The Planning Inspectorate
Yr Arolygiaeth Gynllunio

SCOPING OPINION:

Proposed Sunnica Energy Farm

Case Reference: EN010106

Adopted by the Planning Inspectorate (on behalf of the Secretary of State pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

April 2019

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1. INTRODUCTION

1. Background

1.0.1 On 13 March 2019, the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) received a scoping request from Sunnica Ltd (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Sunnica Energy Farm (the Proposed Development).

1.0.2 In accordance with Regulation 10 of the EIA Regulations, an Applicant may ask the SoS to state in writing its opinion '*as to the scope, and level of detail, of the information to be provided in the environmental statement'.*

1.0.3 This document is the Scoping Opinion (the Opinion) provided by the Inspectorate on behalf of the SoS in respect of the Proposed Development. It is made on the basis of the information provided in the Applicant's report entitled Sunnica Energy Farm Environmental Impact Assessment Scoping Report (the Scoping Report). This Opinion can only reflect the proposals as currently described by the Applicant. The Scoping Opinion should be read in conjunction with the Applicant's Scoping Report.

1.0.4 The Applicant has notified the SoS under Regulation 8(1)(b) of the EIA Regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development. Therefore, in accordance with Regulation 6(2)(a) of the EIA Regulations, the Proposed Development is EIA development.

1.0.5 Regulation 10(9) of the EIA Regulations requires that before adopting a scoping opinion the Inspectorate must take into account:

(a) any information provided about the proposed development;

(b) the specific characteristics of the development;

(c) the likely significant effects of the development on the environment; and

(d) in the case of a subsequent application, the environmental statement submitted with the original application.

1.0.6 This Opinion has taken into account the requirements of the EIA Regulations as well as current best practice towards preparation of an ES.

1.0.7 The Inspectorate has consulted on the Applicant's Scoping Report and the responses received from the consultation bodies have been taken into account in adopting this Opinion (see Appendix 2).

1.0.8 The points addressed by the Applicant in the Scoping Report have been carefully considered and use has been made of professional judgement and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the Inspectorate will take account of relevant legislation and guidelines. The Inspectorate will not be precluded from requiring additional information if it is considered necessary in connection with the ES submitted with the application for a Development Consent Order (DCO).

1.0.9 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (eg on submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

1.0.10 Regulation 10(3) of the EIA Regulations states that a request for a scoping opinion must include:

(a) a plan sufficient to identify the land;

(b) a description of the proposed development, including its location and technical capacity;

(c) an explanation of the likely significant effects of the development on the environment; and

(d) such other information or representations as the person making the request may wish to provide or make.

1.0.11 The Inspectorate considers that this has been provided in the Applicant's Scoping Report. The Inspectorate is satisfied that the Scoping Report encompasses the relevant aspects identified in the EIA Regulations.

1.0.12 In accordance with Regulation 14(3)(a), where a scoping opinion has been issued in accordance with Regulation 10 an ES accompanying an application for an order granting development consent should be based on '*the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion)*'.

1.0.13 Paragraph 8.4.8 of the Applicant's Scoping Report states that the Applicant will carry out an assessment under The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). This assessment must be co-ordinated with the EIA in accordance with Regulation 26 of the EIA Regulations. The Applicant's ES should therefore be co-ordinated with any assessment made under the Habitats Regulations.

1.1 The Planning Inspectorate's Consultation

1.1.1 In accordance with Regulation 10(6) of the EIA Regulations the Inspectorate has consulted the consultation bodies before adopting a scoping opinion. A list of the consultation bodies formally consulted by the Inspectorate is provided at Appendix 1. The consultation bodies have been notified under Regulation 11(1)(a) of the duty imposed on them by Regulation 11(3) of the EIA Regulations to make information available to the Applicant relevant to the preparation of the ES. The Applicant should note that whilst the list can inform their consultation, it should not be relied upon for that purpose.

1.1.2 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided, along with copies of their comments, at Appendix 2, to which the Applicant should refer in preparing their ES.

1.1.3 The ES submitted by the Applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.

1.1.4 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the Applicant and will be made available on the Inspectorate's website. The Applicant should also give due consideration to those comments in preparing their ES.

1.2 Article 50 of the Treaty on European Union

1.2.1 On 23 June 2016, the United Kingdom (UK) held a referendum and voted to leave the European Union (EU). On 29 March 2017 the Prime Minister triggered Article 50 of the Treaty on European Union, which commenced a two-year period of negotiations regarding the UK's exit from the EU. On 26 June 2018 The European Union (Withdrawal) Act 2018 received Royal Assent and work to prepare the UK statute book for Brexit has begun. The European Union (Withdrawal) Act 2018 will make sure that UK laws continue to operate following the UK's exit. There is no immediate change to legislation or policy affecting national infrastructure. Relevant EU Directives have been transposed into UK law and those are unchanged until amended by Parliament.

2. THE PROPOSED DEVELOPMENT

1. Introduction

2.0.1 The following is a summary of the information on the Proposed Development and its site and surroundings prepared by the Applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the Proposed Development and the potential receptors/ resources.

2.1 Description of the Proposed Development

2.1.1 The Applicant's description of the Proposed Development, its location, and technical capacity (where relevant) is provided in the Scoping Report Chapter 1 ('Introduction') and Chapter 2 ('The Scheme').

2.1.2 The Proposed Development comprises the construction, operation, maintenance, and decommissioning of solar photovoltaic (PV) generating panels and on-site energy storage facilities across two proposed sites (hereafter referred to as the 'Sunnica East Site' and the 'Sunnica West Site') on land within Suffolk and Cambridgeshire, respectively. The scheme location is shown in Figure 1-1 and the proposed DCO boundary is shown in Figure 1-2 of the Applicant's Scoping Report.

2.1.3 The Proposed Development would allow for the generation, storage, and export of up to 500 megawatts (MW) electrical generation capacity.

2.1.4 Both the Sunnica East Site and the Sunnica West Site will consist of the same principal infrastructure, as follows:

- Solar PV modules and mounting structures;
- Inverters and transformers;
- Switchgears;
- Onsite cabling;
- One or more Battery Energy Storage Systems (BESS);
- An electrical compound comprising a substation and control building;
- Fencing and security measures; and
- Access tracks.

2.1.5 The Sunnica East Site and the Sunnica West Site will connect to the existing Burwell National Grid Substation via two cable route corridor connections: Grid Connection Route A (between the Sunnica West Site and the Sunnica East Site) and Grid Connection Route B (between the Sunnica West Site and the Burwell

National Grid Substation) as shown in Figure 1-2 (Scheme Boundary) of the Scoping Report.

2.1.6 An extension of the Burwell National Grid Substation into an agricultural field located to the west will also be required and is proposed to be delivered as part of the Proposed Development. This site lies within Flood Zones 2 and 3.

2.1.7 The Sunnica East Site comprises five adjacent parcels of land (separated by minor roads) located approximately 2.5 kilometres (km) to the south-west of Mildenhall, within the administrative boundary of the Forest Heath District Council. The land use within the site is predominantly rural, comprising agricultural fields bound by trees, managed hedgerows, tree shelter belts (linear), small woodland and copses, and farm access tracks. The nearest designated site is Red Lodge Heath Site of Special Scientific Interest (SSSI), located approximately 640m to the south-east. Chippenham Fen SSSI and National Nature Reserve (NNR), which forms part of the Fenland Special Area of Conservation (SAC) and Chippenham Fen Ramsar, is located approximately 1.1km east of the Sunnica East Site and Breckland Special Protection Area (SPA) is located approximately 1.4km to the north-east. A Scheduled Monument (Reference 31091) is located at the eastern extent of the site. Worlington Quarry is located within the south-eastern area of the Sunnica East Site and is expected to cease operation on 30 October 2025.

2.1.8 The Sunnica West Site is located approximately 4km to the east of Burwell within the administrative area of East Cambridgeshire District Council. The site comprises two parcels of land to the north-west (referred to as 'Sunnica West Site (North)') and south-east (referred to as 'Sunnica West Site (South)') of Snailwell respectively. These sites are located approximately 1km apart, separated by agricultural fields and Chippenham Road. The Sunnica West Site consists of agricultural fields bounded by trees, managed hedgerows, tree shelter belts (linear), small woodland and copses, and farm access tracks.

2.1.9 The Sunnica West Site (North) directly adjoins Chippenham Fen Ramsar and NNR, Chippenham Fen and Snailwell Poor's Fen SSSI, and Fenland SAC. A straight tree-lined avenue bisects the Sunnica West Site (South) and forms part of a former carriageway to Chippenham Hall, which is located immediately to the north. This avenue forms part of the Chippenham Hall Grade II Registered Park and Garden. A Scheduled Monument (Reference 27180) known as the 'Four bowl barrows north of the A11/A14 junction, part of the Chippenham barrow cemetery' is located at the eastern extent of the Sunnica West Site (South) and comprises four separate locations adjoining the A14.

2.1.10 The cable route corridor for Grid Connection Route A crosses the B1085 and Chippenham footpath 49/7 (a Public Right of Way (PRoW)) before crossing Havacre Meadows, Deal Nook County Wildlife Site (CWS), and the River Kennett before joining the Sunnica East Site. Grid Connection Route B crosses agricultural fields and a number of roads, including the B1102 and A142. Grid Connection Route B also crosses number of watercourses (including the Burwell Lode, New River, and the River Snail) as well as a number of drainage ditches associated with Burwell Fen, Little Fen, the Broads, and agricultural drains.

There are currently two options for crossing the Burwell Lode to the north of Burwell as shown on Figure 1-2.

2.1.11 Paragraph 2.5.1 (Chapter 2) of the Scoping Report states the earliest that the construction period could start is Spring 2022, with planned operation by Spring 2025.

2.2 The Planning Inspectorate's Comments

Description of the Proposed Development

2.2.1 At this stage, the description of the Proposed Development within the Scoping Report is relatively high level, which does affect the level of detail possible in the Inspectorate's comments.

2.2.2 The Inspectorate notes that there is ambiguity within the Scoping Report regarding the two land parcels that comprise the Sunnica West Site: the Sunnica West (North) Site and the Sunnica West (South) Site. When the Applicant refers generally to the 'Sunnica West Site', it is unclear which of the two land parcels are being referred to. There is chapter-to-chapter inconsistency in how the Applicant approaches technical assessments, with some proposed aspect Chapters referring generally to the Sunnica West Site and others breaking information and assessments down by land parcel. Furthermore, the Scoping Report is not clear as to what the intended purpose of the Sunnica West (North) Site is and precisely what infrastructure the Applicant intends to install at each of the land parcels.

2.2.3 Given that the two land parcels are located approximately 1km apart, the Inspectorate considers that it is likely that the impacts could be quite different at each site. The Applicant should ensure that the project description clearly sets out the locations and uses for all the land parcels and ensure consistent referencing throughout the ES. The ES should be clear on the specific uses of the split site and consider how differing use could impact the assessment of effects.

2.2.4 Similarly, when the Scoping Report refers generally to 'grid connections' it is not clear whether the Applicant is referring to Grid Connection Route A, Grid Connection Route B, or intentionally referring to both grid connections. The Inspectorate considers that references to the grid connection within the ES should be clear and the reader should be able to easily determine which element of the Proposed Development is being referenced or described.

2.2.5 The Inspectorate notes that the type, location, number, and orientation of solar PV modules (and subsequently the total number of 'strings' of modules) has not yet been determined. Design information pertinent to accompanying solar infrastructure, as well as temporary infrastructure (including temporary construction compounds and access roads) is also lacking from the Scoping Report.

2.2.6 The Inspectorate expects that at the point an application is made, the description of the Proposed Development will be sufficiently detailed to include the design, size, capacity, technology, and locations of the different elements of the Proposed Development. This should include the footprint and heights of the structures (relevant to existing ground levels), as well as land-use requirements for all elements and phases of the development. The description should be supported (as necessary) by figures, cross-sections, and drawings which should be clearly and appropriately referenced. Where flexibility is sought, the ES should clearly set out the design parameters that would apply and how these have been used to inform an adequate assessment in the ES.

2.2.7 Construction of the Proposed Development is anticipated to last approximately 15 months (paragraph 2.5.2). The ES should include details of how the construction would be phased across the application sites. This should include key project milestones, the likely duration and location of construction activities, and expected duration and nature of any local route diversions and closures where this information has formed the basis on which the assessments are made. Construction traffic routing should be described within the ES (with reference to an accompanying figure), along with anticipated numbers/ types of vehicle movements.

2.2.8 The Scoping Report (paragraph 2.5.6) states that land take or road widening may be required for abnormal loads during the construction period. The Inspectorate expects that impacts which may result from such works, together with relevant mitigation measures, should be included within relevant aspect assessment chapters in the ES. The ES should also explain how soils will be managed throughout the construction phase of the Proposed Development. If a Soil Management Plan (SMP) is to be implemented during construction this should be provided in outline with the application.

2.2.9 The Applicant should ensure that figures provided within the ES are correctly labelled and that the information depicted is consistent with information provided in the corresponding aspect Chapter. The Applicant should also ensure that all features on the figures are clearly discernible, avoiding the use of coloured boundaries and features that are too similar to be differentiated. This issue is particularly evident when reviewing the numerous red/ pink/ orange features included within Figures 2-1A to 2-1D of the Scoping Report. An appropriate resolution should also be applied to figures within the ES.

2.2.10 Where appropriate, the ES should highlight interrelationships between individual aspect Chapters (eg Cultural Heritage and Noise) and correctly cross-reference between Chapters. The Applicant should also ensure that any relevant policies and guidance cited within the ES are accurately quoted and referenced.

2.2.11 The ES should describe and assess any significant effects arising from other development necessary to enable the Proposed Development (such as connection to the public sewerage network and other utilities).

Alternatives

2.2.12 The EIA Regulations require that the Applicant provide 'A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects'.

2.2.13 The Scoping Report sets out the intended approach to considering alternatives in Chapter 3 ('Alternatives Considered'). The Inspectorate would expect to see a discrete section in the ES that provides details of the reasonable alternatives studied and the reasoning for the selection of the chosen option(s), including a comparison of the environmental effects.

Flexibility

2.2.14 The Inspectorate notes the Applicant's desire to incorporate flexibility into their draft DCO (dDCO) and its intention to apply a Rochdale Envelope approach for this purpose (paragraphs 2.2.2 to 2.2.5). Where the details of the Proposed Development cannot be defined precisely, the Applicant will apply a worst-case scenario. The Inspectorate welcomes the reference to Planning Inspectorate Advice Note Nine 'Using the 'Rochdale Envelope' in this regard.

2.2.15 The Inspectorate notes that the Scoping Report omits details relating to construction compounds and therefore does not describe the Proposed Development in its entirety. Information regarding construction compounds including location and scale should be included in the ES as this will enable a robust assessment of the effects associated, particularly those arising during the construction phase.

2.2.16 The ES should describe each of the components, dimensions, and other variables assessed as part of the flexibility in approach. It may assist the reader if these details are provided in a tabular format in the ES for ease of reference.

2.2.17 The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the Proposed Development have yet to be finalised and provide the reasons. At the time of application, any Proposed Development parameters should not be so wide-ranging as to represent effectively different developments. The development parameters will need to be clearly defined in the dDCO and in the accompanying ES. It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the Proposed Development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of Regulation 14 of the EIA Regulations.

2.2.18 It should be noted that if the Proposed Development materially changes prior to submission of the DCO application, the Applicant may wish to consider requesting a new scoping opinion.

3. ES APPROACH

3.1 Introduction

3.1.1 This section contains the Inspectorate's specific comments on the scope and level of detail of information to be provided in the Applicant's ES. General advice on the presentation of an ES is provided in the Inspectorate's Advice Note Seven 'Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements'[1] and associated appendices.

3.1.2 Aspects/ matters (as defined in Advice Note Seven) are not scoped out unless specifically addressed and justified by the Applicant and confirmed as being scoped out by the Inspectorate. The ES should be based on the Scoping Opinion in so far as the Proposed Development remains materially the same as the Proposed Development described in the Applicant's Scoping Report.

3.1.3 The Inspectorate has set out in this Opinion where it has/ has not agreed to scope out certain aspects/ matters on the basis of the information available at this time. The Inspectorate is content that the receipt of a Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects/ matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/ matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

3.1.4 Where relevant, the ES should provide reference to how the delivery of measures proposed to prevent/ minimise adverse effects is secured through DCO requirements (or other suitably robust methods) and whether relevant consultees agree on the adequacy of the measures proposed.

3.2 Relevant National Policy Statements (NPSs)

3.2.1 Sector-specific NPSs are produced by the relevant Government Departments and set out in national policy for NSIPs. They provide the framework within which the Examining Authority (ExA) will make their recommendation to the SoS and include the Government's objectives for the development of NSIPs. The NPSs may include environmental requirements for NSIPs, which Applicants should address within their ES.

3.2.2 The Applicant's Scoping Report acknowledges that there is no specific NPS for solar PV electricity generating and storage facilities but that the designated NPSs that appear relevant to the Proposed Development are the:

- Overarching NPS For Energy (NPS EN-1);

[1] Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements and annex. Available from: https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

- NPS on Renewable Energy Infrastructure (NPS EN-3);
- NPS for Electricity Networks Infrastructure (NPS EN-5).

3.3 Scope of Assessment

General

3.3.1 The Inspectorate recommends that in order to assist the decision-making process, the Applicant uses tables:

- to demonstrate how the assessment has taken account of this Opinion;
- to identify and collate the residual effects after mitigation for each of the aspect chapters, including the relevant interrelationships and cumulative effects;
- to set out the proposed mitigation and/ or monitoring measures including cross-reference to the means of securing such measures (eg a dDCO requirement);
- to describe any remedial measures that are identified as being necessary following monitoring; and
- to identify where details are contained in the Habitats Regulations Assessment (HRA report) (where relevant), such as descriptions of European sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.

3.3.2 The Applicant should ensure that all tables and figures within the ES and its appendices are labelled in a consistent manner.

3.3.3 The Inspectorate notes that paragraph 5.1.4 of the Scoping Report states that cumulative and combined effects will be included within each ES aspect Chapter. Section 5.6 outlines the Applicant's approach to assessing the combined effect of individual impacts from the Proposed Development (referred to as 'effect interactions') and cumulative effects with other developments.

3.3.4 The Scoping Report does not clearly set out the position in relation to Worlington quarry. The Scoping Report notes that the construction phase for the Proposed Development is 2022-2025, however the quarry is to be operational until 30 October 2025. The ES should fully assess the cumulative impacts of the construction of the solar farm with the operation/ decommissioning of the quarry. The Applicant should also ensure that the worst-case scenario is assessed in the absence of certainty that the operation of the quarry may not cease.

Baseline Scenario

3.3.5 The ES should include a description of the baseline scenario with and without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.

3.3.6 The Inspectorate notes that to aid the reading of the aspect chapters reference is made to existing features such as buildings and natural features. The plans included in the Scoping Report do not clearly identify these features. Where specific features are referenced within the ES and are relevant to the assessment of significant effects these should be clearly depicted on an appropriate figure.

Forecasting Methods or Evidence

3.3.7 The ES should contain the timescales upon which the surveys which underpin the technical assessments have been based. For clarity, this information should be provided either in the introductory chapters of the ES (with confirmation that these timescales apply to all chapters), or in each aspect chapter.

3.3.8 The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the EIA (akin to Chapter 5 of the Scoping Report), which clearly states which effects are 'significant' and 'non-significant' for the purposes of the EIA. Any departure from that methodology should be described in individual aspect assessment chapters.

3.3.9 The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.

Residues and Emissions

3.3.10 The EIA Regulations require an estimate, by type and quantity, of expected residues and emissions. Specific reference should be made to water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation, and quantities and types of waste produced during the construction and operation phases, where relevant. This information should be provided in a clear and consistent fashion and may be integrated into the relevant aspect assessments.

Mitigation

3.3.11 Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should also address how any mitigation proposed is secured, with reference to specific DCO requirements or other legally binding agreements.

3.3.12 The Scoping Report states in paragraph 2.5.9 that a Framework Construction Environmental Management Plan (CEMP) will accompany the DCO application, which will describe the framework of mitigation measures to be followed. This will be carried forward to a detailed CEMP prior to construction.

3.3.13 Where the ES relies upon mitigation measures which would be secured through the CEMP, it should be demonstrated (with clear cross-referencing) where each measure is set out in the Framework CEMP. The Applicant should append the Framework CEMP to the ES and/ or demonstrate how it will be secured.

3.3.14 Any draft mitigation plans provided with the application should be sufficiently detailed to demonstrate how significant effects will be avoided or reduced and the ES should clearly demonstrate how the implementation of these plans will be secured through the dDCO.

