

BY E-MAIL

Secretary of State for Energy Security and Net
Zero
Energy and Infrastructure Planning
1 Victoria Street
London
SW1H 0ET

10 October 2025

Dear Secretary of State

**THE SUNNICA ENERGY FARM ORDER 2024
PROPOSED NON-MATERIAL CHANGE APPLICATION – REQUEST FOR REDUCTION IN
CONSULTEES UNDER REGULATION 7(3) OF THE INFRASTRUCTURE PLANNING
(CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

1. INTRODUCTION

1.1 We act for Sunnica Limited (“**Sunnica**”).

1.2 On 12 July 2024, the Secretary of State made the Sunnica Energy Farm Order 2024 (S.I. 2024 No. 802) (the “**Order**”) as corrected by the Sunnica Energy Farm (Correction) Order 2024 (S.I. 2024 No. 1154) in respect of the installation of solar photovoltaic generating panels and electrical battery storage technology on Sunnica East and Sunnica West, and associated infrastructure for connection to the national grid (the “**Scheme**”). The Scheme is proposed to connect to the national grid at the Burwell National Grid Substation (the “**Existing Substation**”).

2. NON-MATERIAL CHANGES TO THE ORDER

2.1 Sunnica seeks to make two non-material changes to the Order.

Change 1 – extending the Order limits to include the extension to the Existing Substation

2.2 The Order authorises the construction and operation of cabling to connect the Scheme to the Existing Substation.

2.3 Following the original application for the Order, the Existing Substation has been extended to include the area shown shaded yellow (the “**Additional Land**”) in the plan at Appendix 1 to this letter. The existing Order limits are shown edged red on that plan.

2.4 Following discussions with National Grid Electricity Transmission plc (“**NGET**”), the owner and operator of the Existing Substation (including the Additional Land), Sunnica

Pinsent Masons LLP

30 Crown Place Earl Street London EC2A 4ES

T +44 (0) 20 7418 7000 F +44 (0) 20 7418 7050 DX 157620 Broadgate

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is proposing to change the proposed location for the cabling to connect the Scheme to the Existing Substation to instead be located within the Additional Land. All land rights in relation to this cabling will continue to require agreement between Sunnica and NGET.

- 2.5 The focus of Change 1 is therefore to amend the Order limits to include the Additional Land, via updates to the corresponding plans and documents, to facilitate this re-location of the cabling. The extension of the Order limits is shown via the blue line the plan at Appendix 1 to this letter.
- 2.6 The Additional Land is limited in scope and is currently being used for hardstanding (i.e. it has already been built on), plus Sunnica will not be seeking any further compulsory acquisition rights to those already granted within the Order; therefore, it is considered that Change 1 is non-material and will not give rise to any new or materially different environmental effects to those originally assessed as part of the application for the Order. In addition, Sunnica has held discussions with NGET on the new routing for its cables and understands that NGET has no objection to the Order limits being extended to include the Additional Land.
- 2.7 As a result of the above, some minor consequential changes are required to the Order. These changes are needed to ensure that the Order limits are extended to include the Additional land, such that the re-location of the cabling to connect the Scheme to the Existing Substation is facilitated.
- 2.8 The changes to the Order that will comprise Change 1 are simply to amend the references to the corresponding plans and documents in Schedule 10 (Documents and plans to be certified) of the Order, with such plans and documents to be submitted for certification as part of this application.

Change 2 – amending article 6 of the Order to address overlapping planning permissions

- 2.9 Article 6(3) of the Order provides for any conditions of the Worlington Quarry planning permission (as defined in the Order) that overlap with the Order to cease to have effect if they are inconsistent with the provisions of the Order.
- 2.10 Sunnica is proposing to include new drafting in article 6 of the Order to extend the principle in relation to the Worlington Quarry planning permission such that it covers any future planning permissions that overlap with the Order. This principle has moved on since the Order was originally drafted; therefore, this extension is necessary to protect the Order from other overlapping permissions and to provide the Scheme with sufficient future value-adding flexibility in relation to adjacent land that may be subject to planning applications in conjunction with the Scheme.
- 2.11 As with Change 1, it is considered that Change 2 is non-material and will not give rise to any new or materially different environmental effects to those originally assessed as part of the application for the Order.
- 2.12 The new drafting within article 6 of the Order that will comprise Change 2 is under consideration by Sunnica and will be submitted in full when the non-material application is made, but will likely take the form of precedented drafting from other made Development Consent Orders.

3. **CONSULTATION AND SUBMISSION OF THE NON-MATERIAL CHANGE APPLICATION**

3.1 Applications for non-material changes to development consent orders are governed by the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (“**the Regulations**”). Under regulation 7(3), the applicant can seek written consent to reduce the number of parties that need to be consulted on a non-material change application.

3.2 We consider that, taking a proportionate approach, only the following organisations should be consulted on this application:

3.2.1 Suffolk County Council, as a host authority for the Scheme;

3.2.2 West Suffolk Council, as a host authority for the Scheme;

3.2.3 Cambridgeshire County Council, as a host authority for the Scheme and because the Additional Land for Change 1 lies within its administrative area;

3.2.4 East Cambridgeshire District Council, as a host authority for the Scheme and because the Additional Land for Change 1 lies within its administrative area;

3.2.5 Burwell Parish Council, as the Additional Land for Change 1 lies within its parish;

3.2.6 NGET, as the owner and operator of the Additional Land for Change 1; and

3.2.7 Swaffham Internal Drainage Board, as the holder of drainage rights in relation to the Additional Land for Change 1,

together, the “**Consultees**”.

3.3 The Consultees’ operations are relevant to the proposed non-material changes, whereas all other previous consultees during the application for the Order are unaffected by the proposals.

