5.8.4 and 5.8.5.</p> <p>Therefore, we consider that a HEMP is required to properly capture and manage the construction, operational and future (decommissioning) impacts upon the sensitive and finite archaeological resource in these areas.</p>	<p>Historic England will be involved in the development of appropriate mitigation strategies as part of the development of the DAMS. .</p>
1.4.14	Suffolk County Council	<p>Icknield Way</p> <ul style="list-style-type: none"> i. Please clarify which PRoW form the Icknield Way; and ii. please explain whether you consider that the Application proposals would have an impact on users of the Icknield Way. 	<ul style="list-style-type: none"> i. It is important to distinguish between the Icknield Way as an ancient historic roadway and as a modern promoted path. <p>In the case of the ancient Icknield way, the evidence is unclear as to whether the original route (if it did consist of only one route) survives and in what form. It is therefore not</p>	<p>Requirements for further archaeological evaluation are expected to be agreed in consultation with the Joint local planning authorities Historic Environment Teams who will also prepare formal briefs for Written Schemes of Investigation, to be developed further to the DAMS.</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>possible to be precise about which current PRow form the ancient Icknield way, and it may be the case that a number of parallel tracks were part of the overall route.</p> <p>The modern Icknield Way Path is promoted on the routes on the eastern side of the A11 between the parishes of Icklingham and Kentford in the immediate vicinity of Sunnica East site.</p> <p>Both the equestrian and pedestrian promoted routes are accommodated on a combination of public rights of way. Suffolk County Council is not a lead promotion of The Icknield Way route and all information to confirm its promoted alignment has been taken from the Icknield Way Path website which advertises the route.</p> <p>The routes are also shown as recreational routes on the Ordnance Survey Explorer mapping series.</p> <p>Pedestrian route:</p> <p>U6208 (Unclassified unsurfaced road)</p>	<p>There is no harm to the Icknield Way Trail, which passes some 2km to the east. A possible section of the historical route of the Icknield way within the Order limits is shown on the Parameter Plan, Figure 3.1 [APP-135], referred to elsewhere in this document and in relevant representations from other interested parties as the U6006. U6006 is outside of the developable area and it will not be physically impacted, except for a small section where the proposed cable crosses this route and access track between parcels E12 and E13. However, this part of U6006 will revert to its original appearance following construction, apart from the access track will cross the route.</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>U6207 (Unclassified unsurfaced road)</p> <p>W-530/004 (Tuddenham Public Footpath No. 4) W-530/003 (Tuddenham Public Footpath No.3)</p> <p>W-312/003/0 (Herringswell Public Footpath No. 3)</p> <p>W-312/001/0 (Herringswell Byway Open to All Traffic No. 1)</p> <p>W-262/011/0 (Gazeley Byway Open to All Traffic No. 11)</p> <p>Equestrian route:</p> <p>U6208 (Unclassified unsurfaced road)</p> <p>U6207 (Unclassified unsurfaced road)</p> <p>U6204 (Unclassified road)</p> <p>W-312/001/0 (Herringswell Byway Open to All Traffic No. 1)</p> <p>W-262/011/0 (Gazeley Byway Open to All Traffic No. 11)</p>	

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>ii. The modern Icknield Way Path is not advertised as a promoted route through the Sunnica site in Suffolk. The advertised routes for pedestrian, cyclists and equestrians are east of the DCO application boundary. The modern promoted route of the Icknield Way and its users are not affected by the proposals.</p> <p>It is not possible to consider the impact of the proposals on the ancient Icknield Way without further archaeological evaluation and evidence.</p>	
1.5.8	The Applicant/the relevant planning authority	<p>Art 2: Interpretation:</p> <p>The definition of "maintain" includes "reconstruct" with no upper limit save that it does not include reconstruction of the whole of the authorised development.</p> <ul style="list-style-type: none"> Are you satisfied that this definition of "maintain" is not too extensive and widely drawn? 	<p>The Councils are concerned that the definition of "maintain" is too extensive and is too widely drawn, and that it could result in the reconstruction and replacement of significant parts of the scheme without the need for any prior approval. Such works could result in environmental effects in areas such as transport, noise and vibration and as such would be unregulated.</p> <p>It is necessary to delete "reconstruct", "replace and improve" so that it reads: "<i>maintain</i>" includes <i>inspect, repair, adjust, alter,</i></p>	<p>Please see the Applicant's response to ExQ1.5.8 [REP2-037]. The Applicant is satisfied that its definition of maintain is not too extensive and widely drawn and that "reconstruct" and "replace and improve" should not be deleted.</p> <p>The definition has been drafted to directly reflect the nature and context of the authorised development, which will need to be properly maintained, managed and protected throughout its operational lifetime. The drafting, therefore, reflects this operational period and likely</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<i>remove, but not remove the whole of, the authorised development and "maintenance" and "maintaining" are to be construed accordingly.</i>	<p>framework of maintenance that will be required while enabling technological and practice advancement and improvements within identified environmental performance standards.</p> <p>Paragraph 5.2.2(f)(ii) of the Explanatory Memorandum (APP-020) sets out examples of the activities anticipated to be covered, including works to 'reconstruct', where if, for example, part of the authorised development has to be dismantled in order to be repaired or refurbished, then this part will need to be reconstructed.</p> <p>In response to the comment that maintenance activities could result in transport, noise and vibration environmental effects, maintenance is authorised pursuant to Article 5 of the draft DCO. Article 5(3) acts as a further restriction on what can be undertaken as "maintenance", meaning that no works or actions could be undertaken that are likely to give rise to materially new or different environmental effects. Article 5(3) provides:</p> <p><i>"This article does not authorise the carrying out of any works which are likely to give rise to any materially</i></p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
				<i>new or materially different effects that have not been assessed in the environmental statement."</i>
1.5.9	The Applicant/the relevant planning authority	<p>Art 2: Interpretation:</p> <p>The definition of "permitted preliminary works" is extensive. Are you satisfied that</p> <ul style="list-style-type: none"> • The resulting impacts are not included in the environmental impact assessment; and • This definition is not too widely drawn? 	<p>The Councils are extremely concerned regarding the extent of the definition of 'permitted preliminary works'. It is concerned that the scope of the works listed is extensive and that the resulting impacts have not been considered in the environmental impact assessment. Works such as the diversion and laying of services could involve extensive ground disturbance and associated activity, including disruption to motorised and non-motorised users, increased vehicular movements and noise and vibration. WSC is also concerned that the reference to site clearance is unchecked and that unlimited amounts of vegetation could be removed to the detriment of the landscape character of the area and with adverse impacts on ecology and biodiversity.</p> <p>The ES (section 8.7.2) highlights the potential for direct impacts associated with changes in land use resulting from the Scheme, for example temporary works associated with site clearance.... Section 8.8.22 requires</p>	<p>Please see the Applicant's response to this question [REP2-037]. Following discussions with the Councils the Applicant amended the scope of 'permitted preliminary works' in the updated draft DCO submitted at Deadline 2 as set out below:</p> <ul style="list-style-type: none"> • Requirement 8 (Landscape and ecology management plan) – site clearance relating to vegetation removal of permitted preliminary works has been included in the remit of the Requirement; • Requirement 13 (Archaeology) – intrusive archaeological surveys of permitted preliminary works has been included in the remit of the Requirement; • Requirement 14 (Construction environmental management plan) – above ground site preparation for temporary facilities and site clearance of permitted preliminary works have been