Risks of Major Accidents and/or Disasters

3.3.15 The ES should include a description and assessment (where relevant) of the likely significant effects resulting from accidents and disasters applicable to the Proposed Development. The Applicant should make use of appropriate guidance (eg that referenced in the Health and Safety Executives (HSE) Annex to Advice Note 11) to better understand the likelihood of an occurrence and the Proposed Development's susceptibility to potential major accidents and hazards. The description and assessment should consider the vulnerability of the Proposed Development to a potential accident or disaster and also the Proposed Development's potential to cause an accident or disaster. The assessment should specifically assess significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects should be presented in the ES.

3.3.16 Relevant information available and obtained through risk assessments pursuant to European Union legislation such as Directive 2012/18/EU of the European Parliament and of the Council or Council Directive 2009/71/Euratom or relevant assessments carried out pursuant to national legislation may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

Climate and Climate Change

3.3.17 The ES should include a description and assessment (where relevant) of the likely significant effects the Proposed Development has on climate (for example having regard to the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change. Where relevant, the ES should describe and assess the adaptive capacity that has been incorporated into the design of the Proposed Development. This may include, for example, alternative measures such as changes in the use of materials or construction and design techniques that will be more resilient to risks from climate change.

Transboundary Effects

3.3.18 Schedule 4 Part 5 of the EIA Regulations requires a description of the likely significant transboundary effects on another European Economic Area (EEA) State to be provided in an ES.

3.3.19 The Scoping Report provides a Transboundary Effects Screening Matrix in Appendix A, which states that the Proposed Development is not likely to have significant effects beyond the jurisdiction of the United Kingdom (UK).

3.3.20 The Inspectorate recommends that the ES details and justifies conclusions made regarding transboundary effects in order to reflect any changes or refinement to the scope of the Proposed Development.

A Reference List

3.3.21 A reference list detailing the sources used for the descriptions and assessments must be included in the ES.

3.4 Confidential Information

3.4.1 In some circumstances it will be appropriate for information to be kept confidential. In particular, this may relate to information about the presence and locations of rare or sensitive species such as badgers, rare birds, and plants where disturbance, damage, persecution or commercial exploitation may result from publication of the information. Where documents are intended to remain confidential the Applicant should provide these as separate paper and electronic documents with their confidential nature clearly indicated in the title and watermarked as such on each page. The information should not be incorporated within other documents that are intended for publication or which the Inspectorate would be required to disclose under the Environmental Information Regulations 2004.

4. ASPECT BASED SCOPING TABLES

4.1 Climate Change

(Scoping Report section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.1.1	6.5.5 and Table 6-2	In-combination climate change impact assessment: • Temperature change; • Sea level Rise; • Precipitation change; and • Wind.	The Scoping Report refers to an 'in-combination' climate change assessment but it does not relate to impacts with other developments and instead refers to the impact the Proposed Development will have on future climate change predictions. This should be clarified within the ES. However, the Inspectorate agrees that the Proposed Development is unlikely to result in or be susceptible to impacts from temperature change, sea level rise, precipitation change, and wind. Significant effects associated with these matters are not anticipated and they can be scoped out from assessment in the ES.
4.1.2	Table 6-3	Climate change resilience review: • Sea level rise.	The Inspectorate agrees that the Proposed Development is not located within an area anticipated to experience impacts from sea level rise. Significant effects are not anticipated to occur and the assessment of sea level rise in the climate change resilience review can be scope out of the ES.
4.1.3	6.6.6	Emission sources of <1 % of a given emission inventory.	The Inspectorate agrees that emission sources of <1% of a given emission inventory can be scoped out of the greenhouse gas (GHG) impact assessment based on the 1% threshold as stated in PAS 2050:2011 paragraph 3.31.

ID	Ref	Other points	Inspectorate's comments
4.1.4	6.2.2	GHG impact assessment - other developments	It is unclear how the GHG impact assessment will determine which other forms of electricity production activities "*may be avoided or displaced*" as a result of the Proposed Development. The GHG impact assessment within the ES should describe any assumptions made to determine other electricity production activities and explain what is meant by being "*avoided or displaced*" as result of the Proposed Development.
4.1.5	6.4.2	GHG impacts assessment – baseline	The Scoping Report states the GHG impact assessment will use a "*business as usual*" approach where the Proposed Development is not built but also states the baseline will include "*emissions that may be avoided as a result of the Scheme*". The ES should clarify this matter and explain how these two approaches are used in tandem to inform a "*business as usual*" baseline.
4.1.6	6.68; and 6.6.9	Climate change resilience review	The Scoping Report states that the Proposed Development will be *'designed to be as resilient as reasonably practicable to future climate change'.* The Scoping Report does not elaborate on this point making it unclear and ambiguous. The ES should clearly describe and assess measures incorporated to adapt to climate change. The measures should be developed in light of predicted extreme weather events, precipitation, temperature, and wind patterns. The Applicant should make effort to agree the necessary measures with relevant consultation bodies.
4.1.7	6.7.1; and 6.7.2	Assumptions, limitation and uncertainties	The Applicant should ensure that assumptions used to assess climate change are based on the worst-case scenario and are clearly stated within the ES.

4.2 Cultural Heritage

(Scoping Report section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.2.1	Table 16-1	Effects of Grid Connection Routes A and B on the setting of heritage assets.	The precise route, location, and area of land-take required for cabling associated with Grid Connection Routes A and B has not been fully defined in the Scoping Report; nor is the report clear on the extent of vegetation clearance/ tree removal that will be required to facilitate the proposed works. Therefore, the Inspectorate considers that there is insufficient information to support a decision to scope this matter out of the assessment. The ES should assess impacts on the setting of heritage assets from the grid connection where significant effects are likely to occur.

ID	Ref	Other points	Inspectorate's comments
4.2.2	7.2.1 7.2.2	Study Area	The Scoping Report states that the study area for cultural heritage assets will extend to 1km from the proposed DCO boundary and that, "*A flexible approach will be taken to the identification of high-value assets on which there may be an impact upon setting, up to 5km from the Scheme boundary".* The Scoping Report does not justify the chosen study area. The Inspectorate considers that the study area should be determined relevant to the extent of the likely impacts and should be depicted on a supporting plan. The Inspectorate also considers that the setting influence of assets may extend beyond their strict designation boundary and that the wider landscape context should be considered in the assessment (in conjunction with assessments in the Landscape and Visual Amenity aspect

ID	Ref	Other points	Inspectorate's comments
			Chapter). The Applicant should make effort to agree the approach with relevant consultation bodies.
4.2.3	7.4.1	Baseline Conditions	The Proposed Development is located within an area that has not been subject to detailed archaeological study. Accordingly, the Inspectorate considers there is potential for undesignated buried archaeological remains to be present within the DCO boundary. In line with commitments made in paragraphs 7.6.8 and 7.6.9 of the Scoping Report, the Inspectorate agrees that further field investigation to refine and augment the desk-based data should be undertaken.
4.2.4	7.4.2 to 7.4.19 Figure 7-2	Scheduled Monuments	The baseline information presented for the Sunnica East Site (paragraphs 7.4.2 to 7.4.10) and the Sunnica West Site (paragraphs 7.4.11 to 7.4.19), does not clearly address the Scheduled Monuments located within the defined 1km study area. For example, the Scoping Report mentions a "*possible villa at Snailwell*" rather than referring to it as Scheduled Monument 1006868 (Roman villa S of Snailwell Fen) as it is referred to in Figure 7-2. The Inspectorate considers that accurate titling and cross-referencing of Scheduled Monuments (using the correct monument index reference numbers) is required in the ES.
4.2.5	7.5	Potential Effects and Mitigation	The ES should provide details of the surveys used to inform the assessment including any intrusive site surveys undertaken. The ES should also explain how such surveys inform the proposed mitigation strategy.

4.3 Ecology

(Scoping Report section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.3.1	Table 16-1	Effects of the Grid Connection Routes A and B on ecological receptors during operation.	The precise route, location, and area of land-take required for cabling associated with Grid Connection Routes A and B has not been fully defined in the Scoping Report; nor is the report clear on the extent of vegetation clearance/ tree removal that will be required to facilitate the proposed works. Therefore, the Inspectorate considers that there is insufficient information to support a decision to scope this matter out of the assessment. The ES should assess impacts to ecological receptors from the grid connection where significant effects are likely to occur.

ID	Ref	Other points	Inspectorate's comments
4.3.2	8.2.3	Study Area – Bats	The desk study assessment includes a search for 'international nature conservation sites' within 10km of the proposed DCO boundary. The Inspectorate notes that within this area, the assessment identified records for a total of 13 bat species. The Scoping Report does not justify why the 10km study area is appropriate. The Inspectorate considers that the assessment study areas should be defined according to the extent of the anticipated impacts. The ES should identify whether there are any SACs where bats are a qualifying feature located beyond 10km that should be considered when defining the potential zone of influence. Effort should be made to identify whether there are any functionally-linked bat habitats (including habitats used for roosting, foraging, and/or commuting) that connect the Proposed Development to

ID	Ref	Other points	Inspectorate's comments
			offsite SACs. The use of functionally-linked land by other qualifying interest features should also be considered within the ES, including functional land used by qualifying bird species of the Breckland SPA. The Applicant should make effort to agree study areas with the relevant consultation bodies. The assessment study areas should be described in the ES and depicted on a supporting plan.
4.3.3	8.4.2 Table 8-1	Statutory Sites	Paragraph 8.4.2 of the Scoping Report does not specify the total number of statutory designated sites that were identified as a result of the desk assessment; nor does it clarify what study area was used to identify statutory designated sites (in contrast to paragraph 8.4.3 for 'Non-statutory sites'). The Applicant should make effort to agree the appropriate study area for statutory sites with relevant consultation bodies. The chosen study areas should be clearly presented in the ES.
4.3.4	8.4.2 Table 8-1	Statutory Sites - Chippenham Fen	The Inspectorate notes that the Sunnica West (North) Site directly adjoins Chippenham Fen Ramsar and NNR, Chippenham Fen and Snailwell Poor's Fen SSSI, and Fenland SAC. The ES should assess potential direct and indirect impact from the Proposed Development (including cabling works) to the notified and qualifying features of this site, particularly through any changes in local hydrology and water quality where significant effects are likely.
4.3.5	8.4.5 to 8.4.7	Additional Survey Requirements	Given the scale and nature of the Proposed Development, the Inspectorate recommends that impacts to farmland birds should be assessed. If significant effects are identified, then appropriate options to mitigate these effects should be set out within the ES.
4.3.6	8.5	Potential Effects and Mitigation	The Scoping Report does not specifically consider the effects of solar panelling and associated infrastructure on birds, bats, and general ecology during the operation of the Proposed

ID	Ref	Other points	Inspectorate's comments
			Development. The potential for the Proposed Development to attract or displace populations, and impacts associated with collision risk and barrier effects, should be assessed in the ES where significant effects are likely to occur. The Inspectorate also notes that (as further mentioned in ID 4.9.4 of this Opinion) the Proposed Development is located within the statutory birdstrike safeguarding zones surrounding RAF Mildenhall and RAF Lakenheath. Where significant effects are likely, the ES should assess the potential impacts of birdstrike on bird numbers and movements in the area. The ES should explain whether such risks may be minimised through the appropriate siting of infrastructure, appropriate timing of construction and maintenance, as well as biodiversity mitigation measures.
4.3.7	8.7.1	Assumptions	The Scoping Report states that "*A precautionary approach has been taken at this stage which assumes that all habitats within the footprint of the solar PV modules and associated solar and battery storage infrastructure will be permanently lost during construction*". The Scoping Report does not address how the Proposed Development will be sited or managed in order to avoid (and where unavoidable, minimise) impacts to protected species and their habitats. The proposed DCO boundary (Figure 1-2) transects a number of important habitats such as hedgerows and woodland, which the Inspectorate considers could be avoided through considered siting of infrastructure and deviation of cable routes. The ES should demonstrate the effort made to sensitively locate solar panels and associated infrastructure in order to avoid direct impacts on species and from habitat loss. Any habitat lost as a

ID	Ref	Other points	Inspectorate's comments
			result of the Proposed Development should be identified according to type and the area of loss which should include any anticipated vegetation/ tree clearance. Any avoidance or mitigation measures proposed should be described in the ES and details provided to explain how such measures will be secured.
4.3.8	2.5.5	Construction Activities	The Scoping Report states that construction activities may include the upgrade or construction of crossing points (bridges/ culverts) over drainage ditches. No information is provided in relation to the scale and dimensions of these structures, or detail of the nature of any associated construction works. The ES should describe where bridge/ culvert structures are proposed and demonstrate that there is sufficient detail regarding the design as to inform a meaningful assessment of effects on watercourse hydraulics and ecology.

4.4 Flood Risk, Drainage and Surface Water

(Scoping Report section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.4.1	9.4.5	Affects from flooding - grid connection	The Inspectorate agrees that grid connections can be scoped out as a receptor to flood risk as they are not susceptible to flooding due to being buried and flood protected. It should be noted that the wording in paragraph 9.4.5 is ambiguous. The paragraph discusses Grid Connection A and Grid Connection B but proposes to scope out "*grid connection*". The ES should make it clear whether Grid Connection A, Grid Connection B or both grid connections are to be scoped out as receptor to flood risk. Furthermore, the ES should clarify whether grid connection only refers to the cables or includes other ancillary structures.

ID	Ref	Other points	Inspectorate's comments
4.4.2	9.2.1	Study area	The ES should clarify whether the wider study area "*of up to 2km downstream of the Scheme*" will be implemented for all watercourses, or only Internal Drainage Board (IDB) and Water Framework Directive (WFD) watercourses. The ES should provide justification that "*2km downstream of the scheme*" is sufficient to assess the full extent of likely significant effects to arise from contamination events.
4.4.3	Table 9-1	Sunnica East Site – flood zone	Table 9-1 (in the fluvial flood risk comments) states that the Sunnica East Site is located within Flood Zone 1. This appears to contradict the Environment Agency (EA) Flood Map for Planning website (ref. 94 in the Scoping Report), as land in the west of

ID	Ref	Other points	Inspectorate's comments
			Sunnica East Site (behind the Kennet-Lee Brook label on Figure 9-1) shows land within Flood Zone 2 and Flood Zone 3. Within the ES, flood zones within the site should be described accurately, and the clarity of figures should not be hindered by labels.
4.4.4	9.4.13; 9.4.14; and Figure 9-1	River flow direction	The description of the flow direction of the River Kennet – Leer Brook is not consistent. Paragraph 9.4.14 and Figure 9-1 indicate the river flows northwards, but paragraph 9.4.13 states the river "*flows south and west of the Sunnica East Site*". The ES should describe the river flow direction using clear and consistent language.
4.4.5	9.4.23; and 9.4.25 to 9.4.26	River Snail water quality	The aspect Chapter omits a description of the River Snail's water quality. The River is likely to be impacted by the Proposed Development as it is located within the north-west of the Sunnica West (North) site and Figure 9-1 shows Cable Route B (Options 1 and 2) may have to cross the River. The ES should include a baseline description of the River Snail's water quality. Any significant adverse effects to the River's water quality should be assessed and appropriate mitigation secured as necessary
4.4.6	9.5.4	Hydromorphological impacts	The Scoping Report does not state how the assessment of potential hydromorphological impacts arising from cables crossing waterbodies or drainage will be undertaken. The ES should set out a description of the methodology used and assess impacts from underground cables on existing field drainage and groundwater flow regimes. The Applicant should make effort to agree the approach to this assessment with relevant consultation bodies.
4.4.7	9.5.5	Potential effects – operation	Effects on infiltration rates has not been addressed within the Scoping Report. The Proposed Development has the potential to

ID	Ref	Other points	Inspectorate's comments
			impact infiltration rates due to diverting rainwater into drains and by changing the flow of rainwater reaching the soil. The ES should assess impacts associated with the alteration of infiltration rates where significant effects are likely to occur.
4.4.8	9.6.4; 9.6.5; 9.6.6; 9.6.7; 2.3.4; and 2.3.5	Surface water drainage strategy	Details of the location and design parameters of Sustainable Drainage Systems (SuDS) and attenuation ponds should be included within the ES and presented on a figure(s). The ES should set out how the delivery of SuDS and attenuation ponds will be secured through the DCO. The Scoping Report paragraphs 2.3.4 and 2.3.5 discuss surface water drainage and states, "*a new drainage system… to be constructed"* and "*new sections of drainage will be constructed*". The ES should clarify whether the "new drainage" is to be part of the SuDS and a figure(s) depicting the design parameters and locations of the "new drainage" should be included in the ES. The ES should also include an assessment of the likely significant effects that may arise from the construction and usage of the "new drainage" and set out how the delivery of the "new drainage" will be secured through the DCO.
4.4.9	9.6.9	Exception test	The Scoping Report states that the Proposed Development should not require an Exception Test as it is situated within Flood Zone 1. However, as illustrated on Drawing 2-1A to 2-1D, the Proposal also lies within Flood Zones 2 and 3. Therefore, an Exception Test should be carried out and included within the ES. The Exception Test should consider the need for the Proposed Development to remain operational during a worst-case flooding event. If the Proposed Development should remain in operation, the ES should describe how the Proposed Development would remain safe and operational during a worst-case flood event. Consideration should also be given for the potential failure of the

ID	Ref	Other points	Inspectorate's comments
			flood defences in the surrounding area, and the impact this would have on worst-case flood events. Furthermore, consideration should be given to the potential for flood defences within the surrounding area to fail and how the Proposed Development would be resilient to the resulting likely significant effects that may arise.
4.4.10	9.6.11; and 9.6.12	Assessment of significant effects	The assessment of significant effects is to be based on a source-pathway-receptor model. As stated in paragraphs 9.6.11 and 9.6.12, an impact source could be loss, or damage to all or part of the waterbody. However, changes to water volume and flow rates are not included as impact sources. The ES should consider including changes to water volume and flow rates as an impact source within the source-pathway-receptor model.
4.4.11	9.6.12	Design manual for roads and bridges (DMRB) HD45/09 – effect category	For the assessment of effects, the Scoping Report paragraph 9.6.12 states that the effect category will be in accordance with HD45/09. The ES should clarify what is meant by the "*effect category*" and state the section being referred to in HD45/09.
4.4.12	N/A	Fenland SAC	It is noted that the Fenland SAC is designated in part due to calcareous, peat or clay-silt soil and is situated adjacent to the Proposed Development. The Scoping Report omits reference to protective measures necessary to ensure that the Fenland SAC will not be significantly affected by the Proposed Development. The ES should include a description of the measures necessary to protect the Fenland SAC; and state how such measures will be secured.
4.4.13	N/A	Cumulative effects	The aspect Chapter omits details on how the cumulative effects will be assessed. This should be addressed in the ES with regards to the potential cumulative effect arising from the Proposed

ID	Ref	Other points	Inspectorate's comments
			Development and other developments including the Worlington Quarry.

