

Cambridgeshire County Council (20031358)
East Cambridgeshire District Council (20031149)
Suffolk County Council (20031377)
West Suffolk Council (20031311)

Comments on the Revised/Updated Statement of Common Ground (SoCG)

Sunnica Energy Farm (EN010106)

Deadline 7

3 March 2023

Preamble:

This document has been prepared jointly by the four host local authorities to avoid duplication of work. This submission is based on the Applicant's template for the Statement of Common Ground, adding an additional column for the Local Authority comments.

Details of the issues raised are included within the [LHAs Councils respective](#) Deadline 7 [response with regard to matters raised in ISH4/ISH4 Post-Hearing Submissions](#) unless noted otherwise.

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Table 1: Matters Agreed

Topic	Sub-topic	Details of Matters Agreed	Local Authority Comment
General	Legislation and policy	The Scheme should be considered under Section 105 of the Planning Act 2008. NPS EN-1, NPS EN-3, NPS EN-5, and in light of the Government's pronouncements in respect of transitional effects of the draft NPSs, Draft NPS EN-1, Draft NPS EN-3, and Draft NPS EN-5 should be 'important and relevant' considerations for the purposes of S105(2) of the Planning Act 2008. Draft NPS EN-3 contains technology specific policy relating to large-scale solar development. It is considered more relevant in this case than the currently designated EN-3, notwithstanding that it is yet to be designated.	
		<p>The parties agree that the Environmental Statement (ES) has identified all applicable legislation and national policy pertaining to the following assessments undertaken as part of the Environmental Impact Assessment (EIA) of the Scheme:</p> <ul style="list-style-type: none"> • Climate change [APP-038]. • Cultural heritage [APP-039]. • Ecology and nature conservation [APP-040]. • Flood risk, drainage and water resources [APP-041]. 	

Topic	Sub-topic	Details of Matters Agreed	Local Authority Comment
		<ul style="list-style-type: none"> • Landscape and visual amenity [APP-042]. • Noise and vibration [APP-043]. • Socio-economics and land use [APP-044]. • Transport and access [APP-045]. • Air quality [APP-046]. • Human health [APP-047]. • Other topics [APP-048]. • Effect interactions [APP-049]. 	
		<p>The application of local policy within the Environmental Impact Assessment (EIA) is agreed for the following assessments:</p> <ul style="list-style-type: none"> • Climate change [APP-038]. • Cultural heritage [APP-039]. • Flood risk, drainage and water resources [APP-041]. • Noise and vibration [APP-043]. • Air quality [APP-046]. • Human health [APP-047]. • Other topics [APP-048]. • Effect interactions [APP-049]. 	
	Study area definition and extents	<p>The parties agree that the study areas adopted by Sunnica within the following assessments reflect current best practice and standards:</p> <ul style="list-style-type: none"> • Climate change [APP-038]. • Cultural heritage [APP-039]. 	

Topic	Sub-topic	Details of Matters Agreed	Local Authority Comment
		<ul style="list-style-type: none"> • Ecology and nature conservation [APP-040]. • Flood risk, drainage and water resources [APP-041]. • Landscape and visual amenity [APP-042]. • Noise and vibration [APP-043]. • Socio-economics and land use [APP-044]. • Transport and access [APP-045]. • Air quality [APP-046]. • Human health [APP-047]. • Other topics [APP-048]. • Effect interactions [APP-049]. <p>The parties agree that the geographical extents of the adopted study areas are appropriate to identify the likely direct and indirect effects of the Scheme on sensitive features and receptors.</p>	
	Application of expert/professional judgements	<p>The identification of likely significant effects on sensitive features and receptors has been informed by professional judgement and the views of relevant technical specialists, where necessary.</p> <p>The parties agree that the application of professional judgement by its specialists within the following assessments are appropriate and robust:</p> <ul style="list-style-type: none"> • Climate change [APP-038]. • Cultural heritage [APP-039]. 	In terms of Transport, SCC has not agreed that the applicants use of professional judgement is appropriate and robust. In the LIR we raised concerns that professional judgement was used too frequently in the absence of data, particularly when assessing the quantity and mode of highway users.