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			Precautionary methods for vegetation clearance within areas suitable for reptiles and amphibians. Sections 8.8.25 and 8.8.26 requires pre-construction surveys to update baseline findings and subsequent mitigation requirement in relation to protected species and invasive species, which is highly relevant to vegetation clearance. Section 8.8.28 lists measures to be implemented that will reduce the impacts of construction, including of site vegetation clearance, on reptiles (f) other protected species (g) and breeding birds (h) will be required in the CEMP. It is therefore not appropriate for site clearance to be undertaken ahead of the discharge of the CEMP.	<p>included in the remit of the Requirement;</p> <ul style="list-style-type: none"> An additional traffic management plan for permitted preliminary works has been included as a Requirement.
1.5.17	The relevant planning authority	<p>Art 6: Disapplication of legislation:</p> <p>Are you content with the provisions of Art 6(3) in respect of Worlington Quarry?</p>	SCC is the relevant Minerals Planning Authority. SCC has no issue with the intention behind these provisions and notes and welcomes the Applicant's intention, in response to questions from the ExA, to look further at the scope of Article 6(3) as regards whether precluding "enforcement action" was the most effective mechanism to address the question of inconsistency between the authorised development and the	Following the discussion with SCC at ISH1 the Applicant has updated article 6(3) in the draft DCO and the explanation in the Explanatory Memorandum submitted at Deadline 2.

ExQ1 Ref	Question to	Question	Other party response	Applicant's response																		
			<p>restoration plans for Worlington Quarry.</p> <p>SCC's Post Hearing Submission in relation to ISH1, submitted alongside this document, contains further detail on a narrow point about the statutory authority referred to in the explanatory memorandum.</p>																			
1.5.19	The relevant highway authority	<p>Art 10: Construction and maintenance of altered streets:</p> <ul style="list-style-type: none">• Art 10 refers to "the highway authority". Are there any streets for which you are not the street authority?• In respect of those streets for which you are the street authority, are you satisfied with the current drafting of Articles 8 to 13 inclusive? eg Art 11(4)(a) consent not required for street works in the streets in Schedule 6, only consultation; If not, please explain.	<p>The table below shows the elements from Schedule 5 parts 1 and 2 which are not highway, and for which Cambridgeshire County Council would not be the street authority:</p> <table><tr><th>Road</th><th>Parish</th><th>DCO Ref</th></tr><tr><td>Private Access</td><td>Fordham</td><td>AS-24</td></tr><tr><td>Private Access</td><td>Fordham</td><td>AS-27</td></tr><tr><td>First Drove</td><td>Burwell</td><td>AS-31</td></tr><tr><td>Weirs Drove</td><td>Burwell</td><td>AS-33</td></tr><tr><td>Junction of B1103,</td><td></td><td>AS-40</td></tr></table>	Road	Parish	DCO Ref	Private Access	Fordham	AS-24	Private Access	Fordham	AS-27	First Drove	Burwell	AS-31	Weirs Drove	Burwell	AS-33	Junction of B1103,		AS-40	<p>The Applicant is considering the issues discussed in this response, particularly in the context of ongoing discussions in relation to a side agreement that would address the Councils' concerns in relation to design approval, inspection and maintenance procedures. Where acceptable to the Applicant, it will include amendments in the updated version of the draft DCO submitted at Deadline 4. Where proposed changes are not acceptable to the Applicant, it will explain why at Deadline 4.</p>
Road	Parish	DCO Ref																				
Private Access	Fordham	AS-24																				
Private Access	Fordham	AS-27																				
First Drove	Burwell	AS-31																				
Weirs Drove	Burwell	AS-33																				
Junction of B1103,		AS-40																				

ExQ1 Ref	Question to	Question	Other party response			Applicant's response
			Swan Lane and Chapel Street			
			<p>There are no streets for which SCC is not the streets authority within the order limits that are recorded on our database. We note that there are a number of private farm tracks within the order limit which may fall within the definition of street in NSW 1991 section 48.</p> <p>As Art 8 defines the applicant as a 'statutory undertaker' the Councils are content that (provided the necessary legal instruments such as NRSWA 1991 are not disapplied) that such legislation provides adequate control</p> <p>Article 10 should include provisions for the Highway Authority approving the design of temporary and permanent changes to highways. This should include consideration of the maintenance implications of the alterations and appropriate safety audits. Such works not to commence until the Highway Authority has formally approved the designs. This will require a certification process that is either</p>			