4.5 Landscape and Visual Amenity

(Scoping Report section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.5.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Other points	Inspectorate's comments
4.5.2	10.2.4	Extent of Study Area	The Applicant has produced a preliminary Zone of Theoretical Visibility (ZTV) showing that the development may be visible over a wide area which extends beyond 5km and proposes that the assessment of effects would be limited to locations up to 2km from the Proposed Development. The Applicant concludes that landscape and visual effects beyond this distance are not likely to be significant. The Inspectorate considers that it is premature to limit the study area to 2km from the Proposed Development. The assessment study area should be determined with regard to the extent of the impacts and the potential for significant effects.
4.5.3	5.4.9	Assessment Years and assumptions made on the establishment of mitigation planting	Chapter 5 sets out the assessment years that will be adopted within the ES and states that 2025 will be adopted as the operational assessment year for the purpose of the assessment (including the LVIA). At section 5.4.9, it states that a future year of 2040 will be considered for specific aspects including landscape and visual amenity, in terms of the maturation of vegetation (ie 15 years after the operational assessment year). The ES should clearly present any assumptions made with regards to the height that any mitigation planting will have

ID	Ref	Other points	Inspectorate's comments
			reached by the assessment years for purposes of generating photomontages.
4.5.4	10.4.16-10.4.21	Local landscape character and landscape planning designations	Whilst there may be no landscape planning designations within the Scheme Boundary, the Applicant should take into consideration relevant landscape planning designations within the study area. The assessment should also consider potential effects to locally important landscapes including the North and South Brecks. In this respect, the Applicant's attention is drawn to Norfolk and Suffolk Brecks Landscape Character Assessment and the Brecks Special Qualities report.
4.5.5	10.4.38	Representative and illustrative viewpoints to be considered.	The Inspectorate does not agree to limit representative or illustrative viewpoints that should be considered in the assessment at this stage. The Applicant should make effort to agree the study area and relevant representative and illustrative viewpoints for assessment with relevant consultation bodies. In particular, the Inspectorate considers that views experienced by visitors to, and residents of, Chippenham Hall and its registered park and garden should be assessed.
4.5.6	10.4.38, 10.5.1	Methodology for Photomontages and Assessment Years to be illustrated	The Applicant proposes photomontages to illustrate the effects of the scheme in Year 1 and Year 15. Consideration should also be given to the preparation of photomontages to illustrate the effects at Year 5. The Applicant should make effort to agree the viewpoints for photomontages, and the Assessment Years to be illustrated, with relevant consultation bodies. The Inspectorate expects at least the worst-case, long term impacts to be illustrated. The Inspectorate notes that the Scoping Report proposes to use the Landscape Institute guidance on photography, photomontages and visual representations (Landscape Institute Advice Note 01/11 and Technical Guidance Note 02/17.) The

ID	Ref	Other points	Inspectorate's comments
			Inspectorate recommends that information relevant to the setting up and recording of data, and information on viewing distances as set out in Advice Note 01/11, is provided within the ES. The Applicant should seek to agree the detailed methodology for the preparation of the photomontages and any wirelines with relevant consultation bodies.
4.5.7	10.4.40	Potential landscape effects	Assessment of the effects on landscape features should include the loss of any existing trees, hedgerows, and other vegetation.
4.5.8	10.4.41, 10.4.42	Primary mitigation measures	The Applicant proposes measures which include internal site planting and enhancement of field boundaries. This should include mitigation for any existing trees lost. For the Sunnica East Site, the design of the Proposed Development should also seek to retain existing landscape features and consider set back from existing roads and other routes with public access. The potential for enhancement of field boundaries to provide greater connectivity in landcover patterns at the Sunnica East Site should also be considered. Mitigation measures will need to take account of the requirements of National Grid in proximity to their existing infrastructure.
4.5.9	10.5	Methodology for landscape and visual impact assessment	The Scoping Report proposes to use the Guidelines for Landscape and Visual Impact Assessment, Third Edition, (GLVIA3) as the basis for the methodology for the landscape and visual impact assessment. Some quotations from GLVIA3 in the Scoping Report are selective. For example, at 10.5.10, the words '*and/or the achievement of landscape planning policies and strategies*' are omitted from the quotation of paragraph 5.40 of GLVIA3 and at 10.5.17, the summary of paragraph 6.33 of GLVIA3 omits

ID	Ref	Other points	Inspectorate's comments
			mentions of '*visitors to heritage assets*' and '*communities where views contribute to the landscape setting enjoyed by residents in the area*'. The Inspectorate expects to see these matters addressed in the assessment. The Scoping Report uses ambiguous language with regards to the definition of significance and it is therefore open to interpretation. The Inspectorate recommends that the meaning of the term '*undue consequences*' used in Table 10-2, and of the wording '*highly susceptible to small changes of the type of development proposed without undue consequences*' under the 'High' description of Table 10-3 should be fully explained in the ES to improve clarity within the assessment and its findings.
4.5.10	10.5	Residential visual amenity assessment	The Landscape Institute Technical Guidance Note 2/19 on Residential Visual Amenity Assessment (RVAA) has been published after the submission of the Applicant's Scoping Report. If there are residential properties likely to experience significant effects to their outlook or visual amenity, an RVAA should be considered as this will provide additional information to inform the assessment, consultation bodies, and the decision-maker.
4.5.11	10.5.27; Table 10-9; and 10.6.7	Reporting the assessment of effects	Paragraph 10.6.7 of the Scoping Report, states that "*Only visual receptors within the ZTV that will experience a potentially significant adverse or beneficial effect will be assessed*", and then goes on to state that the assessment of effects will not be recorded in detail where "*the significance of effect will be neutral at all timescales*". The ES should present the outcome of the assessment of impacts to all visual receptors considered in the assessment. This should include those receptors where effects are assessed as falling below the level of significance (major or moderate) defined in the methodology.

ID	Ref	Other points	Inspectorate's comments
4.5.12	10.6.6	Cumulative landscape and visual effects	The Inspectorate notes the methodology for the assessment of cumulative effects at Chapter 5 of the Scoping Report and the indication at paragraph 10.6.6 that cumulative visual effects will be assessed. The Inspectorate expects that the assessment will include both landscape and visual effects.
4.5.13	Figures 10-1 and 10-2	Locations of viewpoints and supporting plans	The locations of viewpoints on Figures 10-1 and 10-2 are not clear as the map bases are at a scale of 1:72,000 and have been overlaid with the ZTV. The ES should clearly show the locations of viewpoints on a supporting plan, at a scale which enables them to be located on site

4.6 Noise and Vibration

(Scoping Report section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.6.1	11.5.5	Operational vibration	The Scoping Report notes the potential for vibration emitted from the solar farm plant, associated battery storage, and on-site substation. Whilst the Scoping Report does not detail the mitigation proposed or where it would be secured, the Inspectorate is satisfied that vibration from such operations is unlikely to be a significant effect based on the location of the source and the potential sensitive receptors. Therefore, the Inspectorate agrees that this matter can be scoped out of the assessment.
4.6.2	11.5.6	Operational traffic noise	The Inspectorate is content that the Proposed Development is unlikely to generate large volumes of operational traffic. Therefore, significant effects from noise and vibration from traffic during operation are not anticipated and can be scoped out of the assessment.
4.6.3	Table 16-1	Road traffic noise during construction, operational and decommissioning stages of the scheme.	The Scoping Report chapter does not address these matters in detail and therefore does not provide sufficient justification for the approach. With details such as construction traffic routes and operational traffic routes still to be determined, the Inspectorate cannot agree to these matters being scoped out. Any significant effects associated with these matters should be assessed in the ES.
4.6.4	Table 16-1	Ground-borne vibration from the construction, operation and decommissioning of the scheme	The Scoping Report chapter does not clearly set out the intention of scoping out these matters. Paragraph 11.2.4 of the Scoping Report explains that there are no operational vibration effects associated with the Sunnica East Site, the Sunnica West Site, or

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			the Burwell substation extension. As such, the Inspectorate agrees that vibration in relation to operation may be scoped out at this stage. The Scoping Report, however, does not set out reasoning for the scoping out of vibration relating to construction and decommissioning of the Proposed Development. The Inspectorate notes the need for horizontal directional drilling among other construction techniques which may culminate in vibration effects. Therefore, the Inspectorate is unable to agree to the scoping out of these matters out of the ES. The ES should assess significant effects associated with these matters.
4.6.5	Table 16-1	Operation noise effects associated with the Grid Connection routes A and B	The Scoping Report chapter at paragraph 11.2.4 sets out that there are no predicted operational noise or vibration effects associated with the Grid Connection routes. The Inspectorate notes that these connection routes will consist of buried cable and as a result will emit little, if any, noise and the ground will act as attenuation. Significant effects are not anticipated to occur and therefore this matter can be scoped out of the ES.

ID	Ref	Other points	Inspectorate's comments
4.6.6	11.2.1	Clarification	The assessment study area should be defined according to the extent of the likely impact. The ES should explain where the receptor locations are and identify these on a suitably detailed figure.
4.6.7	11.2.2	Study Area	The Inspectorate notes from the description of the study area that the Burwell substation construction is to have a study area of 100m, the same as the cable corridor.

ID	Ref	Other points	Inspectorate's comments
			The Inspectorate considers that noise and vibration impacts during construction of the substation may differ from those associated with a cable corridor. Therefore, the Inspectorate recommends that a wider study area (eg 500m) is applied and takes into account the extent of the likely impact. This is a view that is also expressed by East Cambridgeshire Council. The Applicant should make effort to agree the study area with the relevant consultation bodies.
4.6.8	11.6.2	Monitoring locations	The ES should identify the 'representative' receptors. It should also explain how monitoring locations were chosen with reference to relevant information including noise contour mapping.
4.6.9	11.6.3	Assessment of vibration effects during construction and decommissioning	The Scoping Report references the assessment of noise during construction and decommissioning but omits the mention of vibration. Vibration should be assessed alongside noise (noting that operational vibration is to be scoped out).
4.6.10	N/A	Methodology	The noise assessment in the ES should assess significant effects to ecological receptors as well as human. As such, consideration should be given to the findings of the biodiversity and ecological surveys in terms of identifying sensitive receptors. The Applicant should make effort to engage with relevant consultation bodies on this matter.
4.6.11	N/A	Methodology	The Scoping Report sets out the National Planning Policy and includes Noise Policy Statement England. However, the Scoping Report does not reference how significance of effect will be determined. The Applicant should ensure that the ES methodology is consistent with up-to-date guidance and policy.

ID	Ref	Other points	Inspectorate's comments
4.6.12	N/A	Impacts	The ES should provide details of the anticipated construction working hours (including any night time working required) and incorporate this into the assessment of likely significant effects. This should be consistent with the working hours specified in the dDCO.
4.6.13	N/A	Monitoring	The Inspectorate notes that weather and time can influence monitoring results for noise (and vibration). However, the Scoping Report does not indicate if this information will be collated and presented in the ES. For the avoidance of doubt this information should be included within the ES along with an explanation about the extent to which this affects the findings in the assessment.

4.7 Socio-Economics and Land Use

(Scoping Report section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.7.1	12.5.2	Effects on mineral safeguarding zones	The Scoping Report recognises that the development is within the mineral safeguarding zone. However, in terms of assessing significance of effect, the Inspectorate acknowledges that the type of development is unlikely to sterilise the mineral asset in the long term. As such, the Inspectorate agrees that significant effects are unlikely to occur and that this matter can be scoped out of the assessment.
4.7.2	12.5.3	Effects on waste management and transport operations at Fordham road, Snailwell or European Metal Recycling, Snailwell.	The Scoping Report does not provide any information on these businesses/ land uses. Nor does it explain how they will not be prejudiced by the proposal. Due to lack of information, the Inspectorate is unable to agree to scoping these matters out. The assessment should assess these matters where significant effects are likely to occur.
4.7.3	12.5.4	Worlington Quarry	The Inspectorate does not consider that the Scoping Report provides enough information regarding the potential for impacts on Worlington Quarry. There is also a lack of certainty regarding operations at the site. The ES should clearly describe the relationship between the Proposed Development and Worlington Quarry. The ES should assess impacts to the Worlington Quarry where significant effects may occur.

ID	Ref	Other points	Inspectorate's comments
4.7.4	12.2.1	Study Area	The ES should clearly set out how study areas have been defined along with a justification for the approach. The ES should clearly set out the study areas relevant to the socio-economic and land use assessments. The ES should include a clear justification as to how the study areas were chosen. The study area and receptors should be depicted on corresponding figures to aid understanding. It should be clear how the selected study areas relate to the extent of the likely impacts.
4.7.5	12.4.4	Agricultural Land	The ES should clearly identify the amount of Best and Most Versatile (BMV) land that will be lost as a result of the project and where significant effects would occur these should be assessed. The Inspectorate advises that the assessment in the ES should also refer to the guidance within Natural England's TIN049.
4.7.6	12.6.4.	Methodology	The Scoping Report states that "*The methodology for assessing socio-economic impacts will follow standard EIA guidelines"*. However, it is not explained as to which guidelines this comment relates. The ES should clearly identify any guidance that assessment have been based on.

4.8 Transport and Access

(Scoping Report section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.8.1	13.5.9	Operational phase transport effects	The Inspectorate agrees that increases in traffic during operation of the Proposed Development are likely to be minimal and significant effects associated with operational transport are unlikely to occur. Therefore, the Inspectorate agrees that this matter can be scoped out of the assessment.
4.8.2	13.6.5	Assessments for the decommissioning phase due to uncertainties in relation to the future traffic flows and transport infrastructure	The Inspectorate agrees with the Applicant that predicting traffic data for this timeframe is unpredictable. The Inspectorate does consider that there are likely to be measures available which will avoid significant effects, eg a decommissioning travel plan. However, in absence of any firm commitment to produce such a plan the ES should assess impacts from changes in transport and access during decommissioning where significant effects are likely.

ID	Ref	Other points	Inspectorate's comments
4.8.3	13.1.1	Supporting documentation	The Scoping Report references a Transport Scoping Note which has not been included. The ES should clearly set out all supporting documentation which is being relied upon and append where necessary.

ID	Ref	Other points	Inspectorate's comments
4.8.4	13.2.1	Junctions included in the assessment	The study areas for the ES should be established according to the extent of impacts and where significant effects are likely to occur. East Cambridgeshire District Council's response to the consultation identifies the potential for impacts at the A11 north bound off slip and priority junction on the B1085 Elms Road. The ES should assess impacts at these locations where significant effects are likely to occur.
4.8.5	13.5.3	Local Facilities	The Applicant should make effort to agree with relevant consultation bodies which local facilities should be included in the assessment to ensure local patterns of transport are understood.
4.8.6	13.5.4	Sunnica West Site	The Sunnica West (North) Site and the Sunnica West (South) Site are clearly shown on drawing 1-2 to be some distance apart, however, only one access is identified which is to the Sunnica West (South) Site. The ES should explain in full and assess how the Sunnica West (North) Site will be accessed. Furthermore, the ES will need to ensure that traffic movements to and between the three parcels of land are quantified and assessed where significant effects will occur.
4.8.7	13.5.8	Explanation	The Scoping Report states that impacts to traffic would be 'enduring for up to 12 months after construction'. It is unclear what factor would lead to this conclusion.
4.8.8	N/A	Study area	The ES should explain the study area for assessment and how it relates to the transport assessment including affected junctions and roads. The ES should describe and assess the potential impacts (both positive and negative) associated with any improvements/

ID	Ref	Other points	Inspectorate's comments
			changes to the access route which are either required to facilitate construction of the Proposed Development or are required for restoration purposes on completion of the works.
4.8.9	N/A	Study Area	The Scoping Report does not set out the study area for the assessment. This should be based on industry guidance, receptors, and discussions with the relevant highway authorities.
4.8.10	/A	Additional junction for assessment	East Cambridgeshire District Council's consultation response identifies capacity issues at the existing A142/ Landwade Road/ Snailwell Road Roundabout and junction 38 on the A14. The ES should assess impacts at these junctions where significant effects are likely.
4.8.11	N/A	Methodology	The Applicant should justify in the ES the methodology used for the assessment and the thresholds and assumptions applied in the modelling. The Applicant should seek to agree these with the relevant consultation bodies.
4.8.12	N/A	Methodology	The Applicant has noted in the Scoping Report that due to a lack of public transport provision in and around the site, that construction workers and operational staff are unlikely to travel using public transport. The Inspectorate considers that the ES should assess any significant effects associated with traffic generation from construction workers travelling to the site of the Proposed Development.

4.9 Other Environmental Topics

(Scoping Report section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.9.1	14.2	Air Quality	The Inspectorate agrees that with suitable mitigation secured through a construction environmental management plan (CEMP), air quality as a topic in the ES can be scoped out. The Inspectorate would, however, expect to see mitigation secured in a draft/ framework CEMP and that effort is made to agree with the relevant consultation bodies and submitted with the application. The CEMP should include measures explicitly, but not limited to, address impacts from dust during construction.
4.9.2	14.4	Ground Conditions	As the ground conditions Phase 1 Preliminary Risk Assessment (PRA) is still "*being prepared*", there is insufficient evidence that the Proposed Development will not significantly affect ground conditions, including the creation of new contamination pathways or worsen existing contamination pathways. Therefore, the Inspectorate does not agree with the approach that a ground conditions assessment can be scoped out of the ES on the basis of anticipated results. The ES should include an assessment of the potential affects the Proposed Development could have on ground conditions.
4.9.3	14.5	Human Health	The Inspectorate agrees that impacts to human health receptors from Electromagnetic Fields (EMF) can be scoped out of the ES. The Inspectorate also agrees that a number of other topics consider health as part of their assessment. Therefore, with appropriate cross-referencing, a stand-alone topic chapter is not required for this ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.9.4	14.6	Major Accidents or Disasters	In paragraph 14.6.7, the Scoping Report states that the Applicant considers it "*highly likely*" that all major accident or disaster types (as featured in Table 14-2) will be able to be removed from the scope of the assessment prior to publication of the ES as design will ensure that, "*there is no real risk or serious possibility of the event interacting with the Scheme*". The Inspectorate does not consider there to be sufficient evidence available at this stage for the Applicant to omit any major accidents or disasters from the scope of assessment and expects all shortlisted accidents and disasters to be fully considered within the ES. As mentioned in 4.3.6 of this Opinion, the Proposed Development is located within the statutory birdstrike safeguarding zones surrounding RAF Mildenhall and RAF Lakenheath. Therefore, the Inspectorate suggests that the Applicant considers the risk of birdstrike in their assessment of major accidents or disasters.

ID	Ref	Other points	Inspectorate's comments
4.9.5	14.3	Glint and Glare	The Inspectorate notes that in paragraph 10.5.30, the Scoping Report confirms that assessments in Chapter 10 (Landscape and Visual Amenity) of the ES will include "general consideration" of the potential for glint and glare from the Proposed Development to cause significant effects to both landscape and visual receptors. The Inspectorate also notes that the potential impacts of glint and glare to aircraft are considered within section 14.6 (Major Accidents or Disasters). Given that the Applicant will address impacts associated with glint and glare within relevant aspect Chapters of the ES, the

ID	Ref	Other points	Inspectorate's comments
			Inspectorate agrees that a specific chapter for glint and glare is not required and is satisfied for this matter to sit more generally within 'Other Environmental Topics'.
4.9.6	14.6.10; and 14.6.11	Telecommunications, television reception and utilities	The Inspectorate notes the Applicant's conclusion that a specific chapter for this matter in the ES is considered unnecessary. The Inspectorate agrees that telecommunications, television reception, and utilities does not have to be a separate chapter of the ES. The Inspectorate is content that any significant effects that arise from affecting telecommunications, television reception, and utilities will be adequately assessed within the appropriate chapter of the ES.
4.9.7	14.7	Waste	The Inspectorate agrees that waste does not need to be a separate chapter of the ES and that the description of the potential streams of construction waste and estimated volumes can be included in the ES description of development chapter. However, an assessment of the likely significant effects that may arise from waste should also be included within the ES. In addition, the ES should describe any measures implemented to minimise waste and state whether the waste hierarchy will be utilised. The CEMP should include as much detail as possible on on-site waste management, recycling opportunities, and off-site disposal. If off-site disposal is required, an assessment of likely significant effects including intra-cumulative effects should be included within the ES.

5. INFORMATION SOURCES

5.0.1 The Inspectorate's National Infrastructure Planning website includes links to a range of advice regarding the making of applications and environmental procedures, these include:

- Pre-application prospectus[2]
- Planning Inspectorate advice notes[3]:
  - Advice Note Three: EIA Notification and Consultation;
  - Advice Note Four: Section 52: Obtaining information about interests in land (Planning Act 2008);
  - Advice Note Five: Section 53: Rights of Entry (Planning Act 2008);
  - Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements;
  - Advice Note Nine: Using the 'Rochdale Envelope';
  - Advice Note Ten: Habitat Regulations Assessment relevant to nationally significant infrastructure projects (includes discussion of Evidence Plan process);
  - Advice Note Twelve: Transboundary Impacts;
  - Advice Note Seventeen: Cumulative Effects Assessment; and
  - Advice Note Eighteen: The Water Framework Directive.

5.0.2 Applicants are also advised to review the list of information required to be submitted within an application for Development as set out in The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009.