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		<ul style="list-style-type: none"> • Ecology and nature conservation [APP-040]. • Flood risk, drainage and water resources [APP-041]. • Noise and vibration [APP-043]. • Socio-economics and land use [APP-044]. • Transport and access [APP-045]. • Air quality [APP-046]. • Human health [APP-047]. • Other topics [APP-048]. • Effect interactions [APP-049]. 	
Baseline	Data collection methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The baseline conditions have been collated using desk-based and field-based techniques, and through consultation with stakeholders including the local authorities.</p> <p>The parties agree that the scope, coverage and timing of surveys undertaken to establish the baseline conditions and sensitive features and receptors are in line with best practice and appropriate to inform the assessment of direct and indirect effects reported in the following assessments:</p> <ul style="list-style-type: none"> • Climate change [APP-038]. • Cultural heritage [APP-039]. • Flood risk, drainage and water resources [APP-041]. 	<p>With regard to Transport, SCC did not agree with the Applicant's assessments particularly in terms of sensitivity (see 1.16 Annex D of LIR REP1-024). However, the authority considered that as its own assessment did not indicate material differences in terms of identifying additional mitigation the was little to benefit pursuing the matter.</p>

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		<ul style="list-style-type: none"> Noise and vibration [APP-043]. Transport [APP-045]. Air quality [APP-046]. Human health [APP-047]. Other topics [APP-048]. Effect interactions [APP-049]. 	
Assessment findings	Assessment findings: construction, operation and decommissioning effects	<p>The assessment findings for the following topic assessments are considered acceptable:</p> <ul style="list-style-type: none"> Climate Change [APP-038]. Cultural heritage [APP-039]. Flood risk, drainage and water resources [APP-041]. Noise and vibration [APP-043]. Air quality [APP-046]. Human health [APP-047]. Other topics [APP-048]. Effect interactions [APP-049]. 	ECDC have a range of objections to the Applicant's assessment findings in relation to Cultural Heritage. This cannot be agreed.
	Assessment – Cumulative effects	Regarding North Angle Solar Farm (CCC/20/051/FUL and CCC/21/237/VAR), this scheme lies to the west of Soham and outside of the study area defined for the Landscape and Visual Impact Assessment (LVIA). It was therefore scoped out of the assessment of likely direct cumulative landscape and visual effects presented in Chapter 10: Landscape and Visual Amenity of the Environmental Statement [APP-042] . This	

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		<p>approach has been discussed with the local authorities.</p> <p>Further assessment has been undertaken to consider the Solar Farm to East of Breach Farm (21/00706/ESF) within Appendix A of [REP1-016].</p>	
Ecology and Nature Conservation	Aquatic invertebrates	<p>The Applicant submitted a technical note providing further technical information to validate its conclusions in respect of aquatic invertebrates and in particular Chippenham Fen and Snailwell Poor's Fen SSSI and Fenland SAC. This was submitted at Deadline 2 [REP2-038].</p> <p>With the proposed removal of Sunnica West Site B, the nearest panels to the location of aquatic invertebrates are over 1km away; meaning that impacts will be able to be avoided.</p>	
	Mitigation	<p>Whilst not specifically secured in CEMP but as a consequence of the depth parameters that have been set, the cable trench for Grid Connection Route B through the field known as EC04, as for all cables, is anticipated to be above the water table and will not affect groundwater flow. If groundwater were to reach the level of the trench, permeable backfill material will not impede groundwater flow across the trench, and the cable pipe itself is small compared to the extent of the aquifer. There will be no significant impediment to</p>	

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		groundwater flow and, if any where present, peat will be left unaltered.	
		In the case of Havacre Meadows and Deal Nook CWS (and the River Kennett), through which a cable needs to pass, this is mitigated by the cable being installed by horizontal directional drilling with entry and exit pits set back at least 30 m from the CWS. This approach is included in the Construction Environmental Management Plan under Requirement 14 of Schedule 2 of the Draft DCO [REP3-012] .	
Cultural Heritage	Other heritage assets	<p>The settings of other listed buildings (excluding the Chippenham Park complex), conservation areas, and non-designated heritage assets in East Cambridgeshire and West Suffolk Council would not be affected by the Scheme and no further mitigation is required.</p> <p>The settings of listed buildings in Suffolk would not be harmed by the Scheme and no further mitigation is required.</p> <p>U6006 Badlingham Lane would not be negatively affected by the Scheme in terms of built heritage or archaeology and no further mitigation is required in this respect.</p> <p>The settings of conservation areas in Worlington, Freckenham, Exning, Barton Mills and Newmarket</p>	

