



SUNNICA ENERGY FARM

EN010106

Draft Statement of Common Ground with National Highways

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010



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**The Infrastructure Planning
(Examination Procedure) Rules 2010**

Sunnica Energy Farm

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1 Introduction

1.1 Purpose of this document

1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the application for the proposed Sunnica Energy Farm Development Consent Order ("the Application") made by Sunnica Limited ("Sunnica") to the Secretary of State for the Department for Business, Energy and Industrial Strategy ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").

1.1.2 The Order, if granted, would authorise Sunnica to construct, operate (including maintain) and decommission a ground mounted solar photovoltaic ('PV') solar farm across Sunnica East Site A, Sunnica East Site B and Sunnica West Site A. The Scheme includes the following key components:

- a) Solar PV modules;
- b) PV module mounting structures;
- c) Inverters;
- d) Transformers;
- e) Switchgear;
- f) Onsite cabling (including high and low voltage cabling);
- g) One or more BESS (expected to be formed of lithium ion batteries storing electrical energy) on Sunnica East Site A, Sunnica East Site B, and Sunnica West Site A;
- h) An electrical compound comprising a substation and control building (Sunnica East Site A, Sunnica East Site B, and Sunnica West Site A only);
- i) Office/warehouse (Sunnica East Site A and Sunnica East Site B only);
- j) Fencing and security measures;
- k) Drainage;
- l) Internal access roads and car parking;
- m) Landscaping including habitat creation areas; and
- n) Construction laydown areas.

1.1.3 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.

- 1.1.4 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Sunnica as the Applicant and (2) National Highways.
- 1.2.2 Sunnica is a Special Purpose Vehicle (SPV) incorporated in 2013 to construct, operate, and decommission the Sunnica Energy Farm.
- 1.2.3 National Highways is an interested party to the Examination of the Application.
- 1.2.4 Collectively Sunnica and National Highways are referred to as 'the parties'.

1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG:
- "Agreed" indicates where the issue has been resolved;
 - "Not Agreed" indicates a final position of the parties that is not agreed; and
 - "Under discussion" indicates where these points are the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties.
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to National Highways' representation and therefore have not been considered in this document. It is recognised however that engagement between both parties will need to continue due to their joint interest in matters arising from the Scheme.

2 Record of Engagement

- 2.1.1 A summary of the meetings and correspondence that has taken place between Sunnica and National Highways in relation to the Application is outlined in **Table 1**. There has been email correspondence between the parties to discuss the sharing of information, arrangement of meetings and for them to comment on draft documentation, but this table reflects the key meetings and emails of note that have taken place between the parties.