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[2] The Planning Inspectorate's pre-application services for applicants. Available from: https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/

[3] The Planning Inspectorate's series of advice notes in relation to the Planning Act 2008 process. Available from: https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES[4]

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	NHS Cambridgeshire and Peterborough Clinical Commissioning Group
	NHS West Suffolk Clinical Commissioning Group
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	Cambridgeshire Fire and Rescue Service
	Suffolk Fire and Rescue Service
The relevant police and crime commissioner	Suffolk Police and Crime Commissioner
	Cambridgeshire Police and Crime Commissioner
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Burwell Parish Council
	Exning Parish Council
	Fordham Parish Council
	Snailwell Parish Council
	Chippenham Parish Council
	Kennett Parish Council
	Red Lodge Parish Council

[4] Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Freckenham Parish Council
	Worlington Parish Council
	Barton Mills Parish Council
The Environment Agency	The Environment Agency
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	Cambridgeshire County Council
	Suffolk County Council
The relevant strategic highways company	Highways England
The relevant internal drainage board	Swaffham Internal Drainage Board
Public Health England, an executive agency of the Department of Health	Public Health England
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	Forestry Commission
The Secretary of State for Defence	Ministry of Defence

TABLE A2: RELEVANT STATUTORY UNDERTAKERS[5]

STATUTORY UNDERTAKER	ORGANISATION
The relevant Clinical Commissioning Group	NHS Cambridgeshire and Peterborough Clinical Commissioning Group
	NHS West Suffolk Clinical Commissioning Group
The National Health Service Commissioning Board	NHS England

[5] 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The relevant NHS Trust	East of England Ambulance Service NHS Trust
Railways	Network Rail
Canal Or Inland Navigation Authorities	Conservators of the River Cam
Civil Aviation Authority	Civil Aviation Authority
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	Anglian Water
The relevant public gas transporter	Cadent Gas Limited
	Energetics Gas Limited
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	Harlaxton Gas Networks Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Murphy Gas Networks limited
	Quadrant Pipelines Limited
	National Grid Gas Plc
	Scotland Gas Networks Plc

STATUTORY UNDERTAKER	ORGANISATION
	Southern Gas Networks Plc
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited
	Energetics Electricity Limited
	Energy Assets Networks Limited
	Energy Assets Power Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Leep Electricity Networks Limited
	Murphy Power Distribution Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
	UK Power Networks Limited
	National Grid Electricity Transmission Plc

TABLE A3: SECTION 43 CONSULTEES (FOR THE PURPOSES OF SECTION 42(1)(B))[6]

LOCAL AUTHORITY[7]
Forest Heath District Council (Now part of West Suffolk Council as of 1 April 2019)
East Cambridgeshire District Council
Borough Council of King's Lynn and West Norfolk
Breckland Council
St. Edmundsbury District (Now part of West Suffolk Council as of 1 April 2019)
Fenland District Council
South Cambridgeshire District Council
Huntingdonshire District Council
Cambridgeshire County Council
Suffolk County Council
The Broads Authority
Bedford Borough Council
Central Bedfordshire Council
Peterborough City Council
Hertfordshire County Council
Lincolnshire County Council
Northamptonshire County Council
Norfolk County Council
Essex County Council

[6] Sections 43 and 42(B) of the PA2008

[7] As defined in Section 43(3) of the PA2008

TABLE A4: NON-PRESCRIBED CONSULTATION BODIES

ORGANISATION
Cambridgeshire and Peterborough Combined Authority

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

Consultation bodies who replied by the statutory deadline:

Anglian Water
Cambridgeshire and Peterborough Combined Authority
East Cambridgeshire District Council
Environment Agency
ESP Utilities Group (on behalf of ESP subsidiary companies)
Fenland District Council
Forestry Commission
Harlaxton Energy Network
Harlaxton Gas Network
Health and Safety Executive
Historic England
Ministry of Defence
National Grid
Natural England
Norfolk County Council
Peterborough City Council
Public Health England
Suffolk County Council
West Suffolk Clinical Commissioning Group
West Suffolk County

Strategic Planning Team
Water Resources
Anglian Water Services Ltd
Thorpe Wood House,
Thorpe Wood,
Peterborough
PE3 6WT

Tel (0345) 0265 458
www.anglianwater.co.uk

Your ref
EN010106-000004

Ms Marnie Woods
EIA and Land Rights Advisor
The Planning Inspectorate
Major Casework Directorate
Temple Quay House
2 The Square
Bristol, BS1 6PN

Sent by email to:

Sunnica@planninginspectorate.gov.uk

11 April 2019

Dear Ms Woods,

Sunnica Energy Farm
Environmental Statement Scoping Report

Thank you for the opportunity to comment on the scoping report for the above project submitted pursuant to Regulation 10 and 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

Anglian Water is the appointed water and sewerage undertaker for the above site.

The following response is submitted on behalf of Anglian Water and relates to potable water and water assets along with wastewater and water recycling assets.

General comments

Anglian Water would welcome further discussions with Sunnica Limited prior to the submission of the Draft DCO for examination.

In particular it would be helpful if we could discuss the following issues:

- Wording of the Draft DCO, including protective provisions specifically

Registered Office
Anglian Water Services Ltd
Lancaster House, Lancaster Way,
Ermine Business Park, Huntingdon,
Cambridgeshire. PE29 6YJ
Registered in England
No. 2366656.

an AWG Company

for the benefit of Anglian Water.

- Requirement for potable and raw water supplies
- Requirement for and wastewater services and connections.

- Impact of development on Anglian Water's assets and the need for mitigation.

- Pre-construction surveys.

Proposed Scheme

Reference is made to the diversion of statutory undertaker's equipment being one of the assumptions for the EIA process. There are existing water pipes and fouls sewers in Anglian Water's ownership which potentially could be affected by the development. It is therefore suggested that the Environmental Statement should include reference to any existing assets in Anglian Water's ownership.

Maps of Anglian Water's assets are available to view at the following address:

http://www.digdat.co.uk/

Ground conditions and hydrology

Reference is made to areas of surface water within the site boundary.

Anglian Water is responsible for managing the risks of flooding from surface water, foul water or combined water sewer systems. At this stage it is unclear whether there is a requirement for a connection(s) to the public sewerage network for the above site or as part of the construction phase.

Discussions with Anglian Water should be undertaken relating to any potential or intended connections to the public sewerage network of surface water.

Consideration should be given to all potential sources of flooding including sewer flooding (where relevant) as part of the Environmental Statement and related Flood Risk Assessment.

We would suggest that reference is made to any relevant records in Anglian Water's sewer flooding register as well as the flood risk maps produced by the Environment Agency.

This information can be obtained by contacting
Anglian Water's Pre-Development Team. The e-mail address for this team is

as follows: (planningliasion@anglianwater.co.uk).

In addition, if there is a requirement for significant supplies of potable or raw water either for the construction stages, application should be made to Anglian Water, via its Wholesale services department, to determine quantities and ability to provide the same without network reinforcement.

Should you have any queries relating to this response, please let me know.

Yours sincerely,

Kathryn Taylor

Major Infrastructure Planning Manager
Ktaylor4@anglianwater.co.uk

11th April 2019

Marnie Woods
Senior EIA and Land Rights Advisor

Major Casework Directorate
The Planning Inspectorate,
Temple Quay House, Temple Quay,
Bristol BS1 6PN

CAMBRIDGESHIRE & PETERBOROUGH COMBINED AUTHORITY

Sunnica Energy Farm: Scoping consultation with non-prescribed consultation bodies

Dear Marnie,

I write with reference to your request for comments on the information to be provided in an Environmental Statement (ES) relating to the above Proposed Development.

Due to the significant role the Combined Authority has, with statutory responsibility for the Local Transport Plan (under the Cambridgeshire and Peterborough Combined Authority Order 2017), funding of infrastructure, and with work underway on a non-statutory strategic spatial framework, we would expect to be included as a key consultee within the future consultation arrangements as described in Section 4.5.

The Combined Authority has a strategic ambition to deliver new transport solutions for the Cambridgeshire and Peterborough area. It is developing an Outline Business Case for the Cambridgeshire Autonomous Metro (CAM), a high-quality public transport network. The vision for the CAM network[1] set out in the Strategic Outline Business Case includes a regional connection from Cambridge East to Mildenhall in Suffolk, based on the principle of a fully or largely segregated route. Although not yet at the stage of a preferred alignment to be safeguarded, the ES should consider any impacts of proposed Energy Farm (and cable corridor) on the potential routeing and operation of the CAM to avoid any conflicts.

We welcome that a detailed appraisal of the site options considered will be presented as part of the ES, discussing the rationale for the final site layout and design selection.

We note that an extension to the Burwell National Grid Substation will be required. The ES should consider the impact of the Substation extension's future capacity to support economic and housing growth, including potential increases in electricity requirements of new modes of travel.

Yours sincerely

[redacted]

Adrian Cannard,
Assistant Director, Strategy and Planning

[1] http://cambridgeshirepeterborough-ca.gov.uk/about-us/key-documents/

Incubator 2,
Alconbury Weald Enterprise Campus,
Huntingdon, PE28 4WX

EAST CAMBRIDGESHIRE
DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING
(ENVIRONMENTAL IMPACT ASSESSMENT)
(ENGLAND AND WALES) Regulations 2017 as amended

SCOPING OPINION

Consultation Response

19/00427/SCOPE

Land North Of Snailwell (West (North)) And Land South Of Chippenham Park (West (South)) Including Connecting Network Through To Burwell Sub Station And To Sunnica (East) In West Suffolk (Please See Figure 1-2)

11 April 2019

This document constitutes East Cambridgeshire District Council's formal response to Scoping Opinion request from the Planning Inspectorate as amended for: Scoping Opinion under the Infrastructure Planning Regulations 2017 for Order granting development consent for the Sunnica Energy Farm.

..... [redacted] .....

Rebecca Saunt – Planning Manager

11 APRIL 2019

Dated

CONTENTS

1 Introduction

1.1 This document has been prepared by East Cambridgeshire District Council following the receipt of a Scoping Report request from the Planning Inspectorate in relation to a proposed energy farm that effects both East Cambridgeshire District Council (ECDC) and West Suffolk Council. The area defined as Sunnica West is within ECDC.

1.2 The applicant has identified that an application for the proposed development should be subject to the process of Environmental Impact Assessment (EIA) and as such, an Environmental Statement (ES) must accompany any planning application for the proposal.

1.3 Any subsequent consultation responses, received after the deadline for receipt of comments, will be forwarded to the Inspectorate and should be given due consideration in preparing the ES.

2 The Proposed Development

2.1 The Scoping Report contains brief details of the proposed development, stating that it is an energy farm involving but not limited to solar panels, battery storage and associated infrastructure (including but not limited to the grid connection to Burwell). The proposed development will be able to export up to 500 megawatts.

2.2 The Environmental Statement should include all detailed information on any other sites considered. The reasons for the preferred choice should be made clear and the comparative environmental effects of each option identified. The Environmental Statement should also consider the alternative 'do nothing' option, as referred to in Chapter 3 of the Scoping Report .

2.4 The Environmental Statement should include a full examination of the likely cumulative effects of the proposal on all principal topic areas. The cumulative effects of all permitted and planned development (including development at scoping stage) should be considered and this will include sites outside the District of East Cambridgeshire. Comments from West Suffolk Council must also be considered.

3 EIA Approach and Format of the Environmental Statement

3.1. It is expected that the Environmental Statement will be presented in such a way to ensure that it is accessible and understandable by the general public. It should not be made overlong by the inclusion of technical data and calculations that can only be understood by experts. In order to aid understanding and ease of use, photos, drawings, plans and figures should be contained within the main body of the written statement where possible.

3.2. Where specific assessments are produced, such as a Noise Impact Assessment or Landscape and Visual Impact Assessment, sufficient information should also be included within the Environmental Statement, as it is not appropriate to cross-refer to any separate stand-alone documents.

3.3. The non-technical summary should include information on the development, the main alternatives studied, the main environmental impacts and all of the conclusions of the Environmental Statement, including mitigating measures and the facts and judgements on which the conclusions are based. The summary should also indicate where the main Environmental Statement can be obtained (including financial cost) or viewed, and should set out how the public can make comments.

4 Topic Areas and Scope of the Environmental Statement

4.1 It is considered that the following developments need to be scoped into the Environmental Statement to ensure cumulative impacts are considered:

- 18/00752/ESO – Residential led development to form an extension to the village of Kennett.
- 19/00155/FUL - Application for the construction and operation of a 49.9MW battery storage facility, fencing, landscape planting and site access on land adjacent to the operational Burwell 400kV substation
- 17/02205/FUL - Development of a 49.9MW battery storage facility, bridge and associated infrastructure
- 17/01838/ESF - Hybrid planning application (part outline part full) for demolition, alteration and extension of blocks B, C and D, falling within Use Class B1 offices/laboratory, outline planning permission sought for the erection of an Amenities Block/Incubator Hub, Use Classes A1, A3 and D2 offices/laboratory, Use Class B1 a Gateway Building, Use Class B1 offices/Laboratory, Mid Tech Buildings 1 and 2, Use Classes B2 and B8, with associated site access, circulation, car parking, sub stations, landscaping and site assembly works (including retaining walls)
- 13/01069/VAR - Varry part of condition 6 (Materials) of previously approved application E/12/00732/ESF for the construction of a Solar Farm of 20MW capacity, to include PV Panels and Supports, transformers / invertors, monitoring equipment, security fencing / cameras, landscaping and ancillary works
- 15/00723/ESF - Installation and operation of a solar farm and associated infrastructure
- 18/00383/VARM - To Vary Condition 3 (operational life) of previously approved Application Reference Number: 15/00723/ESF for Installation and operation of a solar farm and associated infrastructure
- 18/00579/ESF - Extension of existing cold storage facility, small extension to administration office & vehicle parking

Outside of the District:

- Hatchfield Farm (400 dwellings)

4.2 The Scoping Report states that there are a number of potentially significant environmental effects that will require more detailed assessment in the EIA:

- Alternatives
- Environmental Impact Assessment Methodology
- Climate Change
- Cultural Heritage
- Ecology
- Flood Risk, Drainage and Surface Water
- Landscape and Visual Amenity
- Noise and Vibration
- Socio-Economics and Land Use
- Transport and Access

Alternatives

4.2 While the developer is not proposing a no development option, it is requested that this option is included and the long term impacts on the National Grid; specifically on the energy supply within Cambridgeshire. This is to demonstrate if there is an energy shortage how acute the problem is so that the merits of the application can be clearly weighed. It should also include the benefits of keeping the land in agricultural use and the impact on food production within the region. It is considered that a no development option should include only building Sunnica West or East site. With the size of the development there is reasonable expectation that one site being brought forward could balance the environmental benefits of renewable energy against the potential significant harm being caused by the proposal. It will also need to be clearly stated which alternative or existing cable connections have not been brought forward and the reason(s) why.

4.3 The scoping in of different layouts and the merits and flaws of each option is agreed with. These options should include the different potential amount of space given to each element of the energy farm (percentage of battery to solar panels).

4.4 The remainder of the details covered in Chapter 3 of the Scoping Report are agreed with, as these details will demonstrate how the scheme has been brought about.

4.5 It is noted that in the Developer's conclusion no reference is made to what has been scoped in or out; but it is expected that both the comments ECDC have made and the developer's report should be scoped in to the Environmental Statement.

Environmental Impact Assessment Methodology

4.6 The relevant applications that have been mentioned in para 4.1 should be used to inform the baseline. While some of these applications have not been commenced and/or approved it is considered reasonable to scope all of them in to cover the potential for future development and the outcome of any appeal. While the developer may consider other applications to be scoped in (the District Council would also like to be informed prior to submission which developments have been scoped in or out and the reason why), the ones requested are considered fundamental to duly consider both construction traffic impact and constraints/benefits to energy supply.

Climate Change

4.7 It is agreed with that Greenhouse Gas emissions throughout the whole life of the project (this should include production) and a statement of resilience are screened into the Environmental Statement. In regards to the Greenhouse Gas Emissions this should be directly compared to the number of years it will take for the development to be carbon neutral. However, to gain a true reflective understanding of the benefits/harm to the Environment it should be compared to at least one fossil fuel, nuclear and at least one alternative renewable energy. It is considered by doing this the clear environmental benefits should be highlighted and will allow for careful consideration against the potential substantial and detrimental harm.

4.8 Table 6-1 that outlines where Greenhouse Gas emissions might come from appears reasonable.

4.9 The location of the upgraded Burwell substation is in area of Flood Defences, it will be important that any climate change resilience considers what would happen if these flood defences were to fail; this might need to reflect on potential sea level changes due to the nature of the fen landscape (much of it below sea level). The operation risks of this substation flooding need to be fully addressed.

Cultural Heritage

4.10 In regards archaeological investigation both Grid Connection routes A and B should be considered, as it is not fully clear on how much land might not have been previously developed. The overall archaeological investigation suggested has been met with support from Cambridgeshire County Council (Historic Environment Team) but it does seek additional elements to be included, as they state:

"In addition, a long-term Historic Environment Management Plan should be developed for the ES. This should contain periodic review point for any areas that may see preservation in situ techniques applied to mitigate the impact of the scheme (including construction and maintenance of the scheme) on archaeological remains or to adjust the visual and landscape settings to protect designated heritage assets.

Matrices of effect significance will be used in the EIA to inform on beneficial or adverse environmental effects of the scheme. Our experience with effect significance shows that such impacts can only be reliably measured if suitable evaluation of the scheme area has been undertaken and all evidence is used: that is, currently known evidence as well as that newly acquired from the physical evaluation of the scheme area. We welcome the inclusion of field investigation (7.6.9, and see NPPF policies below) to augment and refine desk-based data and agree with the statement at 7.4.11 and elsewhere that recognises the lack of previous archaeological investigation in large parts of the scheme, which are, therefore, characterised as having unknown archaeological potential. The development of a reliable and efficient Cultural Heritage Mitigation Strategy can only be developed if evidence from a variety of sources has been used to understand the fragmentary evidence of past land uses. Such a strategy will also enable greater ability of archaeological contractors to more accurately cost mitigation schemes.

It is noted that evidence recorded on the Portable Antiquities Scheme database will augment the baseline data set (7.6.7), and this is endorsed here. When set against the physical remains of archaeological sites and monuments, an appraisal of the context of stray and metal-detected finds of all material types increases understanding of archaeological significance. As individual items, they are unable to adequately inform on significance: by period, their collective presence illuminates patterns of past activity. We , therefore, encourage a more synthetic approach to assessing the evidence base that seeks to discuss archaeological evidence as being where and how people in the past lived, worshipped, worked and were buried than by representation in table form of the significance of individual assets. Use of this approach may reduce any contention over professional judgement regarding the definition of heritage assets

as "not significant" (see Table 7-1 and 7.6.2) and we would encourage "professional judgement" to be collectively agreed rather than presented as a statement of fact."

4.11 It is expected the comments of Historic England are fully considered. In addition the comments of the Council's Conservation Officer who states:

"It should be noted in particular that the setting influence of assets may extend beyond their strict designation boundary, and the Grade II registered Chippenham Park is a case in point: the designed elements of the park cannot be divorced from their wider landscape context. Assessment viewpoints should therefore not be drawn too narrowly."

4.12 It is requested that additional viewpoints towards the site are included in order to help assess the impacts on the setting of these listed buildings:

- From Chippenham Hall and gardens (should include an elevated position within the house).
- Top of St Margarete Church (Chippenham) and St Peters Church (Snailwell) if at all possible to access by the public.

Ecology

4.13 This section seems unclear on exactly what will be a significant impact on biodiversity and what species need to be considered in relation to the different Statutory and Non Statutory Designates Sites. It appears as if the Scoping Report has been submitted too soon and before it can consider what ecological impacts are significant and need to be scoped in. With no additional information provided a full survey will be required for every species mentioned in the Scoping Report on pages 65-66 on all of the mentioned sites. These surveys will need to be undertaken at suitable times of the year.

4.14 It will also be necessary for the developer to scope in how the proposal will lead to an ecological net gain. It is also expected that the comments from Natural England (including those within Annex A) will be fully considered.

Flood Risk, Drainage and Surface Water

4.15 It is considered that there are no additional elements needing to be scoped in. However, in the human health section within the Environmental Statement the potential risk to life from water and electricity will need to be considered. On this basis it will need to be scoped in how flood and surface water risk has been considered and what drainage/protection measures are needed. Finally the developer will need to refer to the Cambridgeshire Flood and Water SPD and include long term maintenance of any SuDS features.

Landscape and Visual Impact

4.16 The Tree Officer has requested that where the proposal is located near trees, the impact on these trees is fully assessed and suitable mitigation measures suggested. It is considered that any photomontages also consider a 5 year time period; as well as a year 1 and year 15. All viewpoints should be based on the winter months, though summer months can also be included. It should also be considered if any viewpoint

montages should be with all landscape removed to demonstrate the very worst potential impact on the visual character of the area.

4.17 Additional viewpoints should also include:

- A14/A11 junction
- Adjacent Warren Towers, Moulton Road
- PRoW to the west of Sunnica West Site
- PRoW to the north of the Sunnica East Site
- Weirs Drove, Burwell

4.18 With these additional elements scoped in, the developer's methodology and Scoping Report is considered to be acceptable.

Noise and Vibration

4.19 It will need to be scoped in the potential impact of noise from the battery storage plant and it appears if the developer is in agreement with this due to operational plant being scoped in. However, apart from this it is agreed that the most significant noise will be from construction and demolition; with this in mind construction traffic noise should be duly considered.

Socio-Economic and Land Uses

4.20 No comments in regards to this chapter.

Transport and Access

4.21 While the County Council Transport Team have not provided any detailed comments on the Scoping request in addition to the junctions suggested in page 112 of the Scoping Report it is also recommended that A142/Landwade Road/Snailwell Road Roundabout and junction 38 on the A14 is scoped in; as it is considered these junctions are already operating at capacity. In addition to this the impact on Kennett Train Station should be scoped in, as the construction/demolition workforce might use this method of transport to get to the site.

4.22 The impact of decommissioning on the highway network does need to be scoped in, due to the relatively short lifespan of some of these proposals. While there will be a substantial unknown on the condition of the roads at this time, it is expected professional educated guesswork will be used to make a reasonable decision. Demolition of such a large scheme could have greater impact on the highway network than the construction work.

Other Environmental Topics

4.23 It is agreed that air quality will need to be scoped in; specifically the impact of dust during construction and decommissioning work.

4.24 It is agreed glint and glare should be scoped in and should focus on visual impact, highway safety (specifically A14/A11) and aviation safety.

4.25 The developer's view on ground conditions is agreed with.

4.26 Human health should be included in the relevant chapters, but an individual chapter is still considered to be relevant in order to bring all the potential significant impacts together for consideration.

4.27 The table for major accidents or Disasters (14-2) is considered to be acceptable, but it is suggested that sabotage/criminal activity is duly considered; as pre-planned damage to this proposal could leave it greatly vulnerable to a major accident. This element of the Environmental Statement might need to be confidential.