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		would not be harmed by the Scheme and no further mitigation is required. Conservation areas in Freckenham and Exning would not be harmed by the Scheme, including by AIL deliveries.	
	Mitigation	<p>The Applicant confirmed that the following changes would be implemented following consultation with LPA's:</p> <ul style="list-style-type: none"> • Removal of Sunnica West Site B from the Scheme; • Inclusion of additional archaeological offset are within W04 in Sunnica West A; and • Removal of the B50 Bomber site for the developable area within the Scheme. <p>The changes are described in the Second Change Application [REP5-059]. The bomber site is also to be the subject of licensing, a DCO Requirement to provide interpretation of the crash site and changes to the Environmental Masterplan at Deadline 5 to better encourage members of the public to observe the site.</p> <p>The Councils are content that these changes will ensure that the Scheme does not impact on these heritage assets.</p>	<p>The removal of the B50 Bomber Site from the developable area is defined by Joint Casualty and Compassionate Centre (JCCC), not by the Councils.</p> <p>Separate to this, the Councils are objecting to the inclusion of E05 and have concerns how the Applicant has brought the crash site sensitively into their proposal.</p>
Air Quality	Mitigation	The measures outlined within Chapter 14: Air Quality [APP-046] , are considered acceptable to	

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		mitigate potential impacts and manage potential effects during the construction, operation and decommissioning phases.	
Climate Change	Mitigation – Approach to reduce fuel consumption and associated emissions	The Principal Contractor appointed for the construction phase will be responsible for preparing and implementing a Construction Resource Management Plan (CRMP), which will set out targets for fuel, waste and energy consumption. The contractor will also provide details on fuel storage, and management of spills/leaks during construction. These requirements and management measures are included within the Framework CEMP [REP3-015] and will be developed within the detailed CEMP(s) developed for the Scheme.	
Noise and Vibration	Baseline – Noise monitoring	Baseline noise monitoring was undertaken in accordance with guidance within BS 4142. Measurements were undertaken in such a way as to provide a representative sample of conditions, such as avoiding periods of adverse weather conditions, and school holiday periods (which are often considered to result in atypical sound levels). A small degree of uncertainty will always remain in the values taken from such a measurement survey; however, the method applied during measurement	

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		and assessment of noise data provides confidence that it is robust.	
	Assessment – Burwell Substation extension low frequency ‘hums’ from transformers	Following acceptance of non-material changes to the DCO application, the proposed Options 1 and 2 Burwell Substation extension no longer forms part of the Scheme. As such, there are no proposed changes to the Burwell Substation and noise conditions will be unchanged at receptors affected by noise emissions from the Burwell Substation.	
	Mitigation – S61 applications	The Framework CEMP has been updated, and was submitted at Deadline 5 [REP5-043] , and now includes a requirement for the detailed CEMP to set out proposals for how consultation will take place with local authorities to agree a suitable schedule for S61 applications.	
	Mitigation – Piling	The requirement for a Piling Method Statement was added to the Framework CEMP submitted at Deadline 2 [REP2-026] . The Piling Method Statement will stipulate piling working hours and will require approval by the relevant LPA.	
Flood Risk, Drainage and Water Resources	Baseline modelling – availability for review	The Flood Risk Assessment Part 1 Rev 1 [AS-007] uses data produced by the Environment Agency. No site specific hydraulic fluvial modelling has been carried out as part of this assessment. The current Environment Agency model has been	

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		<p>reviewed. The revised climate change allowances are 19% for design purposes, the Environment Agency model includes 20% climate change allowance. The Environment Agency has stated during consultation that this should be acceptable. The credible maximum scenario has also been assessed, as agreed with the Environment Agency, using 22% climate change allowance as a sensitivity test to demonstrate the PV panels can operate it this scenario.</p> <p>For the outline design, no hydraulic drainage modelling has been undertaken for the drainage assessment. It is an outline assessment based on 100% Greenfield land; therefore greenfield runoff assessment calculation using HR Wallingford assessment tool has been used as the existing runoff rates.</p> <p>A hydraulic drainage model will be prepared for the BESS and Site Compound areas once these designs are set out at detailed design stage, with the results helping to inform the final detailed design. Catchment level Greenfield runoff rates, with an allowance for climate change, will be used for solar panel sites to confirm swale design and sizes. The modelling will ensure the principals of the drainage strategy are followed and this will not affect the</p>	