3.4 We would be grateful for the Secretary of State’s confirmation that this approach to consultation is acceptable. Sunnica intends to submit the non-material change application to the Order shortly.

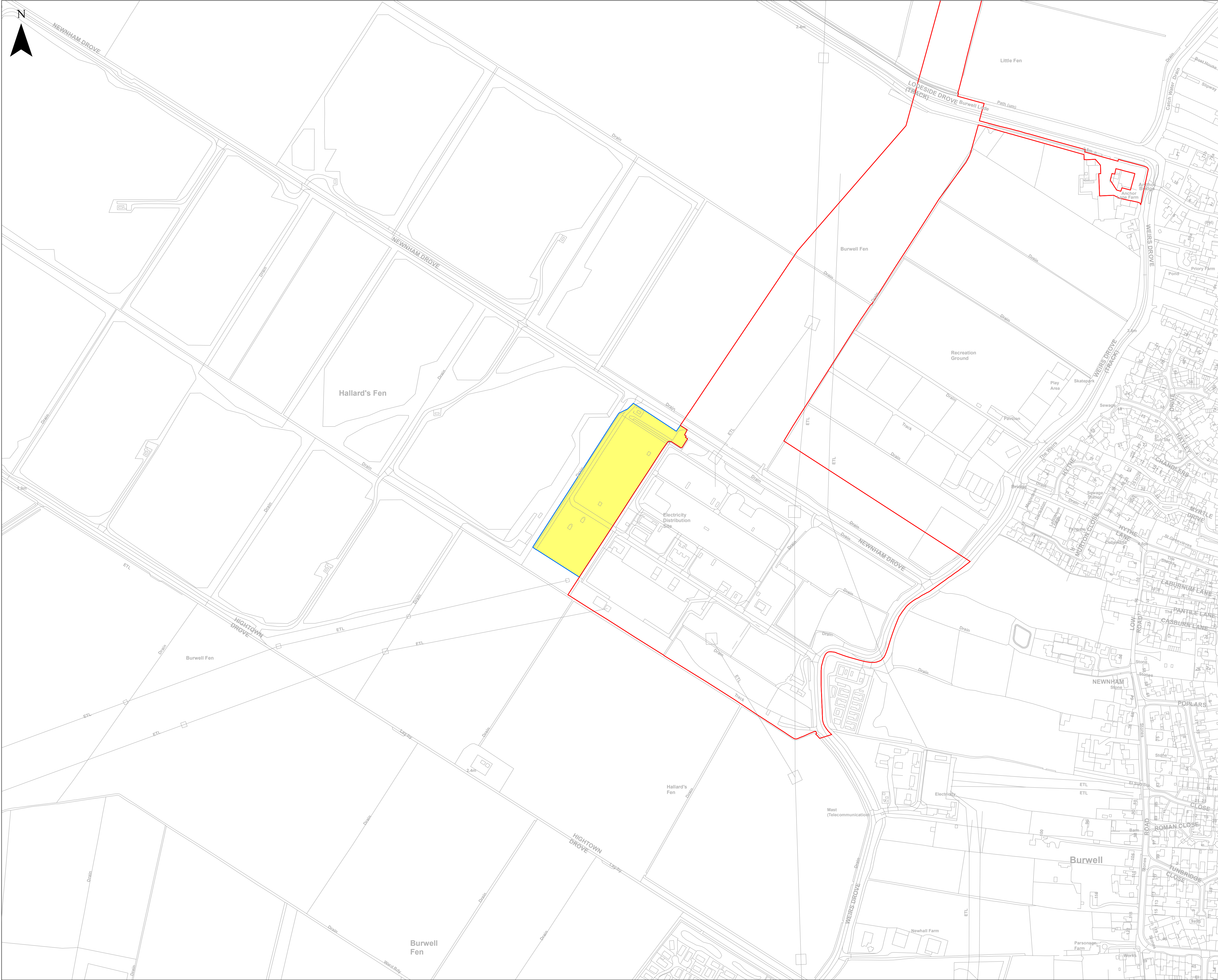
3.5 If you would like to discuss this letter, please contact [REDACTED] at [REDACTED] [@pinsentmasons.com](mailto:[REDACTED]@pinsentmasons.com).

Yours sincerely

Pinsent Masons LLP

(This letter has been sent electronically and so is unsigned)

APPENDIX 1
PLAN SHOWING PROPOSALS UNDER CHANGE 1



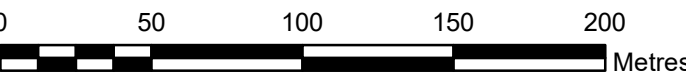
The Sunnica Energy Farm Order

Non Material Change Plan

Sheet 1 of 1

Key

- 2024 Consented Development Consent Order Boundary
- 2025 Non Material Change Additional Land



Notes

1. All dimensions are in metres unless stated otherwise

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Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 - Regulation 5(2)(i) and 5(2)(n)

Ver	Date	Description Of Change
01	OCT 2025	SUBMISSION FOR NMC APPLICATION

DRAWING STATUS: SUBMISSION FOR NMC APPLICATION



WSP House, 70 Chancery Lane, London WC2A 1AF, UK
T +44 (0)20 7314 5000
wsp.com

CLIENT:



PROJECT:

Sunnica Energy Farm
Development Consent Order (DCO)

TITLE:

Application Document Reference [EN010106/APP/2.1]
Non Material Change Plan

SCALE @ A1: 1:2,500	CHECKED: SA	APPROVED: VB
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PROJECT No: 70050915	DESIGNED: NM	DRAWN: BS	DATE: 10/10/2025
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DRAWING No: 70050915-251008-WSP-PLN-AAA-001-BS-1	REV: 01
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