4.28 The proposed approach to telecommunications and waste is considered to be acceptable.

4.29 Fordham Neighbourhood Plan will need to be scoped in to any Environmental Statement.

Appendix 1
List of those consulted

Highways Agency
Cambridgeshire Archaeology
Natural England
The Ely Group of Internal Drainage Board
Historic England
Head of Strategic Planning
Cambs Wildlife Trust
Asset Information Definition Map Team
Local Highways Authority
ECDC Trees Team
Environmental Health
Strategic Planning
Lead Local Flood Authority
Emma Forrest Civil Aviation Authority
Rural Development Service
Defence Infrastructure Organisation Safeguarding
HSE (Planning Advice Team)
Network Rail
Cambridgeshire Fire and Rescue Service
CCC Growth and Development
UK Power Networks
West Suffolk
Cambridgeshire and Peterborough CA – Strategic Planning
Prominent PR
Conservation Officer
Environmental Health Officer
Infrastructure and Strategy Manager (ECDC)
Waste Strategy (ECDC)
Minerals and Waste Development Control Team
The Garden Trust
Anglian Water Service Ltd
CPRE
National Grid
Design Out Crime Officers
Ramblers Association South
Cambridgeshire Ramblers Association
Parish Councils (Chippenham, Burwell, Fordham, Kennett, Snailwell and Newmarket)
Ward Councils (Fordham, Burwell and Cheveley)

Appendix 2
List of Respondents

All consultee responses can be viewed on:
https://pa.eastcambs.gov.uk/online-applications/

Natural England
Wildlife Trust
Major Development Transport Assessment Team
Cadent
Environmental Health
Historic Environment Team (Cambridgeshire County Council Archaelogy)
Historic England
Conservation Officer
Infrastructure & Strategy Manager
Tree Officer
Cllr Brown

Ms Marnie Woods
The Planning Inspectorate
The Square Temple Quay
Bristol
Avon
BS1 6PN

Our ref: AC/2019/128198/01-L01
Your ref: EN010106-000004

Date: 11 April 2019

Dear Ms Woods

SUNNICA ENERGY FARM – ENVIRONMENTAL IMPACT ASSESSMENT (EIA) SCOPING NOTIFICATION AND CONSULTATION/ REG 11 NOTIFICATION SUNNICA EAST SITE - FOREST HEATH DISTRICT COUNCIL. SUNNICA WEST SITE - EAST CAMBRIDGESHIRE DISTRICT COUNCIL.

Thank you for consulting us on the EIA Scoping Opinion for the aforementioned energy farm. Having reviewed the scoping report, we generally agree with the proposed scope of work and methods to be applied when carrying out the EIA. In addition, we would like to make the following comments and recommendations.

Flood Risk
Figures 1-2 rev 0, 2-1A rev 0, 2-1B rev 0, 2-1C rev 0 and 2-1D rev 0 clearly show the development to be located within Flood Zones 1, 2 and 3. The site crosses a number of watercourses considered to be main river.

We support paragraph 9.6.8 which states that a Flood Risk Assessment (FRA) will be prepared for the scheme in line with the National Planning Policy Framework (NPPF). We would expect the FRA to:

- show that development will not increase flood risk elsewhere
- consider flood risk betterment as part of the proposal
- consider the temporary works to ensure there is no increase in flood risk as a result of the enabling works

According to paragraph 9.6.9, the proposed energy farm is classified as essential infrastructure. The (NPPF) Planning Practice Guidance Flood Risk Vulnerability table 3 clearly states that essential infrastructure located within Flood Zone 3a or 3b will require the exception test to be applied.

Please be aware that under the terms of the Environmental Permitting Regulations (EPR), a Flood Risk Activity Permit may be required from the Environment Agency for any proposed works or structures in, under, over or within 8 metres of a main river. For

Cont/d..

further guidance please visit https://www.gov.uk/guidance/flood-risk-activities-environmental-permits or contact our National Customer Contact Centre on 03702 422 549. Any application for a permit should be submitted to PSO-Brampton@environment-agency.gov.uk.

Water Quality
We support the proposed approach to carry out a qualitative assessment on the effects to surface water quality from construction, operations and decommissioning. Where there is a risk of pollution, mitigation measures will be described with reference to best practice guidance.

Biodiversity
We welcome table 8-2 which provides a list of Non-Statutory Designated Sites. These are areas of significant wildlife value on a county level. They represent the best wildlife habitat in a county aside from statutory conservation sites.

The applicant should explore opportunities to plant native hedge on site to provide habitat and wildlife corridors

Groundwater and Contaminated Land
Land within the Scheme Boundary overlies principal aquifer (part of the Cam and Ely Ouse Chalk groundwater body, an EU Water Framework Directive Drinking Water Protected Area). Principal aquifers are geological strata that exhibit high permeability and provide a high level of water storage. They support water supply and river base flow on a strategic scale.

A part of the proposed development footprint is located within a groundwater source protection zone (SPZ), meaning it lies within the catchment of a groundwater abstraction used for public water supply. The site is therefore vulnerable to pollution as contaminants entering the groundwater at the site may contaminate the protected water supply.

A number of licensed groundwater abstractions are located within the proposed redevelopment footprint. In addition, our records show unlicensed groundwater abstractions for agriculture and domestic uses were previously present in the area. Please note that certain water supplies do not require a licence and therefore may not be known to the Environment Agency, and our records may not be up-to-date. The locations of private domestic sources may be held by the Local District Council on the register required by the Private Water Supplies Regulations 1991. Also, the regional use of groundwater in this area makes the site highly vulnerable to pollution.

According to Chapter 9 Flood Risk, Drainage and Surface Water, the potential impacts from construction and decommissioning activities have been considered to affect surface water quality and 'local water supplies' including private water supplies. The potential impacts on groundwater quality, licensed abstractions and source protection zones should also be considered given the environmental sensitivity of the site.

Potential contamination should be given due consideration together with any impacts of the development on groundwater and surface water quality it may have during construction and operation. Piling or other ground improvement methods could have an adverse impact on the groundwater quality within the Chalk Aquifer beneath the site or provide preferential pathways for contaminant migration to the Aquifer during construction and after the completion of the development.

According to the Scoping Report, a Preliminary Risk Assessment covering the Scheme Boundary is currently being prepared in order to evaluate the potential land contamination risks associated with the development. The scope of the proposed PRA is generally acceptable. It should, however, be noted that if any potentially active source-pathway-receptor linkages are identified, further investigations, assessment or remediation may be required. Please also refer to our general advice below.

1. **Preliminary Risk Assessment**
   The PRA should include historical plans of the site, an understanding of the sites environmental setting (including geology, hydrogeology, location and status of relevant surface water and groundwater receptors, identification of potential contaminants of concern and source areas), an outline conceptual site model (CSM) describing possible pollutant linkages for controlled waters and identification of potentially unacceptable risks. Pictorial representations, preferably scaled plans and cross sections, will support the understanding of the site as represented in the CSM.

2. **Site Investigation**
   Land contamination investigations should be carried out in accordance with BS 5930:1999-2010 'Code of Practice for site investigations' and BS 10175:2011 'Investigation of potentially contaminated sites - Code of Practice' as updated/amended. Site investigation works should be undertaken by a suitably qualified and experienced professional. Soil and water analysis should be fully MCERTS accredited.

   Any further site investigation, demolition, remediation or construction works on site must not create new pollutant pathways or pollutant linkages in to the underlying principal aquifer to avoid generating new contaminated land liabilities for the developer. Clean drilling techniques may be required where boreholes, piles etc. penetrate through contaminated ground.

3. **SuDS**
   We consider any infiltration Sustainable Drainage System (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels.

Soakaways must not be constructed in contaminated ground where they could re-mobilise any pre-existing contamination and result in pollution of groundwater. Soakaways and other infiltration SuDS need to meet the criteria in our Groundwater Protection Position Statements G1 and G9 to G13.

Only clean water from roofs can be directly discharged to any soakaway or watercourse. Systems for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures and a suitable number of SuDS treatment train components.

We recommend that the developer should:

1) Refer to our 'Groundwater Protection' webpages, which include the Groundwater Protection Position Statements;
2) Follow the Land Contamination: Risk Management guidance when dealing with land affected by contamination;
3) Refer to the CL:AIRE Water and Land Library (WALL) which includes the Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, for example human health;
4) Refer to our Land Contamination Technical Guidance;
5) Refer to 'Position Statement on the Definition of Waste: Development Industry Code of Practice';
6) Refer to British Standards BS 5930:1999 A2:2010 *Code of practice for site investigations* and BS10175:2011 A1: 2013 *Investigation of potentially contaminated sites – code of practice*
7) Refer to our 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination' National Groundwater & Contaminated Land Centre Project NC/99/73. The selected method, including environmental mitigation measures, should be presented in a 'Foundation Works Risk Assessment Report', guidance on producing this can be found in Table 3 of 'Piling Into Contaminated Sites';
8) Refer to our 'Good Practice for Decommissioning Boreholes and Wells'.
9) Refer to our 'Dewatering building sites and other excavations: environmental permits' guidance when temporary dewatering is proposed.

We hope that this information is of assistance to you. If you have any further queries please do not hesitate to contact us.

Yours sincerely

Elizabeth Mugova
Sustainable Places Planning Advisor
East Anglia Area

Direct dial 020 3025 5999
Direct e-mail planning.brampton@environment-agency.gov.uk

From:	ESP Utilities Group Ltd
To:	Sunnica Energy Farm
Subject:	Your Reference: EN010106-000004 Our Reference: PE138319. Plant Not Affected Notice from ES Pipelines
Date:	14 March 2019 13:35:24

Marnie Woods
Sunnica Energy Farm
The Planning Inspectorate

14 March 2019

Reference: EN010106-000004

Dear Sir/Madam,

Thank you for your recent plant enquiry at: Sunnica Energy Farm.

I can confirm that ESP Utilities Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works.

ESP Utilities Group Ltd are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

Important Notice

Please be advised that any enquiries for ESP Connections Ltd, formerly known as British Gas Connections Ltd, should be sent directly to us at the address shown above or alternatively you can email us at: PlantResponses@espug.com

Yours faithfully,

Plant Protection Team
ESP Utilities Group Ltd

Bluebird House
Mole Business Park
Leatherhead
KT22 7BA
☎ 01372 587500 01372 377996

http://www.espug.com

From:	Graham Smith
To:	Sunnica Energy Farm
Subject:	Inspectorate ref EN010106-000004 A
Date:	19 March 2019 10:12:10

FAO Marnie Woods

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(the EIA Regulations) – Regulations 10 and 11
Application by Sunnica Ltd (the Applicant) for an Order granting Development Consent for the Sunnica Energy Farm (the Proposed Development)
Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for consulting the Fenland District Council regarding the information to be provided in an Environmental Statement for the above proposal near Fordham/Freckenham/Worlington. Given the significant distance from the Fenland District Council area the Council does not have any comments on issues to be included in the Environmental Statement.

Regards

Graham Smith
Senior Planner
Fenland District Council

Tel 01354 622421

damage caused by software viruses.

Senders and recipients of e-mail should be aware that, under the EU General Data Protection Regulation 2016, the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and other related legislation, the contents of e-mails may have to be disclosed in response to a request.

To provide you with our services we will need to record personal information, such as your e-mail address. This information will be kept securely and only accessed by approved staff. We will not share your information with anyone else without first telling you. If you would like more details about how we protect personal information then please contact our Data Protection Officer.

From:	Meakins, Corinne
To:	Sunnica Energy Farm
Subject:	Forestry Commission -Sunnica -Eneregy EN010106-000004
Date:	08 April 2019 15:09:47

For the Attention of –Marnie Woods

Thank you for consulting the Forestry Commission on this Scoping document for Sunnica Energy Project . We have examined the document and it is clear from our maps that there is little or no ancient woodland in the proximity, therefore we do not have any comments to make.

Yours sincerely,

Corinne Meakins
Local Partnership Advisor
Forestry Commission East and East Midlands Area
Santon Downham, Brandon
Suffolk. IP27 0TJ
Corinne.meakins@forestrycommission.gov.uk

Tel: 0300 067 4583
Mobile; 07900 227 123
www.gov.uk/forestrycommission
Please note my new shorter week working pattern is 8-4.30 pm Monday, Tuesday and Thursday.

From: Karen Thorpe
To: Sunnica Energy Farm
Subject: Sunnica Energy Farm
Date: 28 March 2019 12:45:37
Attachments: image001.png
image003.png
image008.png
image010.png
image011.png
image012.png

Good afternoon, [EN010106-000004]

Thank you for sending the relevant information and material regarding the Sunnica Energy Farm.

Harlaxton Energy Networks Ltd. at this time has no assets in the area, and will not be implementing any in the near future, therefore Harlaxton has no comment to make on this scheme.

Kind Regards

Karen Thorpe
Distribution Administrator
0844 800 1813

Visit our website harlaxtonenergynetworks.co.uk and explore at your leisure

Harlaxton Energy Networks Limited
Toll Bar Road, Marston, Grantham, Lincolnshire, NG32 2HT
Registered Company Number : 7330883

Please consider the environment before printing this e-mail

From:	Karen Thorpe
To:	Sunnica Energy Farm
Subject:	Sunnica Energy Farm
Date:	28 March 2019 12:46:25
Attachments:	image002.png

Good afternoon, [EN010106-000004]

Thank you for sending the relevant information and material regarding the Sunnica Energy Farm.

Harlaxton Gas Networks Ltd. at this time has no assets in the area, and will not be implementing any in the near future, therefore Harlaxton has no comment to make on this scheme.

Kind Regards

Karen Thorpe
Distribution Administration Assistant

Harlaxton
Gas Networks Limited
Toll Bar Road, Marston, Grantham, Lincs, NG32 2HT

Health and Safety Executive

CEMHD4 Policy - Land Use Planning
NSIP Consultations
Building 1.2, Redgrave Court
Merton Road, Bootle
Merseyside, L20 7HS

Your ref: EN010106
Our ref: 4.2.1.6583

HSE email: NSIP.applications@hse.gov.uk

FAO Marnie Woods
The Planning Inspectorate
Temple Quay House
Temple Quay,
Bristol
BS1 6PN

Dear Ms. Woods

10th April 2019

PROPOSED Sunnica Energy Farm (the project)
PROPOSAL BY Sunnica Ltd (the applicant)
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 (as amended) – Regulations 10 and 11

Thank you for your letter of 14th March 2019 regarding the information to be provided in an environmental statement relating to the above project.

HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records there is one major accident hazard site and six major accident hazard pipelines within the proposed DCO application boundary of the Sunnica Energy Farm for this Nationally Significant Infrastructure Project.

This is based on the current configuration for the red line area as illustrated in, for example, the Scheme Boundary (Drawing number: 1-2), of the environmental impact scoping report March 2019.

The major accident hazard site is:

HSE reference H3161 operated by HW Coates

The major accident hazard pipelines are:

HSE Reference No.	TRANSCO Index No.	Pipeline Operator	Pipeline/Location Name
8219	2486	Cadent Gas Ltd	Great Wilbraham / Burwell
7452	1710	National Grid Gas PLC	3 Feeder Roudham Heath / Great Wilbraham
7444	1703	Cadent Gas Ltd	Burwell / Ely
7399	1658	Cadent Gas Ltd	Mildenhall Reinforcement
7398	1657	Cadent Gas Ltd	Burwell / Wess house
7397	1656	Cadent Gas Ltd	Ness House / Freckenham

Hazardous Substance Consent

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended.

The substances, alone or when aggregated with others for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015 as amended.

Hazardous Substances Consent would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Consideration of risk assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 An Annex on the Planning Inspectorate's website - Annex G – The Health and Safety Executive . This document includes consideration of risk assessments on page 3

Explosives sites

HSE has no comment to make as there are no licensed explosive sites in the vicinity.

Please send any further electronic communication on this project directly to the HSE's designated e-mail account for NSIP applications. Alternatively, any hard copy correspondence should be sent to:

Mr Dave Adams (MHPD)
NSIP Consultations
1.2 Redgrave Court
Merton Road
Bootle, Merseyside
L20 7HS

Yours sincerely,

[redacted]

Dave Adams
CEMHD4 Policy

Historic England

EAST OF ENGLAND OFFICE

Ms Marnie Woods
The Planning Inspectorate
Major Casework Directorate
Temple Quay House, Temple Quay, 2 The Square
Bristol
BS1 6PN

Direct Dial: 01223 582716

Our ref: PL00528152

26 March 2019

Dear Ms Woods

Thank you for your letter of 14 March 2019 notifying Historic England of the Environmental Impact Assessment (EIA) Scoping Opinion for the proposed Sunnica Energy Farm development; comprising the installation of photovoltaic (PV) generating panels and on-site storage facilities across two proposed sites, *Sunnica East Site* and *Sunnica West Site,* within Suffolk and Cambridgeshire respectively.

The historic environment is a finite and non-renewable environmental resource which includes designated heritage assets, non-designated archaeology and built heritage, historic landscapes and unidentified sites of historic and/or archaeological interest. It is a rich and diverse part of England's cultural heritage and makes a valuable contribution to our cultural, social and economic life.

This development could, potentially, have an impact upon a number of designated heritage assets and their settings in the area around the site. In line with the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

The Scoping document acknowledges that the proposed development has the potential for impacts on cultural heritage. We are pleased this will be dealt with in a specific chapter within the Environmental Statement. We advise that all supporting technical information (desk-based assessments, evaluation and post-excavation reports etc.) are included as appendices. Where relevant, the cultural heritage should be cross-referenced to other chapters or technical appendices; for example noise, light, traffic and landscape.

The EIA should consider the impact upon both designated and non-designated heritage assets. This should include the impact upon the setting of the heritage assets within the surrounding area.

This development could, potentially, have a significant impact upon a number of designated heritage assets and their settings in the area around the site. In line with

the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

Designated assets within 1km of Sunnica East include four Scheduled Monuments, three grade I or II* listed churches, 27 grade II listed buildings and two conservation areas, Barton Mills and Freckenham which are within or abutting the study area. Within a 1km radius of the Sunnica West site are five Scheduled Monuments, one grade II* listed church, two grade II* listed buildings or structures, one grade II Registered Park and Garden (Chippenham Hall) and Snailwell Conservation Area.

We would also expect the Environmental Statement to consider the potential impacts on non-designated features of historic, architectural, archaeological or artistic interest, since these can also be of national importance and make an important contribution to the character and local distinctiveness of an area and its sense of place. This information is available via the local authority Historic Environment Record (www.heritagegateway.org.uk <http://www.heritagegateway.org.uk>) and relevant local authority staff.

We would strongly recommend that the applicants involve the Conservation Officer of East Cambridgeshire District Council and West Suffolk District Council and the archaeological staff at Cambridgeshire and Suffolk County Councils in the development of this assessment. They are best placed to advise on: local historic environment issues and priorities; how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

There is also potential for undesignated buried archaeological remains within the proposed development site as the scheme occupies a large area which has largely not been subject to previous archaological study. The EIA should define the nature, extent and significance of these assets in order to assess the impact from the proposed development. We welcome continued discussion as the project moves forward.

Historic England has had early, introductory pre-application discussions regarding the significance of assets and the degree to which they might be impacted by the proposed development. In particular, discussion has focussed upon the impact on setting of the listed buildings and the impact of Grid Connection Routes on buried archaeloigical remains.

Assessment of setting should not be restricted to visual impact, but should also consider other environmental factors such as noise, traffic and lighting, where relevant. The assessment should be carried out in accordance with established policy and

guidance, including the National Planning Policy Framework. The Planning Practice Guidance contains guidance on setting, amplified by the Historic England document Historic Environment Good Practice Advice in Planning Note 3 *The Setting of Heritage Assets*, which provides a thorough discussion of setting and methods for considering the impact of development on setting, such as the use of matrices. Whilst standardised EIA matrices or are useful tools, we consider the analysis of setting (and the impact upon it) as a matter of qualitative and expert judgement which cannot be achieved solely by use of systematic matrices or scoring systems. Historic England therefore recommends that these should be seen primarily as material supporting a clearly expressed and non-technical narrative argument within the cultural heritage chapter. The EIA should use the ideas of benefit, harm and loss (as described in NPPF) to set out 'what matters and why' in terms of the heritage assets' significance and setting, together with the effects of the development upon them.

It is important that the assessment is designed to ensure that all impacts are fully understood. Section drawings and techniques such as photomontages are a useful part of this. Given the number of designated heritage assets within the area, we would welcome continued discussions with the applicant in order to agree the key sites and setting issues which will need to be addressed within the EIA. In particular any heritage specific viewpoints should be identified by the heritage consultant and should be included in the LVIA.

The assessment should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to *in situ* decomposition or destruction of below ground archaeological remains and deposits, and can also lead to subsidence of buildings and monuments.