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>detailed in the DCO or in a binding Legal Agreement.</p> <p>It is welcomed that the applicant has included in article 10(1) a period of 12 months during which completed alterations to streets must be maintained by the undertaker. However, this clause offers no opportunity for the local highway authority to inspect and certify that the completed works remain in a satisfactory condition at the conclusion of the 12 month period.</p> <p>For Art 10 (1) the Councils would like to see this changed so the 12 month maintenance period commences on completion of the construction phase of the project as it appears disproportional to expect the public to maintain works solely used by the applicant and of no other benefit to the public. Note that agreement has not been reached with the applicant on the subject of commuted sums for future maintenance of new or improved highway assets adopted by the LHAs, though this could be included in a side-agreement.</p> <p>Art 10(4) and (5) have a degree of ambiguity that could be resolved by</p>	

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>aligning with the Council's maintenance procedures, for example see SCC's Highway Operational Maintenance Plan.</p> <p>https://www.suffolk.gov.uk/assets/Roads-and-transport/how-we-manage-highway-maintenance/Highway-Maintenance-Operational-Plan-May-2021.pdf</p> <p>The Councils also seeks protections in the DCO to enable the Highway Authority to inspect works within the highway during construction and prior to completion. Such works not to be handed over to the Highway Authority prior to the Authority certifying that it is content.</p>	
1.5.21	The relevant street authority	<p>Art 11: Temporary stopping up of public rights of way:</p> <p>Art 11(4)(a) provides only for consultation with the street authority in respect of the streets listed in Schedule 6. Are you content?</p>	<p>Article 11 includes a requirement for the undertaker to consult with the street authority prior to temporarily stopping up public rights of way. Such closures could impact the adjoining public highway and PROW network for which the County Councils are both the local highway authority and the street authority. The Councils' position is that approval should be sought from the LHA. This is important when considering the provision of safe diversion routes, co-ordination with</p>	<p>The Applicant is considering these proposed changes and, where acceptable to the Applicant, will include amendments in the updated version of the draft DCO submitted at Deadline 4. Where proposed changes are not acceptable to the Applicant, it will explain why at Deadline 4.</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>other closures and to ensure that closures and the associated disruption are necessary for justified safety reasons.</p> <p>The Councils have a particular concern that these powers will also be available to the applicant in the operational phase of the project.</p> <p>The Construction Management Plan must include PROW, as they are classes of highway. It should require the Applicant to agree the detail of any temporary closures with the relevant street authority.</p>	
1.5.22	The relevant highway authority	<p>Art 12: Access to works:</p> <p>Art 12(c) provides only for consultation with the highway authority. Are you content?</p>	<p>Temporary and permanent access arrangements should be subject to formal approval by the Highway Authority prior to construction. Designs to be submitted to the Highway Authority for approval, which would be subject to appropriate safety audits. This will require a certification process that is either detailed in the DCO or in a binding Legal Agreement. This is of particular importance due to the limited information provide in the application that prevents the LHA's from making a full assessment of the feasibility and safety of the</p>	<p>While the Applicant does not agree with the view that only limited information has been supplied in relation to accesses, see in particular the update to the Framework Construction Traffic Management Plan and Travel Plan submitted at Deadline 3A which contains consolidated site access drawings showing, among other matters, swept paths and indicative access designs, The Applicant is considering the matters raised in this response, particularly in the context of ongoing discussions around a side agreement.</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>accesses (LIR Table 9 and 13.61 to 13.67 [REP1-024]).</p> <p>While the LHAs approval for the detailed design can be secured through a suitable requirement and / or side agreement The Councils consider that the information on this issue is still insufficient to show that the accesses are safe, feasible and deliverable at this stage of the planning process, nor that all environmental impacts such as vegetation removal have been considered. The Councils would expect the information provided at this stage to be at least equivalent to that supporting an outline planning permission under the Town and Country Planning Act.</p>	
1.5.24	The relevant highway authority	<p>Art 13: Agreements with street authorities:</p> <p>Art 13(d) provides for adoption by the highway authority of existing (modified) and new highway.</p> <ul style="list-style-type: none"> • Are you content with this provision? • Are there any areas of highway which will remain unadopted on completion of the 	<p>Art 13 (1) states that the street authority and the undertaker may enter into agreements which allows discretion to do so on either party. However, the applicant could still pursue adoption of any highway works via s37 of the Highways Act and this is a risk to the LHA. The Councils' preference would be for the mutual agreement for adoption of highway as publicly maintainable to form a key element of a side agreement with the applicant</p>	<p>Whilst section 37 will remain available, granting consent under the DCO does not increase the risk to the local highway authority. In any event, section 37(2) includes a safeguard that is available to the council to make a complaint to the magistrates' court to resist a section 37 notice on particular grounds.</p> <p>It is clear from the Access and Rights of Way Plans, and further clarified in the update to the Construction Traffic Management Plan at Deadline 3A,</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
		authorised development?	<p>secured before the end of the examination.</p> <p>At present it is not possible for the LHA to identify if there will be areas of highway that will remain unadopted, because the Rights of Way & Access Plans do not show the highway boundaries. The LHAs have requested the Applicant to add highway boundaries to their plans, and have highlighted to them that not doing so 1) could risk the Applicant ending up with ransom strips where they intend to undertake works that are actually beyond the existing extent of highway, even if they are within the redline boundary, and 2) it is essential for the LHA to understand where these areas might be and what the intention is regarding dedication of such land as highway, because that would require consent from the LHA to take on that additional liability. As noted above, any modification of the existing or additional highway will require designs to be submitted to the LHA and a formal certification and handover process. Such processes need to be agreed and documented through a binding Legal Agreement.</p>	<p>that the Applicant is not seeking development consent for major highway works. What is contemplated by the Applicant is the formation of new, and the improvement of existing, accesses, together with localised and minor highway widening.</p> <p>The Council is seeking granular and detailed plans of the proposed accesses to a level that is not required at this stage, instead it is sufficient to demonstrate that the accesses are suitable for the intended use and are safe. The Applicant is of the view that it has demonstrated this in the documentation submitted as part of the DCO application.</p> <p>The Applicant recognises the Council's legitimate concerns in relation to the potential for future maintenance liabilities and is seeking to address those concerns through a side agreement with the local highway authorities.</p> <p>In relation to the comment about "ransom strips", the Applicant is confident that, if the DCO is granted on the terms in which it is sought, it would have the powers necessary in the DCO to avoid such ransom</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
				situations and it would be able to carry out the works within the Order limits to deliver the Scheme.
1.5.58	The relevant highway authority/traffic authority	<p>Art 44: Traffic regulation measures</p> <p>Are you satisfied that the powers sought in this article are proportionate and not too widely drawn?</p>	<p>The Councils raised this matter in ISH1 and full details of our position are included in our respective post-hearing submissions.</p> <p>The LHAs are concerned that the consultation requirements under this article are insufficient and considers they should better reflect the consultation regime set out in regulation 6 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 which The LHAs would have to follow when making a TRO.</p> <p>LHAs would welcome the Applicant's explanation as to why this article departs from the 1996 Regulations. LHAs would also like to know how any objections would be dealt with. We would expect the applicant to give notice and advertising in the locally circulating newspaper the intention of imposing the provisions.</p> <p>To summarise, The Councils consider some redrafting would resolve the matter.</p>	<p>The Applicant notes that, where acceptable to the Applicant, it has already amended this article following discussions with the local authorities in the updated draft DCO submitted at Deadline 2. The Applicant is considering any additional proposed changes and, where acceptable to the Applicant, will include amendments in the updated version of the draft DCO submitted at Deadline 4. Where proposed changes are not acceptable to the Applicant, it will explain why at Deadline 4.</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>Article 44(1) be amended as follows – “Subject to the provisions of this article, and the consent of the traffic authority in whose area the road is situated, the undertaker may, for the purposes of the construction, maintenance and decommissioning of the authorised development— ...”</p> <p>Article 44(2) be amended as follows –</p> <p>“Subject to the provisions of this article, <u>and the consent of the traffic authority in whose area the road is situated</u>, the undertaker may for the purposes of the construction, maintenance and decommissioning of the authorised development, temporarily place traffic signs and signals in the extents of the road specified in column 2 of Part 4 of Schedule 14 (traffic regulation measures) and the placing of those traffic signs and signals is deemed to have been permitted by the traffic authority for the purposes of section 65 of the 1984 Act and the Traffic Signs Regulations and General Directions 2016</p>	