Table 1: Record of Engagement

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
18/02/2019	Initial Briefing Meeting	Initial briefing meeting with Highways England
13/03/2019	Email from Sunnica	Issue of EIA Scoping Report and Transport Assessment Scoping Note
03/06/2019	Joint Transport Meeting	Key topics: <ul style="list-style-type: none"> • Updates on access points • Cable route • Access routes • Traffic data
19/05/2021	Email from National Highways	Key topics: <ul style="list-style-type: none"> • Protection measures required by NH • HDD requirements under the Strategic Road Network
20/05/2021	Transport Meeting	Key topics: <ul style="list-style-type: none"> • Design updates • Trip generation forecasts • HGV routing • Construction Traffic Management Plan and Travel Plan • Impact on strategic road network • Glint and Glare • Strategic Highways crossings
24/05/2021	Email from Sunnica's legal team	Request for National Highway's draft Protective Provisions.
25/05/2021	Email from National Highways	Response to request for weight limit of historic railway bridge near Isleham in Suffolk
01/06/2021	Email from National Highways	Circulating draft Protective Provisions for review.
07/06/2021	Email from National Highways' legal team	Confirmation that they are taking instructions about the Protective Provisions.
08/06/2021	Email from Sunnica's legal team	Confirmation that the legal team would hold off reviewing the draft Protective Provisions to allow National Highways to further consider.
22/06/2021	Email from National Highways' legal team	Circulating updated draft Protective Provisions to be used when no amendments to the Strategic Road Network are required.
26/07/2021	Email from National Highways	Confirmation of agreement on the use of the A11/Golf Links Road junction (left turn only) for Sunnica related traffic.
05/08/2021	Email from Sunnica's legal team	Negotiation of draft Protective Provisions.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
09/08/2021	Email from National Highway's legal team	Negotiation of draft Protective Provisions.
13/08/2021	Email from Sunnica's legal team	Negotiation of draft Protective Provisions.
07/09/2021	Email from National Highway's legal team	Negotiation of draft Protective Provisions.
16/12/2021	Email from Sunnica's legal team	Negotiation of draft Protective Provisions.
01/02/2022	Email from National Highway's legal team	Confirmation that National Highways are taking instructions on how to respond on the draft Protective Provisions.
08/03/2022	Email from National Highway's legal team	Negotiation of draft Protective Provisions.
25/03/2022	Meeting	Meeting between Sunnica and National Highways to discuss the SoCG.
04/04/2022	Email from National Highways	Comments on the Framework Construction Traffic Management Plan and Travel Plan.
13/05/2022	Email from Sunnica's legal team	Confirmation that main points in the Protective Provisions are substantially agreed in principle and email query on recent additions relating to costs in National Highway's Protective Provisions.
30/05/2022	Email from National Highway's legal team	Response to query on new costs provision in the Protective Provisions.
13/07/2022	Email from Sunnica's legal team	Further correspondence in relation to updates in the National Highways draft Protective Provisions.
28/07/2022	Email from National Highway's legal team	Response to query on new costs provision in the Protective Provisions.
17/08/2022	Email from National Highways legal team	Comments received on SoCG.
25/08/2022	Email from Sunnica's legal team	Further correspondence in relation to updates in the National Highways draft Protective Provisions.
31/08/2022	Email from National Highways legal team	Further correspondence in relation to updates to cost provisions in the National Highways draft Protective Provisions.
02/09/2022	Email from Sunnica's legal team	Further correspondence in relation to updates to cost provisions in the National Highways draft Protective Provisions.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
12/09/2022	Email from National Highways legal team	Response to query on new cost provisions in the updated draft Protective Provisions.
23/09/2022	Email from Sunnica's legal team	Confirmation that the Protective Provisions are in agreed form.

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Sunnica and (2) National Highways in relation to the issues addressed in this SoCG as at the date of this SoCG.

2.1.3 The issues and matters highlighted in **Table 2** to **Table 4** summarise those that have been in discussion between the two parties.

3 Issues

3.1 Matters Agreed

3.1.1 **Table 2** below details the matters agreed with National Highways.

Table 2: Matters agreed

Topic	Sub-topic	Details of Matters Agreed
General	Transport and Access	<p>The following aspects of the Transport Assessment [APP-117] and Traffic and Transport Chapter of the Environmental Statement [APP-045] are accepted and agreed between the parties.</p> <ul style="list-style-type: none"> • Legislation and policy • Study area definition and extents • Assessment Methodology • Assessment assumptions and limitations • Presentation of results • Data collection methods, baseline data and the identification and sensitivity of relevant features and receptors • Baseline data • Assessment findings for construction, operation and decommissioning.
Protective Provisions	Part 10 of Schedule 12 to the Draft DCO	The parties have reached agreement on the protective provisions included in Part 10 of Schedule 12 to the draft DCO for the benefit of National Highways.
Transport and Access	Mitigation – Framework Construction Traffic Management Plan and Travel Plan	Following email correspondence in April 2022 between the parties regarding the Framework Construction Traffic Management Plan and Travel Plan, it is agreed that, in the event of the closure of the Strategic Road Network (SRN), construction vehicles would follow the signposted diversions. The contractor would also communicate as quickly as possible regarding unplanned closure of the SRN to HGV drivers and sub-contractors and, when necessary, would identify the most relevant lay-by including service stations to lay-up if required. The closest Abnormal Load Lay-Bys and Motorway Service Area to the sites are located in Barton Mill at the Fiveways roundabout and in Red Lodge at the B1085 Transport Café.

3.2 Matters Under Discussion

3.2.1 **Table 3** below details the matters under discussion with National Highways.

Table 3: Matters under discussion

Topic	Sub-topic	Details of Matters Under Discussion
-	-	None at this stage.

3.3 Matters Not Agreed

3.3.1 **Table 4** below details the matters not agreed with National Highways.

Table 4: Matters not agreed

Topic	Sub-topic	Details of Matters Not Agreed
-	-	None at this stage.

4 Signatures

This Statement of Common Ground is agreed:

On behalf of National Highways:

Name Alice Lawman

Signature



Date 30 January 2023

On behalf of the Applicant:

Name Luke Murray

Signature



Date 30 January 2023