We have the following specific comments to make regarding the content of the Scoping Report:

Table 7-1 sets out the existing baseline in terms of designated and non-designated assets which is helpful. This would appear to be comprehensive.

At paragraph 7.5 we would refer the applicants to the revised version of the Good Practice Advice on Planning Note 3 - The Setting of Heritage Assets that was published in December 2017. <https://content.historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets.pdf/>

Finally, we should like to stress that this response is based on the information provided in this consultation. To avoid any doubt, this does not affect our obligation to provide

further advice and, potentially, object to specific proposals, which may subsequently arise, where we consider that these would have an adverse effect upon the historic environment.

If you have any queries about any of the above, or would like to discuss anything further, please contact me.

Yours sincerely,

[redacted]

Sheila Stones
Inspector of Historic Buildings and Areas
Sheila.Stones@HistoricEngland.org.uk

Ministry of Defence

Defence Infrastructure Organisation

Safeguarding Department
Statutory & Offshore

Defence Infrastructure Organisation
Kingston Road
Sutton Coldfield
West Midlands
B75 7RL

Tel: 07970171174
E-mail: DIO-safeguarding-statutory@mod.gov.uk

www.mod.uk/DIO

Marine Woods
The Planning Inspectorate
Major Casework Directorate
Temple Quay House
Bristol
BS1 6PN

11 April 2019

Your reference: EN010106-000004
Our reference: 10045346

Dear Marine,

MOD Safeguarding – RAF MILDENHALL

Proposal: Application by Sunnica Ltd (the Applicant) for an Order granting Development Consent for the Sunnica Energy Farm (the Proposed Development)

Location: Within Suffolk and Cambridgeshire including an extension to the Burwell National Grid Substation

Boundary Grid Ref:

Sunnica East:	567431,274162	Sunnica West(North):	564121,268600
	566243,273276	Sunnica West (South):	566522,267297
	566558,272480	Burwell Substation:	557827,267332
	568709,270606	Railway Crossing:	562514,268633
	568115,269371	Option 1&2	559533,268691
	568041,268707		
	567652,267924		
	571285,272944		

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on 14/03/2019.

The applicant is seeking a scoping opinion for an Order granting Development Consent for the Sunnica Energy Farm (the Proposed Development).

The proposed energy farm comprises of two sites; Sunnica East Site and Sunnica West site. The application sites occupy the statutory technical and aerodrome height safeguarding zones surrounding RAF Lakenheath(91.4m),RAF Mildenhall(45.7m) and Cambridge Airport(45.7m). The development site also occupies the statutory birdstrike safeguarding zones surrounding both RAF Mildenhall & RAF Lakenheath.

The MOD have no aerodrome height or technical safeguarding concerns with this proposal.With regards to glint and glare from the arrays the applicant has identified there are aviation receptors within 20km of the proposed solar farms and the closest of these are RAF Mildenhall, RAF Lakenheath and Cambridge Airport, which are within 20km of the Sunnica East Site and Sunnica West Site.

Birdstrike

The application site also occupies the birdstrike safeguarding zones, the principal concern of the MOD with regards to birdstrike safeguarding and the solar farm is during the construction and decommissioning phase of the development.Large areas of earth works have the potential to result in a temporary attractant for hazardous birds. Bare earth and temporary ponding and puddling has the potential to attract birds hazardous to air traffic.The potential drainage scheme may also attract hazardous birds if it results in areas of standing water. Therefore, the MOD would require details of any drainage scheme once finalised.

To address the issue of birdstrike risk, a legally based management plan for the site will need to be implemented during the construction and decommissioning period.This should make a provision for the site managers to undertake bird control (using appropriate licensed means) which would address any population of bird species occupying the site that are considered by the MOD to be a hazard to air traffic using RAF Mildenhall & RAF Lakenheath.

In summary, the MOD has potential birdstrike safeguarding concerns with this proposed development. The applicant should take this into account and the requirement for a bird hazard management plan when progressing this application.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely

Kalie Jagpal
Assistant Safeguarding Officer

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Land and Acquisitions
Anne Holdsworth
DCO Liaison Officer
Network Management
anne.holdsworth@nationalgrid.com
Direct tel: +44 (0)7960175682

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
Sunnica@planninginspectorate.gov.uk

05 April 2019

Dear Sir/Madam

EN010106 APPLICATION BY SUNNICA LTD (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE SUNNICA ENERGY FARM (THE PROPOSED DEVELOPMENT)
SCOPING CONSULTATION

This is a response on behalf of National Grid Electricity Transmission PLC (NGET) and National Grid Gas PLC (NGG).

I refer to your letter dated 14th March 2019 in relation to the above proposed application. Having reviewed the scoping report, I would like to make the following comments:

National Grid infrastructure within / in close proximity to the order boundary

Electricity Transmission

National Grid Electricity Transmission has high voltage electricity overhead transmission lines and substations within or in close proximity to the scoping area /proposed order limits. The overhead lines, and substations form an essential part of the electricity transmission network in England and Wales.

The details of the electricity assets are shown below:

Substations

- Burwell Main 400kV Substation
- Burwell Main 132kV Substation

Overhead Lines

- 4ZM (400kV) overhead line — Burwell Main – Walpole 1
  Burwell Main – Walpole 2

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Gas Transmission Infrastructure:

National Grid Gas has high pressure gas transmission pipelines, and associated apparatus, located within or in close proximity to the proposed order limits. The transmission pipelines form an essential part of the gas transmission network in England, Wales and Scotland:

- Feeder Main 3 Roudham Heath to Great Wilbraham
  Barton Mills to Burwell

I enclose plans showing the route of National Grid's overhead line, substations and the gas transmission pipelines.

Specific Comments – Electricity Infrastructure:

- National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 3 (2004)
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above.

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

- National Grid Electricity Transmission high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide National Grid full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with National Grid prior to any works taking place.

- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

Gas Infrastructure

The following points should be taken into consideration:

- National Grid has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

Pipeline Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at previously agreed locations.

- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.

- The type of raft shall be agreed with National Grid prior to installation.

- No protective measures including the installation of concrete slab protection shall be installed over or near to the National Grid pipeline without the prior permission of National Grid.

- National Grid will need to agree the material, the dimensions and method of installation of the proposed protective measure.

- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to National Grid.

- Please be aware that written permission is required before any works commence within the National Grid easement strip.

- A National Grid representative shall monitor any works within close proximity to the pipeline to comply with National Grid specification T/SP/SSW22.

- A Deed of Consent is required for any crossing of the easement

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Cable Crossings:

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A National Grid representative shall supervise any cable crossing of a pipeline.
- Clearance must be at least 600mm above or below the pipeline.
- Impact protection slab should be laid between the cable and pipeline if cable crossing is above the pipeline.
- A Deed of Consent is required for any cable crossing the easement.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and National Grid's specification for Safe Working in the Vicinity of National Grid High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22.
- National Grid will also need to ensure that our pipelines access is maintained during and after construction.
- Our pipelines are normally buried to a depth cover of 1.1 metres however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a National Grid representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of National Grid High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Grid representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been has been confirmed on site under the supervision of a National Grid representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

To view the SSW22 Document, please use the link below:
http://www.nationalgrid.com/uk/LandandDevelopment/DDC/GasElectricNW/safeworking.htm

To download a copy of the HSE Guidance HS(G)47, please use the following link:
http://www.hse.gov.uk/pubns/books/hsg47.htm

Further Advice

We would request that the potential impact of the proposed scheme on National Grid's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.

Where any diversion of apparatus may be required to facilitate a scheme, National Grid is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by National Grid. Further information relating to this can be obtained by contacting the email address below.

Where the promoter intends to acquire land, extinguish rights, or interfere with any of National Grid apparatus protective provisions will be required in a form acceptable to it to be included within the DCO.

National Grid requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: **box.landandacquisitions@nationalgrid.com**

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

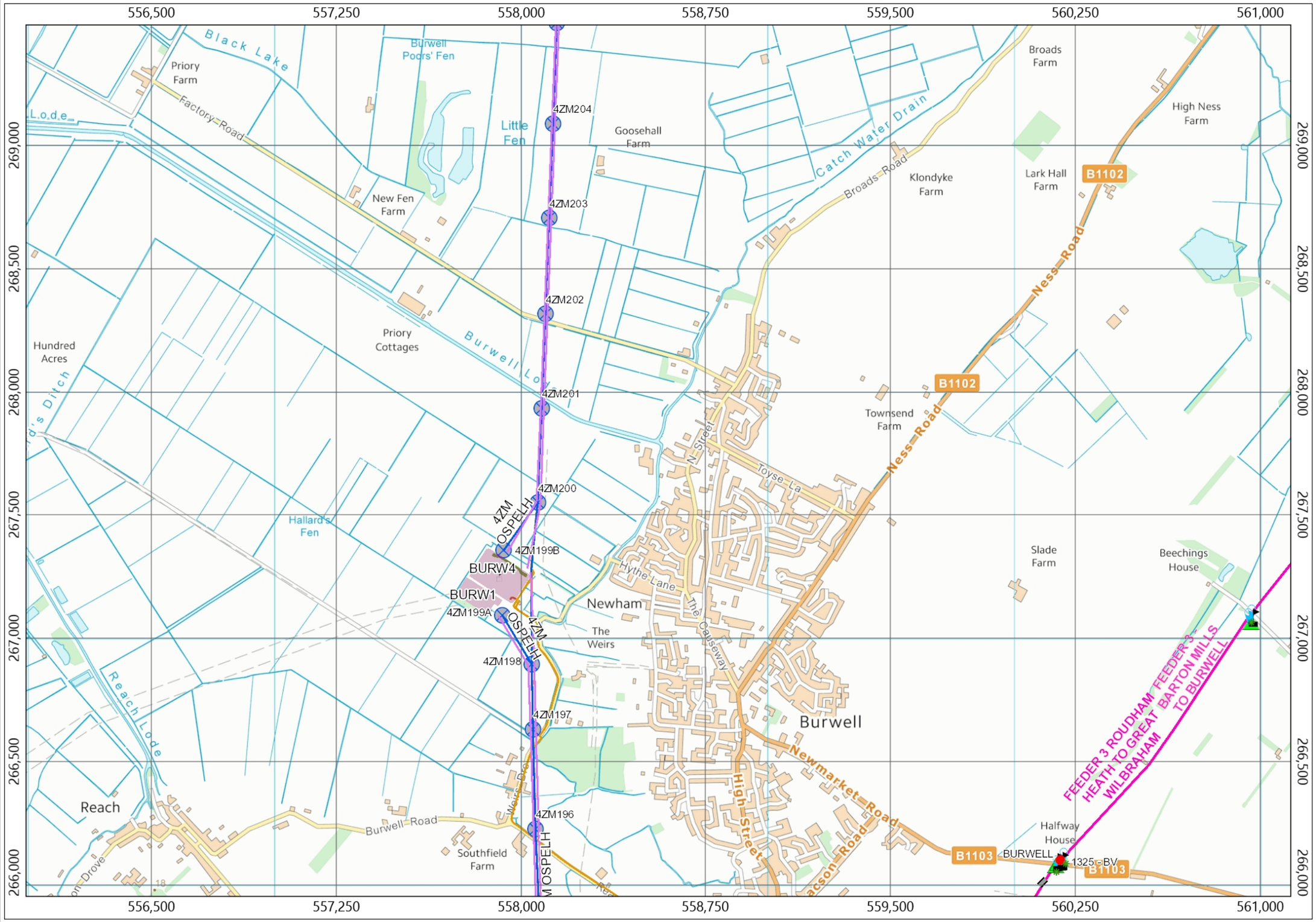
The information in this letter is provided not withstanding any discussions taking place in relation to connections with electricity or gas customer services.

Yours faithfully

[redacted]

Anne Holdsworth
DCO Liaison Officer, Land and Acquisitions

nationalgrid | Sunnica Plan 1



Legend:

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- Circuits
  - Commissioned
  - Decommissioned Group
  - Planned and Spares
- OHL 400Kv Commissioned
- OHL 275Kv Commissioned
- OHL 132Kv & Below Commissioned
- Towers Commissioned
- Buried Cable Commissioned
- Fibre Cable Commissioned
- Pilot Cable
- Oil Pipe
- Cooling Pipe
- Cooling Station
- RAMM
- Cable Tunnel
- Gas Operational Boundary
- Gas Site Boundary
- Trial Hole
- Vantage Point
- Block Valve
- Compressor
- LNG Site
- Multijunction
- Minimum Offtake
- Future Minimum Offtake
- Offtake
- Pressure Reduction Installation
- Pig Trap
- Terminal
- Transferred Offtake
- Aerial Marker Post
- Pipe Crossing Point
- CP Test Post
- Transformer Rectifier
- Pipeline Crossing
- Sleeve
  - Nitrogen Sleeve
  - Other Sleeves
- CP Protected Section Range
- Pipe Line Control Point
- Pipeline
- Named Pipeline Section
- River Crossings

Notes:

Sunnica Plan 1

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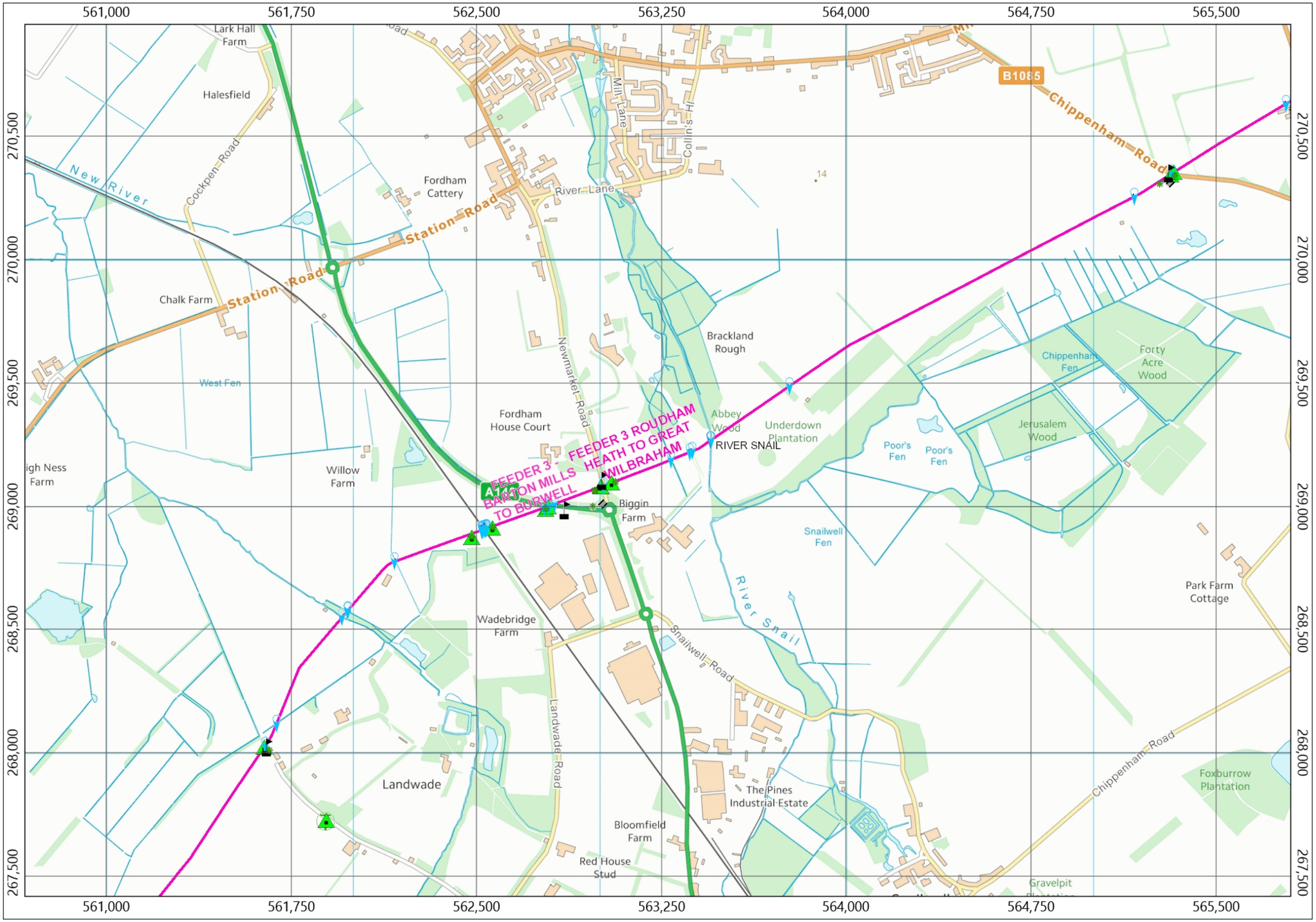
nationalgrid | Sunnica Plan 2



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- Future Minimum Offtake
- Offtake
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  - Nitrogen Sleeve
  - Other Sleeves
- CP Protected Section Range
- Pipe Line Control Point
- Pipeline
- Named Pipeline Section
- River Crossings

Notes:

Sunnica Plan 2

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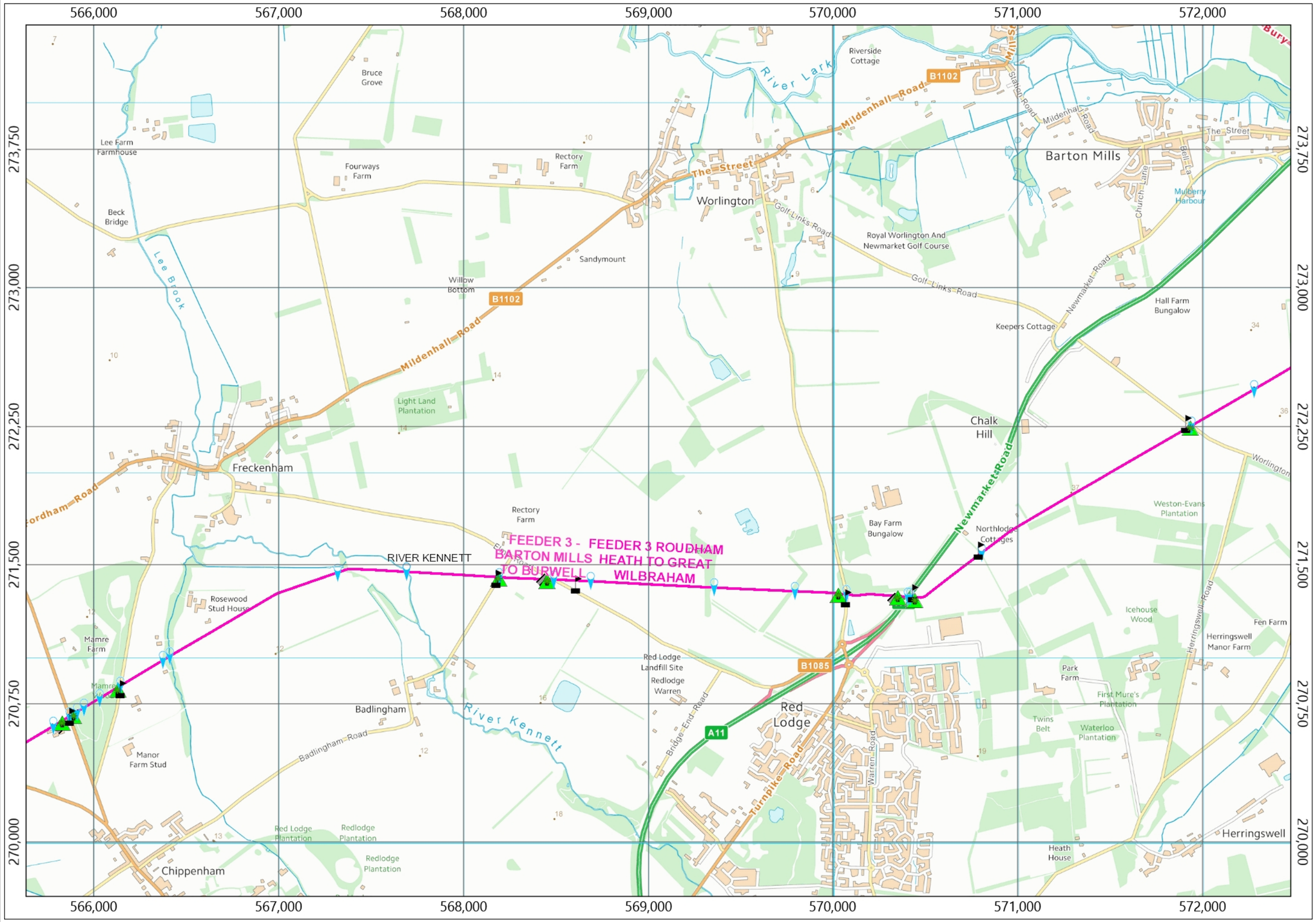

Legend:

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  - Commissioned
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- Pipeline Crossing Sleeve
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  - Other Sleeves
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- Pipe Line Control Point
- Pipeline
- Named Pipeline Section
- River Crossings

Notes:

Sunnica Plan 3

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Print by: **Holdsworth, Anne**

Date: 10 April 2019
Our ref: 276825
Your ref: EN010106-000004

Marnie Woods
Senior EIA and Land Rights Advisor
on behalf of the Secretary of State
Major Casework Directorate
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Ms Woods

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(the EIA Regulations) – Regulations 10 and 11): Application by Sunnica Ltd (the Applicant) for an Order granting Development Consent for the Sunnica Energy Farm (the Proposed Development)

Thank you for seeking our advice on the scope of the Environmental Statement (ES) for the above proposed scheme in your consultation letter dated 14 March 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We note from the Environmental Impact Assessment Scoping Report prepared by AECOM (March 2019) that the Scheme comprises the installation of solar photovoltaic (PV) generating panels and on-site energy storage facilities across two proposed sites (the 'Sunnica East Site' and the 'Sunnica West Site'), within Suffolk and Cambridgeshire respectively, and associated infrastructure for connection to the national grid via underground cabling, including an extension to the Burwell National Grid Substation. The Scheme would allow for the generation, storage and export of up to 500 megawatts (MW) electrical generation capacity. We note that figures in the report show the maximum extent of land that would be included within the Development Consent Order (DCO) application and that this is likely to be refined as the Scheme design progresses.