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			Additional comments are included in Annex F of the LIR (APP1-024) specifically at paras F.14 to F.27	
1.7.3	East Cambridgeshire District Council (ECDC)	<p>Landscape and visual effects</p> <p>ECDC Relevant Representation [RR-0998] Section 6.15 states that <i>"There continues to be a lack of relevant details in the submitted application, this does not promote the full and clear understanding of the landscape and visual effects of the proposal. This may substantially limit the ability to provide precise comments within the LIR"</i>.</p> <p>Please provide further details on what information they consider to be absent, in order for the Applicant and other Interested Parties to be able to comment.</p>	<p>The Councils consider that the following information is absent, incomplete or not provided in sufficient detail:</p> <ul style="list-style-type: none"> • Tree survey in accordance with BS 5837:2012 Trees in relation to design, demolition and construction, as requested in the Councils' representations responding to the PEIR, see also the Councils LIR at section 10.83 (REP1-024) • Hedge survey for all hedgerows, in accordance with Hedgerow Regulations (see section 8.102. 'Trees woodlands and hedgerows' in the Councils LIR). Other hedgerows may also have been missed. • The quantification of vegetation losses. • The consideration of required visibility splays for access points and their impact on roadside trees and hedges. 	<p>The Applicant submitted updated information in relation to trees and hedges in Arboricultural Impact Assessment Report submitted at Deadline 3 [REP3-021].</p> <p>The Applicant has submitted Environmental Masterplans [REP3-022] which illustrate and describe the relationship between the different elements of the environmental mitigation embedded in the Scheme. The level of detail is appropriate for this outline design stage with detailed design following post-consent. This includes the detailed design of site access points. The Applicant anticipates making further amendments to the Environmental Masterplan during the Examination in response to comments received in discussion with host planning authorities and other stakeholders.</p> <p>Ely Cathedral lies between approximately 12.7km and 19.5km from the Scheme. Where it is perceptible, for example from the elevated land of the Limekilns, its function as a landmark is noted. In no cases have significant effects</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<ul style="list-style-type: none"> The design of access points. The spatial arrangement of various components of infrastructure in each parcel. Mitigation proposals including a landscape masterplan at an appropriately detailed scale to demonstrate the depth of proposed tree belts and woodland, new hedgerows and scrub planting, setbacks/ buffers, retained grassland and new grassland and indicating areas retained for arable flora. It is suggested that a coherent plan of the scheme proposals that takes into account the requirements for ecology, landscape, recreation and archaeology is provided. Omissions within the visual assessment, such as views to and from Ely Cathedral, and views north of Snailwell. Lack of landscape and visual assessment of required works to roads. 	<p>been noted regarding the loss of this landmark in such views. The Applicant has submitted photographs in response to ExA 1.7.1 which demonstrate that the Scheme is not perceptible in views from the West Tower of Ely Cathedral [REP2-038].</p> <p>Landscape and visual effects of the roadworks required for the Scheme - there are some small areas within the Order limits, for example within Freckenham, where some minor works, such as to temporarily move street furniture or prune a tree, may be required to facilitate construction vehicle movements. It has been assessed that these works are unlikely to give rise to significant effects.</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<ul style="list-style-type: none"> Specific management prescriptions within the LEMP for all existing and newly created habitats. 	
1.7.4	Suffolk County Council (SCC)	<p>Landscape and visual effects</p> <p>SCC Relevant Representation [RR-1340] Section 7.22 states that <i>"The continued lack of relevant detail (for example, with regards to the spatial arrangement of various components of infrastructure in each parcel; the quantification of vegetation losses; the consideration of required visibility splays for access points and their impact on roadside trees and hedges; the design of access points; etc.) does not promote the full and clear understanding of the landscape and visual effects of the proposals."</i></p> <p>Please provide a full list of the details which it considers are absent, so that the Applicant and other Interested Parties are able to comment.</p>	See response to Q1.7.3	See response to Q1.7.3
1.7.6	Suffolk County Council (SCC)	Landscape mitigation	Section 3.8.6 of the ES (APP-040) states that it is anticipated that all areas of habitat and biodiversity	The Scheme will not remove landscape and biodiversity offsets, mitigation or enhancements at the