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		Environmental Statement findings and conclusions. This approach is agreed with the local authorities.	
	Assessment – uncertainty within the Quick Storage Estimates (QSE) calculation	Within the Flood Risk Assessment Part 1 Rev 1 [AS-007] the infiltration SuDS techniques, swales and basins, will be designed to mimic existing drainage conditions and accommodate the 1 in 100 year return period storm event plus a 40% increase allowance for climate change. The strategy has been assessed on the averages for QSE values, based on generally accepted experience that the average value is likely to be closer to the detailed design values. The maximum QSE volume is not a requirement to meet for design but a guide for establishing an outline drainage assessment to guide initial design parameters, which this is suitable to use for the outline strategy. The availability of land for attenuation is not a significant constraint, if additional attenuation is required, it would be provided within the site boundary. This approach is agreed with the local authorities.	
	Mitigation – exceedance flows	Detailed drainage plans will be developed at detailed design stage. These will include the exceedance flow routes, and level/gradient data.	

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		This approach is agreed further with the local authorities.	
	Mitigation – Flood zone compensation	The Applicant's position is that the assessments show that no floodplain compensation is required. The Environmental Agency agree to the FRA Addendum [EN010106/APP/8.66] , which is being submitted at Deadline 4. This approach is agreed with the local authorities.	
Human Health	Assessment – Quality of life	<p>In response to concerns about the effect of the Scheme on quality of life, the quality of life for local communities has been considered in the assessments undertaken as part of the Environmental Impact Assessment and detailed within the following submission documents:</p> <ul style="list-style-type: none"> - Chapter 10: Landscape and Visual Amenity of the Environmental Statement [APP-042]; - Chapter 11: Noise and Vibration of the Environmental Statement [APP-043]; - Chapter 12: Socio-Economics and Land Use of the Environmental Statement [APP-044]; - Chapter 13: Transport and Access of the Environmental Statement [APP-045]; - Chapter 14: Air Quality of the Environmental Statement [APP-046]; and 	

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		- Chapter 15: Human Health of the Environmental Statement [APP-047] .	
BESS	Mitigation – Fire safety	In response to concerns about fire safety, the draft Development Consent Order is being updated at Deadline 4 and includes requirement 7 in Schedule 2 which secures the Battery Fire Safety Management Plan (“BFSMP”). The BFSMP is to be approved by the relevant County Councils authorities, in consultation with the fire and rescue services. An updated OBFSMP was submitted to the Examination at Deadline 2 [REP2-032] .	

Table 2: Matters Under Discussion

Topic	Sub-topic	Details of Matters Under Discussion	Local Authority Comments
General	Local Policy	<p>The application of local policy within the Environmental Impact Assessment (EIA) is under discussion for the following assessments:</p> <ul style="list-style-type: none"> • Ecology and Nature Conservation [APP-040] • Landscape and Visual Amenity [APP-042] • Socio-economics and land use [APP-044] • Transport and Access [APP-045] 	For Landscape and Visual Amenity this should be considered as a matter not agreed.
Baseline	Data collection methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The baseline conditions have been collated using desk-based and field-based techniques, and through consultation with stakeholders including the local authorities.</p> <p>The parties agree that the scope, coverage and timing of surveys undertaken to establish the baseline conditions and sensitive features and receptors are in line with best practice and appropriate to inform the assessment of direct and indirect effects reported in the following assessments:</p> <ul style="list-style-type: none"> • Ecology and Nature Conservation [APP-040] • Landscape and Visual Amenity [APP-042] • Socio-economics and land use [APP-044] 	The Councils do not consider that the landscape and visual amenity baseline assessments have been accurately undertaken, as the Applicant has failed to provide full and accurate tree surveys. and there are still inconsistencies within the hedgerow plan.