Natural England welcomes that the EIA Scoping Report acknowledges the need for assessment of all phases of the proposed development including:

- Solar and battery storage infrastructure (being the NSIPs located on the Sunnica East Site and Sunnica West Site);
- Associated development (being development associated with the solar PV generating panels and energy storage facilities, including electricity export connection to National Grid and the Burwell National Grid Substation Extension);
- Construction programme and activities;
- Operational activities; and
- Decommissioning.

We note that both the Sunnica East Site and Sunnica West Site will consist of the same principal infrastructure as follows:

- Solar PV modules;
- PV module mounting structures;
- Inverters;
- Transformers;
- Switchgears (housed inside a building);
- Onsite cabling;
- One or more 'Battery Energy Storage System' (battery energy storage system)
- (expected to be formed of lithium ion batteries storing electrical energy);
- An electrical compound comprising a substation and control building;
- Fencing and security measures; and
- Access tracks.

We fully support proposals to explore opportunities for landscaping, biodiversity enhancement and habitat management in areas around the arrays and on other land within the Scheme Boundary, as referenced in section 2.3.4 of the report.

Natural England welcomes that the ES will provide consideration of the alternatives to the proposed scheme and a detailed rationale for site selection. We generally support the Environmental Impact Assessment Methodology described in chapter 5 of the EIA Scoping Report, including assessment of cumulative and combined effects, where relevant, and the identification of mitigation measures to address adverse environmental effects. We note that mitigation measures to avoid, reduce, or off-set adverse environmental effects will be embedded with the scheme form or design, where possible, and that any residual significant adverse effects will be addressed through additional mitigation measures.

Case law[1] and guidance[2] has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development, taking into consideration the information provided in the applicant's Scoping Report.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Janet Nuttall on 020 802 65894. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Janet Nuttall
Sustainable Land Use Adviser

[1] Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)
[2] *Note on Environmental Impact Assessment Directive for Local Planning* Authorities Office of the Deputy Prime Minister (April 2004) available from http://webarchive.nationalarchives.gov.uk/+/http://www.communities.gov.uk/planningandbuilding/planning/sustainabilityenvironmental/environmentalimpactassessment/noteenvironmental/

Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

Section 5.7.2 of the report list topics for consideration of likely or potential environmental effect through the EIA, including ecology, landscape and visual amenity and flood risk, drainage and surface water. Natural England is satisfied that the list of topics screened in for detailed assessment is appropriate. Topics not requiring detailed consideration, including air quality and ground conditions, are identified in section 5.7.3.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. We welcome the proposed methodology for assessing the effects of the proposed scheme on ecology, detailed in chapter 8 of the EIA Scoping Report, These appear to be fully aligned with CIEEM best practice guidelines for Ecological Impact Assessment (EcIA)[3].

EcIA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EcIA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

[3] Chartered Institute of Ecology and Environmental Management (CIEEM) (2018); Guidelines for Ecological Impact Assessment in the UK and Ireland, Terrestrial, Freshwater, Coastal and Marine.

The National Planning Policy Framework (NPPF) sets out guidance in paragraphs 174-177 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

We note that, to date, the assessment of the Scheme comprises a Preliminary Ecological Appraisal (PEA), which includes a desk study, Phase 1 Habitat Survey and Protected Species Scoping survey. Surveys of wintering birds commenced in November 2018 and are ongoing until March 2019. We welcome that further ecological surveys will be undertaken in 2019 to gather detailed baseline information. The requirement and extent of these surveys will be informed by the desk study data and the PEA, together with AECOM's professional judgement and local knowledge of the geographical area and range of important ecological features.

2.2 Internationally and Nationally Designated Sites
We welcome the proposals, outlined in chapter 8 of the Scoping Report, for the ES to thoroughly assess the potential impacts to designated sites. European sites (e.g. designated Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended). In addition paragraph 176 of the NPPF requires that potential SPAs, possible SACs, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation, Special Protection Areas and Ramsar sites)
We are satisfied that section 8.4.2 and Table 8.1 of the Scoping Report has scoped in the relevant nature conservation sites for detailed consideration through the EIA:

- Breckland SAC;
- Breckland SPA;
- Cherry Hill and the Gallops, Barton Mills Site of Special Scientific Interest (SSSI);
- Red Lodge Heath SSSI;
- Rex Graham Reserve SSSI, SAC – **please note that this site is also a component SSSI of Breckland SPA**;
- Chippenham Fen and Snailwell Poor's Fen SSSI, component of Fenland Special Area of Conservation (SAC);
- Chippenham Fen Ramsar site and NNR;
- Wicken Fen SSSI, Ramsar site, a component of Fenland SAC and NNR;
- Brackland Rough SSSI;
- Snailwell Meadows SSSI;
- Devil's Dyke SSSI, SAC;
- Newmarket Heath SSSI.

- Further information on the SSSI and its special interest features can be found at www.magic.gov . The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within the above sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

- - European site conservation objectives are available on our internet site http://publications.naturalengland.org.uk/category/6490068894089216

We note from the scoping report that most of the above designated sites are located some distance from the proposed scheme, except for Chippenham Fen; the Sunnica West (North) part of the proposed scheme directly abuts part of the south western boundary of this internationally designated sites. The ES will need to carefully assess potential direct and indirect impacts to the notified and qualifying features of this site, particularly through any changes in local hydrology and water quality.

Natural England's Impact Risk Zones (IRZs), available through www.magic.gov.uk are a useful tool for identifying potential risks to SSSIs, in a given location, through different type and scale of development.

A full assessment of the direct and indirect effects of all aspects of the development, including cabling works, on the notified and qualifying site features of the designated sites will need to be undertaken. This should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects. Natural England is supportive of the proposed methodology for assessing the effects of the proposed scheme on designated sites, detailed in chapters 8 and 9 of the EIA Scoping Report.

Given the potential for the proposed scheme to impact on Breckland SPA supporting habitat Natural England supports the proposal to undertake wintering bird surveys and breeding bird surveys, including targeted surveys for stone curlew, nightjar and woodlark. Assessment of impacts to functional land for Breckland SPA birds does not appear to be specifically mentioned in the Scoping Report. However, we trust that the PEA / ES will consider impacts to functional land for stone curlew, woodlark and nightjar, including reference to RSPB stone curlew nest records, as indicated through pre-application discussion with AECOM.

In previous discussion with AECOM, Natural England advised that reference should also be made to stone curlew nest attempts buffer around Red Lodge, in addition to the 1500m constraint zone. In order to protect stone curlews nesting outside the SPA, but likely to be part of the same SPA population, planning policy has identified specific areas of supporting habitat areas outside the SPA where birds have regularly nested. A criteria based on 1km grid cells that had held 5 or more stone curlew nests over the period 1995-2006 was used to identify areas outside the SPA that had been regularly used in the initial assessment, and a 1500m buffer then applied to these. Natural England has provided AECOM with a map based on recently updated survey data. Development with potential to affect these areas requires further assessment in accordance with the requirements of the Habitats Regulations.

We support the proposed preparation of a Framework Construction Environmental Management Plan (CEMP) will accompany the DCO application, which will describe the framework of mitigation measures to be followed, to be carried forward to a detailed CEMP prior to construction as stated in section 2.5.9 of the report. We welcome that following construction a framework Biodiversity and Landscape Management Plan will be submitted to set out the principles for how the land will be managed throughout the operational phase, following the completion of construction.

Natural England notes the proposal to prepare a HRA Screening Report in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) and that this will be provided with the DCO application, together with sufficient information to enable the Examining Authority and SoS to make an appropriate assessment, if the Screening Report indicates that further assessment work for HRA is required.

2.3 Regionally and Locally Important Sites

We support the proposal to consider the effects of the proposed scheme on relevant local wildlife sites as detailed in section 8.4.3 and Table 8.2 of the EIA Scoping Report. Local Sites are identified

by the local wildlife trust, geo-conservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geo-conservation group or local sites body in this area for further information.

Natural England notes and welcomes the applicant's proposal to meet with the local Wildlife Trusts, and other relevant stakeholders, to seek their advice on the Proposed Scheme.

2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (as amended)
The proposal to assess the impact of all phases of the scheme on protected species (including great crested newts, reptiles, birds, water voles, badgers and bats), outlined in section 8.4.5 of the Scoping Report, is welcomed. Given the scale and nature of the proposed scheme we would expect impacts to farmland birds to be thoroughly assessed and appropriate options to mitigate adverse impacts identified.

Further guidance on protected species mitigation measures and licensing requirements is available through Natural England's standing advice[4].

Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

We welcome that surveys will also inform European Protected Species (EPS) mitigation licences prepared in draft for advisory comment from Natural England, all of which will form part of the DCO application for the Scheme. For information, applicants are able to use Natural England's charged Pre-submission Screening Service (PSS) for review of a draft wildlife licence application. This service can be used to receive early advice on all 3 licensing tests (in relation to European protected species), before a Development Consent Order is granted. This service also extends to other protected species (such as badger, water vole), protected by domestic wildlife legislation.

2.5 Habitats and Species of Principal Importance
We support the proposal, outlined in section 8.4.4 of the Scoping Report, to assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity.
Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration…in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species

[4] https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals

of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (e.g. whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

Natural England supports the proposal referenced in section 8.4.10 of the EIA Scoping Report to carry out a habitat conditions assessment on land within the Scheme Boundary in order to perform a biodiversity net-gain assessment. The baseline information gathered from this, and other surveys, will be used to develop an appropriate strategy in line with the policies identified in Section 8.3.

2.6 Contacts for Local Records

Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geo-conservation group or other recording society and a local landscape characterisation document).

- Cambridgeshire and Peterborough Environmental Records Centre (CPERC) - https://www.cperc.org.uk/
- Suffolk Biodiversity Service - http://www.suffolkbis.org.uk/

3. Designated Landscapes and Landscape Character

The project area is not within or close to any statutorily designated landscape and therefore unlikely to have any significant impact. Whilst Natural England does not generally provide detailed advice on non-statutory landscape matters we would expect to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography. The proposed methodology set out in chapter 10 of the EIA Scoping Report appear appropriate and in line with best practice *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). We welcome proposed reference to the relevant National Character Areas which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed. We also support the publication. The

methodology set out is almost universally used for landscape and visual impact assessment.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

Heritage Landscapes
You should consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list may be obtained at www.hmrc.gov.uk/heritage/lbsearch.htm.

4. Access and Recreation
Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Rights of Way, Access land and National Trails
We welcome that impacts to public access, including visual amenity, will be considered through the EIA as outlined in chapters 2 and 10 of the Scoping Report. The EIA should consider potential impacts on access land, public open land, rights of way and any National Trails in the vicinity of the development. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

5. Soil and Agricultural Land Quality
Section 12.4.4 of the Scoping Report indicates that an Agricultural Land Classification (ALC) soil survey has identified the eastern land parcels of the Sunnica East Site as being formed of largely Grade 3b and 4 land, with a small pocket of Grade 3a i.e. Best and Most Versatile (BMV) land. The Sunnica West (South) site appears to be formed of largely Grade 3b and 4 land, with a small pocket of Grade 3a in the northern most corner. Natural England welcomes that the Sunnica West Site (north) and Burwell National Grid Substation Extension will also be subject to an ALC soil survey and that ALC soils survey will be presented as a technical appendix to the ES. We note that a detailed ALC survey is not proposed to be undertaken for the cable route corridor for Grid Connections A and B since these areas will be subject to temporary disturbance and soils will be replaced.

The Scoping Report notes that the alternative use of 20 ha or more of BMV agricultural land for predominantly non-agricultural purposes should be identified as a potential significant adverse effect and requires consultation with Natural England. On this basis Natural England's advice is that impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 170 of the

NPPF. We also recommend that soils should be considered in the context of the sustainable use of land and the ecosystem services they provide as a natural resource, as also highlighted in paragraph 170 of the NPPF.

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably.

The applicant should consider the following issues as part of the ES:

1. The degree to which soils are going to be disturbed/harmed as part of this development and whether 'best and most versatile' agricultural land is involved.

   This may require a detailed survey if one is not already available. For further information on the availability of existing agricultural land classification (ALC) information see www.magic.gov.uk. Natural England Technical Information Note 049 - *Agricultural Land Classification: protecting the best and most versatile agricultural land* also contains useful background information.

2. If required, an agricultural land classification and soil survey of the land should be undertaken. This should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres.

3. The Environmental Statement should provide details of how any adverse impacts on soils can be minimised. Further guidance is contained in the *Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites*.

6. Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition (England Biodiversity Strategy, Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land.

Natural England agrees with section 14.2.5 that the potential air quality impacts of the Scheme are considered to be:

- Impacts of dust arising during the construction and decommissioning phases of the Scheme; and
- Impacts of vehicle and plant emissions during the construction and decommissioning phases of the Scheme.

No effects are anticipated during operation due to the low number of anticipated vehicle movements and nature of the Scheme.

The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).Further information on air pollution modelling and assessment can be found on the Environment Agency website.

7. Climate Change Adaptation

Natural England supports the proposed assessment of the implications of the scheme for climate change outlined in chapter 6 of the EIA Scoping Report.

The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF Para 174), which should be demonstrated through the ES.

8. Contribution to local environmental initiatives and priorities

We welcome the proposal outlined in section 2.3.4 of the Scoping Report to explore opportunities for landscaping, biodiversity enhancements and habitat management in areas around the arrays and on other land within the Scheme Boundary.

In previous discussion with the applicant Natural England advised the development should identify opportunities for positive environmental outcomes from major infrastructure developments. We would expect a development of this scale to demonstrate delivery of significant net biodiversity gain, through application of an appropriate biodiversity metric, in accordance with the biodiversity net gain aspirations of the Government's 25 Year Environment Plan and the National Planning Policy Framework (NPPF). In particular the development should aim to create and/or enhance priority habitats[5] to improve ecological connectivity and to buffer and support adjacent habitats, including nearby designated sites, in line with the relevant objectives of the Cambridgeshire Green Infrastructure Strategy. Natural England's TIN 101 provides useful guidance on maximising environmental benefits through solar farm development.

The proposed scheme is located within the following areas prioritised by Natural England for delivery of landscape scale biodiversity enhancements:

- Breckland (the 'Brecks') – one of the most important areas for biodiversity in England, home to extraordinary rare and threatened species that rely on disturbance of the sandy and chalky soil to thrive. Through the HLF-supported 'Shifting Sands' project Natural England and partners aim to secure the future of indigenous Brecks plant, insect, bird and reptile populations;
- Cambridgeshire Fens - an amazing refuge for England's biodiversity whilst also exceptionally important for food production and as a carbon store. Natural England will support strategic projects to promote the wildlife value of watercourses and connectivity of habitat across the landscape;
- Chalk and Chilterns - the chalk ridge extending from the Chilterns into Hertfordshire, and beyond, is a fragmented landscape of arable cultivation, chalk grasslands and woodland that is also a farmland bird 'hotspot'. Natural England will support development schemes which help to 'join the dots' through habitat creation and enhancement to provide a robust natural environment along this ridge with improved connectivity and accessibility.

9. Cumulative and in-combination effects

Natural England welcomes the proposal to consider the cumulative and in-combination effects of the proposed scheme outlined in the Scoping Report. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

[5] Habitats of principal importance under the Natural Environment and Rural Communities Act 2006

a. existing completed projects;
b. approved but uncompleted projects;
c. ongoing activities;
d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

From:	Faulkner, Stephen
To:	Sunnica Energy Farm
Cc:	Robert Feakes; Cumming, David; Morris, Phil; Tracey, Matt
Subject:	Scoping Report Consultation - Proposed Sunnica Energy Farm
Date:	02 April 2019 13:07:12

FAO Marnie Woods
The Planning Inspectorate

Thank you for your letter dated 14 March 2019, consulting Norfolk County Council on the above Scoping Report.

As the proposed development lies outside of Norfolk it is unlikely to raise any direct / significant socio-economic or environmental issues for the County Council.

However, it is understood from the draft Scoping Report (March 2019), that the location of two of the sites (Sunnica East; and Sunnica West (South)) lie close to / adjacent (in part) to the A14 (T) and A11 (T).

It is felt that the proposal/s should not fetter any current or longer term plans for the two strategic road networks in the area. The Environmental Statement (ES) will need to address this issue.

These roads play a significant role in Norfolk's economy and it is important that any planned development in this area (Barton Mills) does not compromise this important strategic route / link into Norfolk from the south.

Should you have any queries please call or email me.

Regards,

Stephen

Stephen Faulkner MRTPI
Principal Planner
Community and Environmental Services
Telephone: 01603 222752



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Telephone: 01733 453410
Email: planningcontrol@peterborough.gov.uk
Case Officer: Mrs C Murphy
Our Ref: 19/00536/CONSUL
Your Ref: EN010106-000004

PETERBOROUGH CITY COUNCIL

Planning Services

Sand Martin House
Bittern Way
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Peterborough
PE2 8TY

Peterborough Direct: 01733 747474

Marnie Woods
The Planning Inspectorate
Major Casework Directorate
Temple Quay House
2 The Square
Bristol, BS1 6PN

22 March 2019

Dear Sir/Madam

Planning enquiry

Proposal: Consultation request on Scoping Opinion as to the information to be provided in an Environmental Statement

Site address: Sunnica Energy Farm

Further to your enquiry received on 14 March 2019, in respect of the above, the Local Planning Authority makes the following comments:

As the proposal site is located a considerable distance from the Authority, we can confirm that we have no comments to make at this time.

I trust that the above advice is of use however should you have any further queries, please do not hesitate to contact me on the details shown at the top of this letter.

Yours faithfully

Mrs C Murphy
Senior Development Management Officer

Public Health England

Environmental Hazards and Emergencies Department
Centre for Radiation, Chemical and Environmental Hazards (CRCE)
Seaton House
City Link
London Road
Nottingham NG2 4LA

nsipconsultations@phe.gov.uk

www.gov.uk/phe

Your Ref: EN010106-000004
Our Ref: 49774

Ms Marnie Woods
Senior EIA and Land Rights Advisor
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol BS1 6PN

9th April 2019

Dear Ms Woods

Re: Scoping Consultation
Application by Sunnica Ltd (the Applicant) for an Order Granting Development Consent for the Sunnica Energy Farm

Thank you for including Public Health England (PHE) in the scoping consultation phase of the above application. Our response focuses on health protection issues relating to chemicals and radiation. Advice offered by PHE is impartial and independent.

We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be covered elsewhere in the Environmental Statement (ES). We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. Any assessments undertaken to inform the ES should be proportionate to the potential impacts of the proposal, therefore we accept that, in some circumstances particular assessments may not be relevant to an application, or that an assessment may be adequately completed

using a qualitative rather than quantitative methodology. In cases where this decision is made the promoters should fully explain and justify their rationale in the submitted documentation.

The attached appendix outlines generic areas that should be addressed by all promoters when preparing ES for inclusion with an NSIP submission. We are happy to assist and discuss proposals further in the light of this advice.

Yours sincerely

On behalf of Public Health England

nsipconsultations@phe.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

Appendix: PHE recommendations regarding the scoping document

General approach

The EIA should give consideration to best practice guidance such as the Government's Good Practice Guide for EIA[1]. It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the installation. Assessment should consider the development, operational, and decommissioning phases.

It is not PHE's role to undertake these assessments on behalf of promoters as this would conflict with PHE's role as an impartial and independent body.

Consideration of alternatives (including alternative sites, choice of process, and the phasing of construction) is widely regarded as good practice. Ideally, EIA should start at the stage of site and process selection, so that the environmental merits of practicable alternatives can be properly considered. Where this is undertaken, the main alternatives considered should be outlined in the ES[2].