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
		<p>SCC Relevant Representation [RR-1340] Section 7.18 states that <i>"However, a key component in the success or otherwise, of the project's Green Infrastructure (GI) will be effective management, in the short and long term, and this should be part of the LEMP vision. Inconsistencies within the Environmental Statement (ES) with regard to the retention of the gained Green Infrastructure post-decommission create uncertainty. If the intention is for the proposed GI to reflect the surrounding landscape character and context, this should be part of the overall LEMP vision"</i>.</p> <p>Please provide further details on these inconsistencies, in order for the Applicant and other Interested Parties to be able to comment.</p>	<p>mitigation and enhancement (Works No 6 and 10) will be left in-situ given they could contain protected species and therefore relevant licences at the time would be required for any changes.</p> <p>Chapters 8 (APP-040) states that <i>Upon decommissioning, the physical infrastructure will be removed and the land within the Order limits returned to landowners, including established habitats. Management and use of the land will then be in the control of the then landowner</i> (section 8.7.4). However, Chapter 10 (APP-042) confirms that The proposed Green Infrastructure would remain (10.8.438).</p> <p>The issue is that the land along with the areas of habitat and biodiversity and landscape mitigation will be returned to the landowner. The retention of these features is not secured in any way. The end of the project and the extent to which the site will return to its original state, is very much a crucial part of the decision[1]making process (as suggested in the Draft National Policy Statement for Renewable Energy Infrastructure (EN-3), and not something that should be left out of the assessment or avoided</p>	<p>point of decommissioning and only the infrastructure elements of the Scheme would be removed, as set out in the Framework Decommissioning Environmental Management Plan [REP2-030]. If after decommissioning, when the land is no longer under the control of the Applicant nor covered by this consent, a landowner decides to remove vegetation, this would be subject to applicable planning or licensing requirements as appropriate at that point in time.</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			through discharging the responsibility back to the individual landowner.	
1.7.7	The relevant local authorities	<p>Landscape mitigation</p> <p>The local authorities' Relevant Representations refer to the need for "positive place making" or "innovative design solutions" in order to ensure that appropriate mitigation is provided.</p> <p>Could the local authorities please explain in more detail what they mean by this and what they would like the Applicant to submit in order to demonstrate that appropriate mitigation will be provided.</p>	<p>In their working paper 'Defining and developing the design champion role' (version of 25/08/2022) the ICE defines design as: <i>'Infrastructure design is not purely about aesthetics; it's about how something works as well as how it looks. Great infrastructure uses design to solve problems and to maximise the benefits provided over a project's whole life. When visible, it should look good, too, as projects can shape the landscape for generations.'</i></p> <p>As stated in the LIR (section 10.4) it is also not sufficient for only the functional parameters (fitness for purpose and sustainability) of the project to have set the parameters of the design (see NPS (EN-01)). Good or High Quality Design and positive place making should begin with an appropriate site selection process according to NPS EN-01(see LIR section 10.7-10.9) and should include linked up thinking about Green Infrastructure, Community involvement and benefits, public recreational access for a variety of users, and amenity</p>	<p>The Applicant is continuing discussions with the Local Planning Authorities, and has arranged a full day workshop on the 1st of December 2022 to discuss relevant aspects of the Scheme with them.</p> <p>An update is provided in relation to the Isleham crash site in the Update on Heritage Matters and Substation Connection also submitted at Deadline 3A.</p> <p>As the Applicant has consistently expressed, the Scheme is not permanent and so permanent PRowS and a commitment to habitat creation being retained in perpetuity is not possible.</p> <p>The Scheme has sought to account for PRow in its design; and through the creation of permissive paths, sought to improve access provision in the area of the Scheme to the extent that it is able to give land and design constraints.</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>value. ES Chapter 4: Alternatives and Design Evolution does describe the selection criteria for the sites. However, these do not include landscape character and visual amenity.</p> <p>The proposals are at a scale and of a duration which would result in long-term changes at a landscape scale. The layout and spatial arrangement of the proposals appear to be driven by the sites' constraints, rather than by a proactive design strategy.</p> <p>The proposals do not appear to fully explore the Design Principles of the National Infrastructure Commission (for further information see Climate People Place Value, Design Principles for National Infrastructure) with regards to people (Reflect what society wants and share benefits widely), places (Provide a sense of identity and improve our environment) and value (Achieve multiple benefits and solve problems well), (p.4).</p> <p>A key view assessment across the DCO, involving the local communities could have informed where vistas across the landscape should be designed into the</p>	

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>proposals to reduce the solar farm's close range visual impact (for example at La Hogue Road, along the U6006 or at settlement edges). These vistas could have been designed as public avenues through and/or around the solar sites, with built-in destinations or the provision of circular routes.</p> <p>An example, where wider benefits could be achieved, is the historic plane crash site south-east of Isleham, located within the proposed parcel E05. Alongside this parcel (along Beck Road) a permissive footpath has been proposed. This footpath does currently stop short before reaching the Ark Church and does not connect with anywhere. However, this footpath could be used to lead to the plane crash site as a memorial destination. Together with the community of Isleham a meaningful memorial could be created, that is more than just the absence of solar panels in the area of the plane crash site. In cooperation with the Councils, the Parish Council and the wider community additional footpath sections connecting the memorial</p>	

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>site to Isleham via Beck Road and Sheldrick Road could be explored.</p> <p>Public information boards and viewing platforms could be proposed, that interpret the change in the landscape, and explain how the solar farm works and what can be seen (this could include both elements of the solar farm and other landmarks). Information about biodiversity improvements as a synergetic by-product of the renewable energy farm could also be explained, in principle and with regards to what can be seen on location.</p> <p>Playgrounds/ outdoor gyms could be provided for children and adults, where energy could be generated with physical human power by using different equipment. The level of energy being generated by visitors could be measured and then put in context and compared to the energy generated by a single solar panel, an array or all of Sunnica and explained, what this energy would be able to provide power for.</p> <p>Local design competitions could be held to gather ideas for innovative arrangements of the solar panels (for example in waves around The</p>	