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Assessment Findings	Assessment findings: construction, operation and decommissioning effects	<p>The assessment findings for the following topic assessments are under discussion:</p> <ul style="list-style-type: none"> Ecology and Nature Conservation [APP-040] Landscape and Visual Amenity [APP-042] Socio-economics and land use [APP-044] Transport and Access [APP-045] 	<p>For Landscape and Visual Amenity this should be considered as a matter not agreed.</p> <p>Ecology and Nature Conservation should also be in matters not agreed.</p>
	Application of expert/ professional judgements	<p>The identification of likely significant effects on sensitive features and receptors has been informed by professional judgement and the views of relevant technical specialists, where necessary. The parties are still in discussion regarding elements of the following specialist chapters:</p> <ul style="list-style-type: none"> Landscape and visual amenity [APP-042] 	<p>For Landscape and Visual Amenity this should be considered as a matter not agreed. While the Councils do not question the professionalism of the Applicant's advisors, the Councils disagree with the judgement made and conclusions drawn.</p> <p>Ecology and Nature Conservation should also be in matters not agreed.</p>
Cultural Heritage	Mitigation Strategy	<p>A Detailed Archaeological Mitigation Strategy [REP5-066] has been prepared for discussion with the County Councils. The draft DCO [REP2-012] provides for the securing of archaeological mitigation through Requirement 13. An OHEMP has been prepared and submitted as part of the OLEMP [REP5-011].</p>	
Ecology and Nature Conservation	Baseline surveys Assessment – Biodiversity Net Gain	<p>Surveys have been undertaken in 2022 to ensure that the baseline is kept up to date. These will be reported at Deadline 5 along with the technical</p>	<p>Not agreed- can be in not agreed now. Survey undertaken in unsuitable conditions following a summer drought</p>

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		<p>note of the updated biodiversity net gain calculation.</p> <p>The Applicant is undertaking an updated calculation of Biodiversity Net Gain which will provide the detail for the calculations using the latest Biodiversity Net Gain metric, 3.1. A technical note will be produced and circulated to the local authorities at the earliest convenience during the Examination process for discussion. The BNG calculations will be accompanied by plans which show where the habitats being counted prior to, and post development are located.</p>	
	Cable Corridor	Whether or not the proposed cable trench through the previous Sunnica West Site B location could be rerouted to avoid the small area of peaty soils.	This is agreed
	Residual effects	Whether or not the Scheme will result in significant residual effects on ecology and nature conservation during construction and operation of the Scheme.	This is not currently agreed, but a new version of the OLEMP and Environmental Masterplans due at DL7 need to be reviewed.
	Mitigation	<p>Whether the Outline Landscape and Ecology Management Plan (OLEMP) [REP3-011] requires amending to secure adequate monitoring of terrestrial ecology.</p> <p>The parties are in discussion regarding the detail on the proposed design elements for the different</p>	Discussions are still ongoing, particularly in relation to resourcing and establishment of an Ecology Advisory Group to undertake this work.

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		<p>habitats proposed in relation to connectivity which will be provided at the detailed LEMP stage in line with the principles set out in the OLEMP.</p> <p>The publication of “An interim nature recovery network for East Cambridgeshire” is welcomed by the Applicant in signposting the habitat types and detail needed for the Scheme to integrate with and support the nature recovery network.</p> <p>Parties are discussing whether there is sufficient information within the OLEMP on the establishment and management plans for the different habitats proposed in the mitigation areas to inform what will be provided at the detailed LEMP stage. The Applicant will be providing an updated OLEMP at Deadline 5 which the LPAs will be able to consider.</p>	
	Stone Curlew	Whether the approach to habitat provision for stone curlew is adequate.	Not agreed – approach should have been avoidance
	Stone Curlew	The monitoring/management arrangements for Stone Curlew to determine the effectiveness of the proposed mitigation remains under discussion.	<p>Monitoring is agreed but management is not yet agreed – there is conflict with archaeology – but subject to DL7 review</p> <p>Adaptive management should include additional offsetting land – i.e. there is currently no contingency plan</p>