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			<p>Ark, E05) (also see Conergy's heart-shaped solar farm in New Caledonia to encourage the island's residents to "start loving solar").</p> <p>Innovative design solutions could also include setting the solar panels further apart to provide more light to the grassland habitat in-between for better biodiversity gains (see Broxted Solar Farm in Straddishall, Suffolk) and should consider using high efficiency bi-facial panels solar panels (as used by Gridserve at Warrington Borough Council's York solar farm).</p> <p>Public rights of way (PROW) are both historic and living features that are part of the landscape. PROWs have a critical role in positive place-making as they connect communities and assist with the development of quality of life. The public health indices in this area are poor, and there are very few PROW in this area, so it is vital that the existing network is protected and enhanced. The ES has not assessed PROW as living community features within the landscape, and has not proposed any measures to enhance them e.g. through the creation of permanent new PROW to enable connectivity</p>	

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			<p>that would assist the long term health and well-being of local communities and NM Users. The proposed permissive paths, whilst welcome, have limited value because they are temporary for the duration of the development only, and in Cambridgeshire provides little benefit. The proposed path near Isleham off Beck Road is an isolated offering with no connection at either end except along a fast road. The Councils request the Applicant to engage with them to consider the creation of permanent new PROWs to enhance the existing limited network and enable better connectivity that would assist the long term health and well-being of local communities and NM Users, in accordance with NPPF para 100 and the Cambridgeshire ROWIP and Health & Wellbeing Strategy.</p> <p>Further, information as to the plans for decommissioning have not been provided and it is not possible to ascertain what the long term intentions are and how this will impact upon the landscape and local communities. An example is a comparison with minerals developments, where PROW schemes are required to be drawn up as part of restoration plans. The</p>	

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>Applicant should produce decommissioning plans that include measures to provide permanent benefit to local communities.</p> <p>These examples are not intended to be exhaustive simply demonstrate a number of potential directions. The Councils would welcome any further ideas or proposals by the Applicant.</p>	
1.7.8	East Cambridgeshire District Council (ECDC)	<p>Landscape mitigation</p> <p>ECDC Relevant Representation [RR-0998] section 6.13 states that <i>"Current inconsistencies within the Environmental Statement with regards to the retention of the gained Green Infrastructure create uncertainty. If the intention is for the Green Infrastructure to reflect the surrounding landscape character/context this should again form part of the LEMP"</i>.</p> <p>Please provide further details on these inconsistencies, in order for the applicant and other interested parties to be able to comment.</p>	See response to Q1.7.6	Please see the response to Q1.7.6.