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Landscape and Visual Amenity	Mitigation	<p>The following updates are proposed:</p> <ul style="list-style-type: none"> • The Environmental Masterplan is being developed further in dialogue with the local authorities. The Environmental Masterplans will include improvements to the proposed mitigation and the inclusion of additional information, such as all existing vegetation, showing that which is to be removed and that which is to be retained, and drainage. The Environmental Masterplan was last updated at Deadline 3 [REP3-022]. • The OLEMP will be restructured to provide a clearer set of measurable objectives, design principles and prescriptions for each habitat type. The OLEMP will also explain how the Scheme will contribute to wider Green Infrastructure strategy and NRN, how it provides connectivity, with contingency plans, if objectives are not met. The OLEMP was last updated at Deadline 3 [REP3-011]. • A ‘per village’ design iteration technical note has been prepared for the local authorities to explain how the design has evolved to avoid or mitigate the effect on 	<p>ECDC – The proposed mitigation is not considered to be acceptable and the submitted landscape/tree information often is in conflict or lacking.</p> <p>No updated OLEMP has been submitted in time to be considered at Deadline 7.</p> <p>The current situation is that updates to the OLEMP and the EnvM are expected at Deadline 7. Therefore, these documents cannot currently be agreed.</p>

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		<p>each village and how the design iterations have responded to the criteria for good design. This was submitted at Deadline 2 [REP2-038].</p> <ul style="list-style-type: none"> A technical note has been prepared for the local authorities outlining the historical development of the landscape across the study, this was incorporated into the Summary of intra-cumulative landscape and sequential visual effects – Appendix K or the Applicant response to the First Written Questions [REP2-037]. 	
	Baseline – Tree Survey	<p>In response to comments, the Applicant has undertaken additional detailed tree surveys within the Sites at key areas, including along the U6006. This additional information has been presented in an Arboricultural Impact Assessment submitted at Deadline 5 [REP5-052].</p>	Applicant has not provided accurate tree surveys for the extent of the DCO area and this should be moved to matters not agreed.
Noise and Vibration	Assessment	The parties are in discussion regarding the potential noise impacts of Option 3 substation, in relation to noise and the acceptability of receptor locations.	At this point, the Applicant has not provided further information or data to the LPA on modelled operational noise impacts, including low frequency noise, as a result of the introduction of Option 3.
Socio-Economics and Land Use	Baseline	The baseline information used within the Socio-economics and land use assessment [APP-044] .	The Councils view is that the baseline information used in the socio-economics and land use assessment is seriously deficient. [LIR REF]

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			As regards Agricultural land classification, the councils note that there is a substantial disagreement between the Applicant and the Say No To Sunnica action group. The Councils are not in a position to adjudicate between the two positions and can therefore not agree with the Applicant's baseline.
	Assessment – Employment / GVA figures	The employment assumptions related to travel area/leakage are based on the employment within the 45 minute travel area as derived from Census data. A map of the travel area is included in Figure 12-1 of the Environmental Statement [APP-237] . The total employment is presented in Chapter 12: Socio-economics and Land Use of the Environmental Statement [APP-044] . The data table underpinning this can be provided to the local authorities for review and discussed if required.	
	Assessment – Tourism effects on local economy	The Applicant's EIA Scoping Report [APP-051] submitted to PINS contained no specific reference to an assessment of effects on tourism as no specific receptors, such as visitor attractions, had been identified within the defined study areas to justify such an assessment being needed. The Scoping Opinion [APP-052] response received	

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		from PINS also did not request that such an assessment was required. However, Chapter 10: Landscape and Visual Amenity of the Environmental Statement [APP-042] did assess the impact on visitor views in the vicinity of the Scheme and the loss of long distance views as relevant. This approach is being discussed with the local authorities who were concerned that the Scheme will have negative impacts on the natural beauty and tourism within the local area.	
	Mitigation – Compensation package for local communities	An Outline Skills, Supply Chain and Employment Plan has been submitted as part of the DCO Application [APP-268] and updated at Deadline 3 [REP3-017] . This seeks to secure the potential improvements, mitigation and compensation to local communities that could be implemented as part of the Scheme. This approach is to be agreed with the local authorities.	The Councils understand that an update to the Outline SSCE Plan will be submitted at D7. Discussions are underway with the applicant, and the councils will submit comments on the latest version at D8.
Transport and Access	Assessment – Vehicle occupancy	The Applicant has provided further evidence to the Local Highways Authorities in relation to the use of sensitivity testing of the 1.5 staff vehicle occupancy rate used in the Transport Assessment [APP-117] and Framework Construction Traffic Management Plan and Travel Plan [APP-118] and Further evidence supporting the robustness of the 1.5 staff	This has not been agreed. SCC considers there should be a cap on worker numbers, worker vehicle movements and the vehicle occupation ratio.

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		<p>vehicle occupancy rate. See also the Technical Note: Transportation and Access [REP2-041].</p> <p>Notwithstanding this, the Applicant has agreed to introduce a cap on staff vehicle numbers at the level of 1.5, and has introduced this into the Framework Construction Traffic Management Plan and Travel Plan [REP5-015] at Deadline 5. It is understood that introducing this control measure satisfies the LHAs' concerns regarding the potential for the level of traffic generated to exceed that assessed in the ES</p>	
	Assessment – width of Elms Road and la Hogue Road	<p>Discussions will continue in relation to the extent of road widening and the provision of passing places required at Elms Road and La Hogue Road to facilitate the passage of HGVs and other traffic during construction. The Applicant has provided updated plans both within the Transportation Technical Note [REP2-041] submitted at Deadline 2, and Annex C of the Framework Construction Traffic Management Plan and Travel Plan [REP3A-004] at Deadline 3A.</p> <p>It is understood that SCC has agreed the principal of the proposals for Elms Road and will provide comment on points of detail. At Deadline 5, CCC has raised concern about the potential for drivers to misjudge road and vehicle widths, and has</p>	

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		requested a Road Safety Audit. The Applicant responds to this point in document 8.86 at Deadline 6.	
	Road Safety	The Applicant has responded to the LHAs' concerns regarding road safety in a number of locations. It is agreed that the existing accident record does not indicate an underlying issue which requires specific mitigation. Notwithstanding this, the construction phase will generate a significant level of trips and the LHAs concerns relate to future conditions, where there would be a higher level of traffic than the existing conditions under which the accident record has derived from. The Councils have requested that the Applicant includes a commitment to monitoring road safety, including at this location. The Applicant has included this within the Framework Construction Traffic Management Plan and Travel Plan [REP5-015] . It is understood that providing such a commitment within the F-CTMP resolves the matter, but this is yet to be confirmed.	There are two road safety issues. Road safety at new and modified vehicular accesses: The applicant has committed to undertake road safety audits and the LHAs will review these when available. Impact of construction vehicles on road safety on the existing highway network. The LHAs are seeking a commitment from the applicant to review collision data and if a significant increase in collisions occurs undertake remedial actions to prevent these.
	Assessment – Link sensitivity	Whilst there may be points of detail which are not fully agreed, the Applicant and the Councils consider the matter to be resolved as any points of disagreement would not affect the overall conclusions.	

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Topic	Sub-topic	Details of Matters Under Discussion	Local Authority Comments
	Monitoring, reporting and enforcement – HGV numbers	<p>As set out in Table 2, the Applicant has submitted an update to the Framework Construction Traffic Management Plan & Travel Plan [REP3A-004, REP3A-005] at Deadline 3, which addressed a number of the Councils’ requests on monitoring, reporting and enforcement, and secured the required commitments, in chapters 7 and 8. As set out in Table 2, the Applicant has submitted an update to the Framework Construction Traffic Management Plan & Travel Plan [REP3A-004] at Deadline 3A, which addresses a number of the Councils’ requests on monitoring, reporting and enforcement, and includes related commitments in chapters 7 and 8. This has included community engagement, including in relation to complaints regarding off-site transport impacts such as “fly parking.”</p> <p>The Applicant has committed to maximum daily and peak HGV movements to be included in the F-CTMP, at the request of the LHAs. This will be included in a F-CTMP to be submitted at a later deadline, subject to agreement of the details. This matter remains under discussion but is considered close to resolution.</p>	

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Topic	Sub-topic	Details of Matters Under Discussion	Local Authority Comments
	Abnormal Load Movements	Movement of AILs between a port of origin. Applicant has committed to engage with a haulier to identify a feasible route	Awaiting report. Concerns remain regard tracking of AILs at B1102 The Street / Mildenhall Road due to over-run of central island.
	Site access proposals	Discussions are continuing with the Local Highways Authorities in relation to the site access proposals. The Local Highways Authorities in a meeting in April 2022 have requested a standalone package of plans to collate the information required to assess the site access proposals. The Applicant has prepared a package of drawings for this purpose, and these have been discussed at the meeting on 24/11/2022. These are included in Annex C of the Framework Construction Traffic Management Plan and Travel Plan [REP3A-004] at Deadline 3A. Significant progress has been made since the SoCG submitted at Deadline 2. However, a number of points remain unresolved and therefore this remains a matter under discussion.	LHAs have raised lack of highway boundary details as a matter of concern when assessing the proposals. The deliverability of the temporary traffic management remains unresolved.
	Staff vehicle numbers	In response to discussions on the car share occupancy parameter and the level of commitment to sustainable transport measures within the Framework Construction Traffic Management Plan & Travel Plan [REP3A-004], the Applicant has agreed to introduce a cap on staff vehicle numbers at each of the site accesses and for the Scheme	This updated approach has not been agreed. SCC considers there should be a cap on worker numbers, worker vehicle movements and the vehicle occupation ratio.