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
1.8.1	The Applicant, relevant local authority	<p>Health and safety related consents:</p> <p>Item 6 of the Consents and Agreements Position Statement [APP-021] refers to consents under Section 61 of the Control of Pollution Act 1974.</p> <ul style="list-style-type: none"> What is the position if the application is not successful? 	<p>If an application for consent under s.61 of the Control of Pollution Act 1974 is not agreed, it is open to the developer/contractor to appeal against the refusal of the Local Authority to consent or against conditions imposed in a consent. The Magistrates Court may uphold, amend, or reject any or all conditions attached to a consent. We would wish to work to agree consents and conditions which would preclude the necessity to take action regarding either noncompliance with s.61 consents or in respect of statutory nuisance. If consent requirements are contravened it is open to the Local Authority to take action in the Magistrates Court. Compliance with consents under s.61 does not mean that nuisance action cannot be taken under s.82 Environmental Protection Act 1990 (subject to any restrictions on action imposed by the method by which planning approval is granted) in respect of statutory nuisance, but it can be used as a defence in appeals against any private action taken.</p>	This response is noted.
1.10.45	The relevant highway authority	<p>Site access and crane routes</p> <p>Paragraph 5.2.5 of ES Appendix 13C [APP-118] says that, in</p>	<p>The applicant has included highway widths annotated to several plans provided in the application. However, the Councils are not</p>	<p>The Applicant has responded in detail to the points raised by the Local Highways Authorities within its response to the LIR, including at</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
		<p>response to Suffolk County Council, the Applicant undertook a review into the widths of key local roads where the majority of the HGV trips would be undertaken.</p> <p>Are you satisfied that all local roads, ie any roads other than the A11, A14 and A142, where any HGV and/or AIL trips would occur at any time in the life of the project have been satisfactorily assessed and that sufficient mitigation is proposed?</p>	<p>aware that the Applicant has undertaken full surveys to determine the road widths at locations other than proposed accesses or selected junctions. We consider that this is required to provide evidence that no additional mitigation such as widening, strengthening, removal of street furniture or vegetation clearance is required to allow safe passage of large loads. The lack of information has been remarked on in the LIR 13.62 (APP1-024).</p> <p>Referencing guidance from Manual for Streets form use on a high-speed rural roads is not appropriate. A width of 4.8m is not sufficient for the passage of two vehicles on a high-speed road, particularly when the propensity of two HGVs passing one another with the associated potential for conflict will be significantly increased by the proposals. For La Hogue Road a minimum width of 6.1m is considered appropriate on straight sections of road used by heavy goods vehicles, with additional widening on bends as may be required/ determined by AutoTrack.</p> <p>There is a reliance on haul roads to gain access to specific parts of the</p>	<p>paragraph 13.62. The Applicant respectfully disagrees with the Council's position that sufficient information has not been provided. The Framework Construction Traffic Management Plan and Travel Plan [AS-300, AS-301] contains route reviews of all HGV and AIL routes, including swept path analysis, review of weight restrictions and identification of measures required to allow safe passage. As referenced by the LHA response, highway widths taken from on-site measurements have been provided on the drawings. This is an appropriate and proportionate approach.</p> <p>Notwithstanding this, we have been working towards signposting and clarifying a number of points, with the aim of reaching agreement. The Applicant has been discussing these matters with the LHAs through a series of meetings, with the aim of reaching agreement on the substantive point of the feasibility of delivering safe and suitable access in the locations proposed. A further meeting is scheduled for 24/11/22 to go through each of the site access proposals with the outcomes of discussion intended to be reported within the relevant Statement of</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>site (e.g. the substation in plot 33) which are only available in the construction phase of the development. It is unclear how access for large loads will be provided in the operational phase, if required.</p>	<p>Common Ground. To enable this, a draft set of site access drawings has been prepared and provided to the LHAs. The set of drawings provided to the local highway authorities are to be provided within the next iteration of the Framework Construction Traffic Management Plan and Travel Plan [AS-300, AS-301] that the Applicant proposes to submit at Deadline 3A.</p> <p>The Applicant has revised proposals for widening both La Hogue Road, and also Elms Road to ensure safe passage of two HGVs. In terms of submissions to the Examination, The Applicant provided information regarding the highway works on Elms Road and La Hogue Road within the Transportation Technical Note [REP2-041] submitted at Deadline 2 which shows where localised highway works are proposed to accommodate two-way HGV movements which widens the carriageway above 4.8m wide. The localised widening considers the local characteristics of the highway through undertaking swept path analysis of two-way HGV movements and also considers the passing of wing mirrors of the vehicles to ensure adequate width is provided. The highway works</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
				<p>information provided within the Transportation Technical Note will be incorporated within the update to the Framework Construction Traffic Management Plan and Travel Plan that the Applicant proposes to submit at Deadline 3a.</p> <p>Large loads (AIL) will not be required during the operational phase.</p>
1.10.46	The relevant highway authority	<p>Site access and crane routes</p> <p>Paragraph 5.4.5 of ES Appendix 13C [APP-118] says that "A review of the route (sic) will be carried out by an experienced contractor prior to the crane(s) requirement on-site".</p> <p>Are you satisfied that this review is conducted post-consent?</p>	<p>The Councils are not satisfied. The information provided currently shows overhang of private land at the junction of Weir Road/Newnham Drove, Burwell and safe access to the site within the DCO boundary has not yet been established. In the absence of accurately defined public highway extent, DCO boundaries or access proposals, there may be other issues that have yet to be identified. Failure to resolve such issues prior to determination may make appropriate resolution unfeasible, thus compromising safe use of the highway.</p> <p>The Councils are also concerned that the Applicant has not considered how AILs will access the site from the nearest suitable port. For a number of NSIPs in Suffolk the applicant in that case undertook</p>	<p>The Applicant agrees that the points raised by the LHA are required to be addressed prior to determination. The Applicant notes that it is not yet in agreement with the LHAs on this, but is working with them with the aim of resolving their concerns prior to determination of the DCO.</p> <p>The review referred to in the ExA's question relates to the further commitment in the F-CTMP [AS-300, AS-301] for a detailed route review to be undertaken by the contractor prior to the delivery. It does not replace the review of Abnormal Indivisible Load routes undertaken by the Applicant to establish that the routes are feasible.</p> <p>The port used will have well established road access infrastructure for use to transport abnormal loads to the Strategic Road</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			<p>a high-level route assessment and submitted this to the ExA (e.g. see for East Anglia One North Offshore Windfarm:</p> <p>https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/E_N010077-001388-6.3.26.3%20EA1N%20ES%20Appendix%2026.3%20Abnormal%20Indivisible%20Load%20Access%20to%20Onshore%20Substation.pdf). This is of particular concern to the Councils as many parts of the Strategic Road Network have restrictions that require wide, high or heavy loads to divert onto the local road network. LIR 13.55 to 13.60, 13.123 and Annex E (APP1-024) provides further detail.</p>	<p>Network. The A14 and A11 form the parts of the Strategic Road Network which will be used to transport abnormal loads to the vicinity of the Scheme. National Highways has been consulted extensively on the Scheme and has raised no issues with the use of the SRN to transport AILs. This is evidenced by the Applicant's Statement of Common Ground (SoCG) with National Highways, where there are no matters not agreed, and only one unrelated matter still under discussion.</p>
1.10.74	The relevant highway authority	<p>Baseline conditions</p> <p>With reference to paragraph 3.4.15 of the Transport Assessment [APP-117],</p> <p>i. please confirm that you are still content that it is not necessary to assess the opening year of the Proposed Development</p>	<p>i) The Councils are content that the baseline year selected by the Applicant is appropriate as the most severe transport impacts are within the construction phase.</p> <p>ii) The Councils consider that there should be a requirement or similar commitment that neither</p>	<p>i) This comment is noted</p> <p>ii) The DCO application seeks authorisation to construct, operate and maintain the Sunnica Energy Farm. Article 2 of the draft DCO [APP-019] defines the meaning of "maintain" in the draft DCO. This sets out that the definition does not include removal, reconstruction or</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
		<p>ii. because it is in the operational and not the construction phase; notwithstanding low flows during the operational phase, what is your view on the need for assessment of unplanned abnormal load movements during the operational phase?</p>	<p>HGV nor AIL movements in the operational phase exceed those assessed at any a specific location or cumulatively across the highway network for the construction. As discussed at ISH1, there is a lack of clarity of what 'maintenance' in the operation phase may mean. If significant replacement of either PV cells or battery equipment is required, this could introduce additional traffic for removal that is not required during the construction phase. Any reinstatement of temporary access including haul roads should also be considered.</p>	<p>replacement of the whole of the authorised development. Article 5(3) of the draft Development Consent Order [APP-019] also sets out that the carrying out of any maintenance works which are likely to give rise to any materially new or materially different effects that have not been assessed in the Environmental Statement would not be authorised.</p>
1.10.78	The relevant local planning and highway authorities	<p>Baseline conditions</p> <p>Do you have any comments to make about the dual methodology referred to in paragraph 3.4.26 of the Transport Assessment [APP-117]?</p>	<p>Comments have been made on this matter in the LIR Annex D (APP1-024) but on this specific matter the Councils would accept that the use of TEMPro growth factors to modify historical baseline data is accepted as a commonly applied methodology. It is also correct that the Councils (specifically SCC and WSC) accepted the second methodology outlined as being suitable for the purposes of estimating traffic movements for the purposes of informing the FHDC</p>	<p>This comment is noted.</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			Local Plan. In both cases there are caveats to the use of either methodology. The application of TEMPro growth needs careful application to avoid double counting development being delivered and consideration of unplanned growth which may not be included. The TEMPro data relies on a number of assumptions which are subject to change (e.g. fuel prices). The methodology used for the FHDC Local Plan is by definition a strategic study and may lack accuracy when applied to local roads as in the case of this assessment.	
1.10.85	The relevant highway authority	<p>Baseline conditions</p> <p>In paragraph 3.5.14 of the Transport Assessment [APP-117] the Applicant concludes that there is no "<i>particular safety concern that needs to be considered as part of the Scheme proposals.</i>".</p> <p>Do you have any comments to make on this statement?</p>	<p>The Councils do not agree with this statement and have made comments on this matter in 13.68 to 13.73 of the LIR (APP1-024). The Councils also note that only one access design has been subject to a Road Safety Audit.</p> <p>As forecasting of traffic safety (particularly when there are significant changes to the use of the network) is an imprecise science, the Councils have recommended that collisions are monitored in the construction phase and, if</p>	<p>The question relates to the baseline conditions and the existing accident record. The Applicant has responded to the LHAs detailed concerns raised in paragraphs 13.68 to 13.73 in the LIR, in its response to the LIR [REP3-019]. With regards to baseline conditions, the Applicant has provided further review at the request of the LHAs, at the following locations:</p> <ul style="list-style-type: none"> i. The A14 Junction 37 within the Transportation Technical Note [REP2-041] submitted at Deadline 2