Topic	Sub-topic	Details of Matters Under Discussion	Local Authority Comments
		overall. This has been included within the update to the F-CTMP/TP at Deadline 3A. Capping based on vehicle numbers, rather than car occupancy, addresses the crux of the parameter for which control is sought, whilst enabling the Applicant to achieve this through other measures, such as the mini-bus which is set out in the Framework Construction Traffic Management Plan and Travel Plan [REP3A-004] . This was updated to a level equivalent to a 1.5 vehicle occupancy in the F-CTMP/TP [REP5- 015] at Deadline 5, and is therefore agreed.	
	Monitoring, reporting and enforcement of the F-CTMP/TP	In Chapter 13 of the Local Impact Report, the Councils outlined a number of requests in terms of the monitoring, reporting and enforcement of the F-CTMP/TP. The Applicant submitted an update to the Framework Construction Traffic Management Plan & Travel Plan [REP3A-004] at Deadline 3A, which addressed these requests, and secured relevant commitments, in chapters 7 and 8. Discussions on monitoring, reporting and enforcement are continuing.	
Maintenance	Threshold of maintenance	The Local Authorities have raised a point in its post DCO hearing submission about having a specific threshold over which the local authorities should be notified in advance of any largescale	

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Topic	Sub-topic	Details of Matters Under Discussion	Local Authority Comments
		<p>maintenance (which includes repair and replacement). They have said they would welcome discussions with the Applicant on this point to agree a reasonable threshold over which notification would be required. In order to provide assurance to the Councils the Framework OEMP will be updated at Deadline 5 to include a requirement that every 12 months from the date of final commissioning the Applicant will submit a maintenance schedule for the year ahead to the relevant planning authorities, excluding unforeseen emergencies that require maintenance throughout the year. The Applicant is engaging with the Councils on suitable wording to include in the Framework OEMP to address this concern and will update the Examination in due course.</p>	
Highways	Protective Provisions	Measures to protect the authorities' position as the LHA through Protective Provisions or side agreements.	Suggested new line.
Public Rights of Way (PRoW) and Permissive Paths	Provision of accessible routes	Discussions are continuing on the provision of permissive routes through the Scheme and potential impacts on users of existing PRoWs, including noise, health etc.	

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Topic	Sub-topic	Details of Matters Under Discussion	Local Authority Comments
Discharge of Requirements	Fee agreement	Fees to be paid by the undertaker to the relevant Planning Authorities for applications to discharge Requirements is under discussion.	The developer is not willing to pay reasonable fees to the Councils to discharge the requirements. This section should be moved to matters not agreed.

Table 3: Matters Not Agreed

Topic	Sub-topic	Details of Matters Not Agreed	Local Authority Comment
Noise	Mitigation	Whether proposed construction working hours are appropriate.	This could be clarified to also include piling. For example “Whether proposed construction hours, including piling working hours, are appropriate”
Cultural Heritage	Chippenham Park complex	The Scheme will result in harm to the setting of the Chippenham Park complex (Grade II registered park, Grade II* and II listed buildings and non-designated heritage asset). The level of harm remains as a current point of disagreement, as the Councils consider that there is a high degree of less than substantial harm, which combined with the landscape impacts, mean that parcels W02-W012 and W17 should be removed from the Scheme. The Applicant considers that there is less than substantial harm arising to the RPG from the Scheme and that the benefits of the Scheme, being the provision of low carbon electricity utilising an available substation connection, including provision of solar arrays within West Site A, outweigh the heritage harm caused and that no fields in Site West A need to be removed from the Scheme. The Applicant has confirmed the position in relation to the removal of trees within the Avenue section in its Deadline 5 submission [REP5-060] .	