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
			necessary, mitigation undertaken by the Applicant (LIR 13.117 and 118).	<p>ii. The A11 NB Off-slip/Elms Road Junction, in response to 13.71 of the LIR, with reference to data and modelling included in Section 4 of Transportation Technical Note [REP2-041] submitted at Deadline 2.</p> <p>iii. The B1102 Freckenham Road/The Street junction, in response to paragraph 13.73 of the LIR.</p> <p>Each of these more detailed reviews support the conclusion drawn in paragraph 3.5.14 of the Transport Assessment [APP-117] that the Applicant concludes there is no <i>"particular safety concern that needs to be considered as part of the Scheme proposals."</i></p> <p>The Applicant is aligned with the local highway authorities' views on the importance of providing safe and suitable access. However, it is not considered appropriate or necessary at this stage of the project to undertake Stage 1 Road Safety Audits for every site access at this stage of design, except where there is a potential specific issue requiring investigation, as per Access I on Newmarket Road (located between A1 and Golf Links Road). Road</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
				<p>Safety Audits can and will be undertaken, and issues addressed, at the detailed design stage. Ongoing discussions regarding the preliminary design of the site accesses are noted, and it would not be appropriate to have undertaken Road Safety Audit on junction layouts prior to them having been agreed in principle with the local highway authorities regarding the site accesses. Ongoing discussions with the Local Highways Authorities on the site access arrangements include the timing and necessity of Road Safety Audits.</p> <p>The iteration of the Framework Construction and Traffic Management Plan and Travel Plan [AS-300, AS-301] that the Applicant has submitted at Deadline 3 includes a commitment to undertaking robust data collection and a reporting mechanism to record collisions and near misses associated with construction traffic or on construction routes.</p> <p>If there is a pattern of incidents that is apparent from information collected, then this will be reviewed in terms of understanding causality. Understanding the underlying cause of any road safety issues will inform</p>

ExQ1 Ref	Question to	Question	Other party response	Applicant's response
				the approach to their resolution. Where relevant, measures will be considered and introduced by the Applicant to reduce the likelihood of occurrence, e.g. driver training.
1.10.96	The relevant highway authority	<p>Cumulative effects</p> <p>Paragraph 13.11.1 of the Transport and Access chapter of the ES [APP-045] says that the future baseline has been calculated for 2023 using growth factors which include forecast development growth.</p> <p>Are you satisfied that these growth factors are sufficiently robust and apply to the road network affected by the Proposed Development?</p>	The Councils consider this is an acceptable approach	This comment is noted.
1.10.98	The relevant local planning and highway authorities	<p>Assessment methodology</p> <p>Are you satisfied that</p> <ul style="list-style-type: none"> i. the 1994 Guidelines for the Environmental Assessment of Road Traffic (Institute of Environmental Assessment) remain sufficiently robust; and 	<ol style="list-style-type: none"> 1. The experience of the Councils during recent NSIP applications is that the 1994 Guidelines form an acceptable framework for assessment of the environmental impacts of development if used indicatively. The guidance should not be taken uncritically without more detailed consideration of individual impacts and site- 	<ul style="list-style-type: none"> i. The Applicant is in agreement with the Councils that the 1994 Guidelines form an acceptable framework for assessment of the environmental impacts of development, and that there is a need for more detailed consideration of individual impacts and specific conditions. As set out throughout the Traffic and Transport Chapter of the ES

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		<p>ii. all potentially sensitive locations have been adequately assessed?</p>	<p>specific conditions, and not just a generic application of thresholds. Nor should judgement be used instead of robust data or evidence. The details of where the Councils disagree with the applicant's use or interpretation of the guidance are provided in Appendix D of the LIR (APP1- 024).</p> <p>2. SCC is concerned that the assessment methodology, particularly the selection of links for assessment, has not included all locations. In contrast to other similar NSIPs the applicant has concentrated on links at junctions rather than between them which may result in gaps in the assessment. A number of roads to the north of the Sunnica East development have not been assessed. It is understood the Applicant has scoped these out of the assessment.</p>	<p>[APP-045], the thresholds within the guidance have not been applied generically, and detailed consideration of individual impacts has been set out, with reference to both quantitative (thresholds) and qualitative criteria, with clear rationale provided. The Applicant has provided a response to Appendix D of the LIR [REP3-019]. This includes further analysis regarding some areas of sensitivity or potential impacts which were identified as being of concern to the Councils. No significant environmental effects were identified in this exercise, which was submitted at Deadline 3.</p> <p>ii. The Applicant has clarified in the Transportation Technical Note [REP2-041] submitted at Deadline 2 that the assessment of links has included the full length of links, rather than solely the section between junctions.</p>