The following text covers a range of issues that PHE would expect to be addressed by the promoter. However this list is not exhaustive and the onus is on the promoter to ensure that the relevant public health issues are identified and addressed. PHE's advice and recommendations carry no statutory weight and constitute non-binding guidance.

Receptors

The ES should clearly identify the development's location and the location and distance from the development of off-site human receptors that may be affected by emissions from, or activities at, the development. Off-site human receptors may include people living in residential premises; people working in commercial, and industrial premises and people using transport infrastructure (such as roads and railways), recreational areas, and publicly-accessible land. Consideration should also be given to environmental receptors such as the surrounding land, watercourses, surface and groundwater, and drinking water supplies such as wells, boreholes and water abstraction points.

Impacts arising from construction and decommissioning

Any assessment of impacts arising from emissions due to construction and decommissioning should consider potential impacts on all receptors and describe monitoring and mitigation during these phases. Construction and decommissioning will be associated with vehicle movements and cumulative impacts should be accounted for.

We would expect the promoter to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place

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[1] Environmental Impact Assessment: A guide to good practice and procedures - A consultation paper; 2006; Department for Communities and Local Government. Available from: http://webarchive.nationalarchives.gov.uk/20100410180038/http:/communities.gov.uk/planningandbuilding/planning/sustainabilityenvironmental/environmentalimpactassessment/

[2] DCLG guidance, 1999 http://www.communities.gov.uk/documents/planningandbuilding/pdf/155958.pdf

to mitigate any potential impact on health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The promoter should ensure that there are robust mechanisms in place to respond to any complaints of traffic-related pollution, during construction, operation, and decommissioning of the facility.

Emissions to air and water

Significant impacts are unlikely to arise from installations which employ Best Available Techniques (BAT) and which meet regulatory requirements concerning emission limits and design parameters. However, PHE has a number of comments regarding emissions in order that the EIA provides a comprehensive assessment of potential impacts.

When considering a baseline (of existing environmental quality) and in the assessment and future monitoring of impacts these:

- should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary
- should encompass all pollutants which may be emitted by the installation in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment
- should consider the construction, operational, and decommissioning phases
- should consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts
- should fully account for fugitive emissions
- should include appropriate estimates of background levels
- should identify cumulative and incremental impacts (i.e. assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated transport emissions should include consideration of non-road impacts (i.e. rail, sea, and air)
- should include consideration of local authority, Environment Agency, Defra national network, and any other local site-specific sources of monitoring data
- should compare predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as UK Air Quality Standards and Objectives and Environmental Assessment Levels)
    - If no standard or guideline value exists, the predicted exposure to humans should be estimated and compared to an appropriate health-based value (a Tolerable Daily Intake or equivalent). Further guidance is provided in Annex 1
    - This should consider all applicable routes of exposure e.g. include consideration of aspects such as the deposition of chemicals emitted to air and their uptake via ingestion
- should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development

Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken.

PHE's view is that the EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that standards, guideline values or health-based values will not be exceeded due to emissions from the installation, as described above. This should include consideration of any emitted pollutants for which there are no set emission limits. When assessing the potential impact of a proposed installation on environmental quality, predicted environmental concentrations should be compared to the permitted concentrations in the affected media; this should include both standards for short and long-term exposure.

Additional points specific to emissions to air
When considering a baseline (of existing air quality) and in the assessment and future monitoring of impacts these:

- should include consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority Air Quality Management Areas (AQMAs)
- should include modelling using appropriate meteorological data (i.e. come from the nearest suitable meteorological station and include a range of years and worst case conditions)
- should include modelling taking into account local topography

Additional points specific to emissions to water
When considering a baseline (of existing water quality) and in the assessment and future monitoring of impacts these:

- should include assessment of potential impacts on human health and not focus solely on ecological impacts
- should identify and consider all routes by which emissions may lead to population exposure (e.g. surface watercourses; recreational waters; sewers; geological routes etc.)
- should assess the potential off-site effects of emissions to groundwater (e.g. on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure
- should include consideration of potential impacts on recreational users (e.g. from fishing, canoeing etc) alongside assessment of potential exposure via drinking water

Land quality
We would expect the promoter to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report.

Emissions to and from the ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with ground contamination and/or the

migration of material off-site should be assessed[3] and the potential impact on nearby receptors and control and mitigation measures should be outlined.
Relevant areas outlined in the Government's Good Practice Guide for EIA include:

- effects associated with ground contamination that may already exist
- effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination
- impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc.

Waste

The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).
For wastes arising from the installation the EIA should consider:

- the implications and wider environmental and public health impacts of different waste disposal options
- disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated

Human Health and Wellbeing

The EIA should address the wider determinants of health and wellbeing and demonstrate whether they are likely to give rise to significant effects. PHE recommends scooping determinants of health and wellbeing based on four themes derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

Physical activity and active travel / access to open space

There is the potential for non-motorised user (NMU) to be impacted through the loss or change in formal Public Rights of Way (PRoW), open space and the existing road network. Active travel forms an important part in helping to promote healthy weight environments and as such it is important that any changes have a positive long-term impact where possible.

Changes to NMU routes have the potential to impact on usage, create displacement to other routes and potentially lead to increased road traffic collisions. Diverted routes must be designed, installed and maintained to allow for access to the community.

Schemes of this scale and nature can also provide mitigation opportunities to enhance the existing infrastructure that supports active travel, physical activity and

[3] Following the approach outlined in the section above dealing with emissions to air and water i.e. comparing predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as Soil Guideline Values)

access to green space. We expect the proposal to contribute to improved provision of infrastructure that supports this type of activity.

PHE recommends that the overall risk to NMU and impact on active travel should be considered on a case-by-case basis, accounting for the number and type of users, and the effect that the temporary traffic management system or increased vehicle activity will have on their journey and safety.

Any traffic counts and assessment should also, as far as reasonably practicable, identify informal routes used by NMU or potential routes used due to displacement.

The final EIA should identify the temporary traffic management system design principles or standards that will be maintained with specific reference to NMU. This may be incorporated within the Code of Construction Practice.

Where mitigation measures are required, e.g. temporary diversions, these must be identified and reported in the final EIA. Any temporary diversions must be designed to maximise continued usage and minimise perceived or actual barriers to access. The scheme should continue to identify any additional opportunities to contribute to improved infrastructure provision for active travel and physical activity. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure.

Any new or restored green / open space and PRoW should be sited and designed to ensure access across the life course and account for the uneven distribution across communities. The mitigation plans should identify the design principles or standards that will be adopted and any support for community engagement to promote use of these assets to local communities.

Should the applicant wish to scope out any of these recommendations, the applicant must provide adequate justification.

Other aspects

Within the EIA PHE would expect to see information about how the promoter would respond to accidents with potential off-site emissions e.g. flooding or fires, spills, leaks or releases off-site. Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; and identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects.

The EIA should include consideration of the COMAH Regulations (Control of Major Accident Hazards) and the Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009: both in terms of their applicability to the installation itself, and the installation’s potential to impact on, or be impacted by, any nearby installations themselves subject to the these Regulations.

There is evidence that, in some cases, perception of risk may have a greater impact on health than the hazard itself. A 2009 report[4], jointly published by Liverpool John Moores University and the HPA, examined health risk perception and environmental problems using a number of case studies. As a point to consider, the report suggested: “Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard. This is true even when the physical health risks may be negligible.” PHE supports the inclusion of this information within EIAs as good practice.

Annex 1

Human health risk assessment (chemical pollutants)

The points below are cross-cutting and should be considered when undertaking a human health risk assessment:

- The promoter should consider including Chemical Abstract Service (CAS) numbers alongside chemical names, where referenced in the ES
- Where available, the most recent United Kingdom standards for the appropriate media (e.g. air, water, and/or soil) and health-based guideline values should be used when quantifying the risk to human health from chemical pollutants. Where UK standards or guideline values are not available, those recommended by the European Union or World Health Organisation can be used
- When assessing the human health risk of a chemical emitted from a facility or operation, the background exposure to the chemical from other sources should be taken into account
- When quantitatively assessing the health risk of genotoxic and carcinogenic chemical pollutants PHE does not favour the use of mathematical models to extrapolate from high dose levels used in animal carcinogenicity studies to well below the observed region of a dose-response relationship. When only animal data are available, we recommend that the ‘Margin of Exposure’ (MOE) approach[5] is used

[4] Available from: http://www.cph.org.uk/wp-content/uploads/2012/08/health-risk-perception-and-environmental-problems--summary-report.pdf

[5] Benford D et al. 2010. Application of the margin of exposure approach to substances in food that are genotoxic and carcinogenic. Food Chem Toxicol 48 Suppl 1: S2-24

Date: 11 April 2019
Enquiries to: Graham Gunby (SCC) or
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Tel: 01473 264807 or
01284 757621Email:
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Sunnica@planninginspectorate.gov.uk

For the attention of Marnie Woods

Dear Marnie,

Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impact Assessment) regulations 2017 (the EIA Regulations) – Regulations 10 and 11. Application by Sunnica Ltd (the Applicant) for an Order granting Development Consent for the Sunnica Energy Farm (the Proposed Development). Response of Suffolk County Council (SCC) and West Suffolk Council (WSC) to the Scoping Opinion submitted to the Secretary of State.

Thank you for the opportunity to comment on the Sunnica Energy Farm, Environmental Impact Assessment Scoping Report dated March 2019. This is a joint response of the two Suffolk local authorities relevant under Section 43(1) of the Planning Act 2008. It is understood that Cambridgeshire County Council and East Cambridgeshire District Council will also provide a further joint response.

In summary the project is to develop a 500MW photovoltaic solar farm in conjunction with accompanying 500MW lithium-ion battery storage over three separate sites. There would also be a 16km 132Kv underground grid link to the National Grid near Burwell in Cambridgeshire. The eastern most site (Sunnica East) is located within Suffolk between Worlington and Red Lodge. The western most sites (collectively called Sunnica West) are located either side of Snailwell in Cambridgeshire.

The following text sets out the internal consultation responses which form the basis of our comments upon the submitted Scoping Opinion.

County Air Quality Consultants

The applicant has commissioned an Environmental Impact Assessment (EIA) scoping report. This EIA scoping report states the intention to perform an assessment for potential dust impacts in accordance with the Institute of Air Quality Management (IAQM) 2014 guidance on the assessment of dust from demolition and construction, and the Defra (2018) Local Air Quality Management Technical Guidance (TG16). I agree that this is an appropriate measure given the size of the Sunnica sites, the closeness of some sensitive receptors to site boundaries (i.e. those listed in section 11.4.2), and the potential for dust generation via.vehicle movements to/from the site.

The scoping report correctly states that there are no Air Quality Management Areas within the vicinity of the site, with the closest located in Newmarket, over 3km away from the Sunnica West site. This implies that air quality in the area is currently good. The distance of this AQMA from the sites also implies that it is unlikely that site related vehicular transport will influence the air quality within the AQMA. As such, the scoping report states the applicant's proposal not to perform a detailed air quality assessment for operational phase impacts in section 14.2.7:

> *"Following construction, the Scheme is expected to result in minimal alteration to the baseline situation in respect of air quality. No emissions are anticipated from the on-site infrastructure, and, as described in Paragraph 2.6.1, there are will be minimal vehicle movements to and from the Sunnica East Site and Sunnica West Site. Therefore, consideration of air quality impacts during the operational phase is also proposed to be scoped out of the EIA. This is an acceptable statement while the conclusion of that there will be minimal changes to traffic flows remains applicable."*

This proposal is also acceptable, provided that this statement remains applicable to scheduled works, and that the outcome of assessments, such as the Transport Assessment, support it.

Therefore, we recommend a planning condition to ensure that the screening and assessment for potential dust impacts will occur prior to the start of any construction works, and that a detailed air quality assessment for operational impacts will be required if the following conditions are met:

- The outcome of the Transport Assessment no longer supports the statement in section 14.2.7.
- Significant changes to infrastructure onsite which result in higher than anticipated emissions.

District Environment Team

We note that the site location overlaps at least one historic landfill and a number of other historic pits that have been backfilled with potentially contaminative materials. We would therefore expect a Phase One Land Contamination assessment as part of the EIA.

We do not consider that there will be any Air Quality impacts from the operational phase of the development and we would not require an air quality assessment as part of the EIA**.**

County Archaeology

Please find below our comments and advice in relation to all elements of this Major Infrastructure Project which are located in Suffolk. This is primarily Sunnica East, alongside a small section of the connection corridor. Cambridgeshire County Council Archaeological Service should also be consulted on this cross-county scheme, as well as Historic England and the Forest Heath Conversation Officer regarding the settings impacts upon above ground and designated heritage assets within and surrounding the development area. This includes Scheduled Ancient Monument, Listed Buildings, Registered Parks and conservation areas.

Potential Impact:
This extremely large proposal affects an area of known archaeology recorded in the County Historic Environment Record (HER). Within the red line development boundary itself, both above and below ground archaeological remains and extensive multi-period find scatters have been recorded (see baseline information below), with large numbers of further archaeological finds and features recorded surrounding the Sunnica East site. However, the majority of the proposed development area has never been subject to systematic archaeological investigation and, therefore, the character, extent and significance of surviving below ground heritage assets which will be impacted upon by this scheme has yet to be defined.

The proposed development (including temporary land take areas for construction, infrastructure improvement works, landscaping and screening works and any other mitigation works involving ground disturbance) would have a direct impact upon heritage assets as the planned works will damage or destroy any surviving remains which exist within the site, however, without further assessment, the impacts cannot be fully understood. The scale of this proposed development scheme means that it has the potential to cause wholesale destruction of an archaeological landscape. Thorough desk top assessment and field evaluation is therefore needed to allow the archaeological potential of the different parts of the study area and therefore the likely impacts of the proposed development, to be fully assessed. Evaluation will provide sufficient baseline information to enable design decisions to be made and to inform planning decisions. The potential impact of this development upon the setting of designated heritage assets as well as the historic landscape also needs to be assessed.

Baseline Information:
Suffolk County Council Archaeological Service (SCCAS) are pleased that archaeology has been scoped in as part of the EIA, however, the high potential of proposals to impact upon both known and previously unrecorded below ground heritage assets is not adequately recognised.

The Sunnica East development area is situated in a very favourable topographic location for archaeological activity from all periods, on light soils and in close proximity to the River Lark and Lee Brook. Existing data regarding heritage assets present within the proposed development areas comes from information recorded within the County HER, with archaeological finds and sites identified through archaeological investigations, aerial photography, metal detecting and fieldwalking. Existing records show that that this proposed development area is located within a landscape of known multi-period archaeology.

Extensive archaeological finds and features are recorded on the County HER within the red line development boundary, as well as in the immediate vicinity. Within the Sunnica East site itself, a Bronze Age barrow cemetery is recorded. This includes the barrow BTM 004, which is a Scheduled Ancient Monument and therefore must not be disturbed by development. Setting implications will also need to be considered and development within the field in which the barrow is situated is unlikely to be supported by Historic England. Remains of further barrows (BTM 017 and 028) are also situated within the proposed development area, with further barrow sites and finds of human remains, recorded just outside of the red line development boundary (BTM 027, WGN 003, 013, 039). As such

there is high potential for archaeological remains relating to prehistoric funerary activity to survive within the Sunnica East site.

A ploughed out medieval moated site is also recorded near Freckenham (FRK 004) and extensive multi period finds scatters have also been identified throughout the proposed Sunnica East development area, with a particular focus of activity in close proximity to the River Lark and Lee Brook near Freckenham and West Row (WGN 009, 021, 025, FRK 002, 003, 010, 031, 032, 033, 037, 053, 053, 059 063, 064, 066, 068, 069, 077, 079, 084, 106 and 109). Further extensive multi-period scatters have also been recorded just beyond the red line site boundary. These finds are indicative of settlement and funerary activity from all periods. This is evidenced through the results of the limited archaeological investigations which have taken place within and on the edge of the red line development area, with prehistoric features recorded within Worlington Quarry (WGN 028, 033 and 034) and an Anglo Saxon hut site and Roman inhumations identified during historic archaeological works just beyond the proposed development boundary near West Row (FRK 01 and FRK 012). A Roman building of some status is also indicated immediately adjacent to the development area, through extensive scatters of building material and other finds (WGN 023). There is also potential for paleoenvironmental and waterlogged archaeological remains to survive within the part of the development area located within the floodzone of Lee Brook.

As well as known archaeological remains, there is also extremely high potential for additional extensive and significant below ground heritage assets to survive within the proposed development area, which are as yet unknown, due to only limited systematic archaeological investigation having been undertaken previously.

There is a strong likelihood for remains of national significance to survive within the proposed development area, given the high potential for remains of funerary and settlement activity to be present within this site. The landscape and multi-period nature of archaeology which is likely to exist enhances its potential significance. As a result, there is high potential for remains which are worthy of preservation in situ to survive within the Sunnica east site.

Methodology:
Given the above evidence, the impact of this development cannot be assessed (or permission granted) until a full archaeological evaluation has been undertaken. All archaeological, heritage and landscape assessments should therefore be undertaken prior to the submission of the EIA. The results of this work will enable an accurate review of the archaeological resource (both in quality and extent). This is in accordance with paragraphs 189 and 190 of the National Planning Policy Framework and also NPS EN-1 paragraphs 5.8.8 - 5.8.10.

SCCAS would advise that all of the Sunnica East site and associated connection corridor should be subject to archaeological assessment at this stage in considering the layout and design of new development, to allow for preservation in situ where appropriate of any sites of importance that might be defined (and which are currently unknown) and to allow archaeological strategies to be designed. A desk-based assessment would be appropriate in the first instance, including a search of the Historic Environment Record, a historic map regression, a study of aerial photography (including historical imagery), an assessment of

LIDAR data, and predictive modelling of potential based upon topographic and geological evidence. A site walkover site should also be undertaken.

A settings impact assessment for above ground heritage assets should also be undertaken and the impact of the proposals upon historic hedgerows, boundaries and other historic landscape elements should also be considered through the use of historic mapping and Historic Landscape Characterisation data.

Geophysical survey (a combination of magnetometry and resistivity as appropriate), also accompanied by fieldwalking and a metal detecting survey, should form a first phase of field evaluation for the entire development area. The results of these assessments should be used to then inform a programme of trial trenched evaluation. Paleoenvironmental assessment should also be undertaken as appropriate.

Upfront work will ensure all options can be properly considered (including giving proper thought to preservation in situ and alternative solutions). The results of all of the above evaluation and assessment techniques should then be used to develop a mitigation strategy for the site, which should be presented as part of the EIA and planning application. Proposals should be discussed and agreed with SCCAS. Some areas (as yet unidentified) may require preservation in situ where appropriate. For surviving below ground archaeological heritage assets, where (1) development impacts are proposed that will damage or destroy remains and (2) where mitigation through recording is considered acceptable, the resultant mitigation included in the EIA should include proposals to record and advance understanding of the significance of heritage assets before they are damaged or destroyed. Appropriate mitigation techniques, such as excavation prior to development, and the definition of areas which require further investigation, will be based upon the results of the suite of evaluation and assessment work undertaken. Proposals for outreach and enhanced public understanding as part of this mitigation work should also be included as part of the EIA.

Note
The Conservation Team of the Suffolk County Council Archaeological Service would be pleased to offer guidance on the archaeological work required and will, on request, provide a brief for each stage of the archaeological investigation.

Please see our website for further information on procedures and costs: http://www.suffolk.gov.uk/libraries-and culture/culture-and-heritage/archaeology/)

Please do get in touch if there is anything that you would like to discuss, or if you require any further information

District Conservation Team

I have visited the site and read the relevant sections of the scoping report. I confirm that the conservation areas and listed building around the site have been correctly identified and there are adequate measures included to assess the impact of the proposals on these heritage assets.

County & District Ecology Joint Response

West Suffolk Council holds no information on other constraints within the study area. However, the consultants should consider the need to include survey of agricultural field margins for rare plants within the scope of the additional survey.

A Solar Farm can be an excellent opportunity for biodiversity however Natural England make it clear that there is still much research to be done, however there can be elements of gain for biodiversity by drawing up a site-specific plan for managing biodiversity and including some of the following features into any future management plan:

- Hedgerows
- Wildflower meadows
- Bird (and Bat) boxes
- Ponds

In order to do this, an applicant must identify:

- The Existing biodiversity on site.
- Especially, migrating birds that may pass over or near the site.
- Impacts of construction and use.
- Specific site objectives for enhancements.
- Wider landscape biodiversity enhancements.
- Suitable species for planting.
- Bird nesting and roosting opportunities.
- A life-long management regime.
- Continual monitoring throughout the working life of the Solar Farm (and how any identifies adaptation will be implemented).
- Impacts of decommissioning.

Those potential impacts include (the features we should expect to be identified, researched and how the mitigation hierarchy will be met):

- Habitat loss/fragmentation.
- Risk of collision.
- Pollution (construction activity, cleaning).
- Disturbance (mistaking the panels for water).
- Change of habitat function. (changing available food sources such as seeds, insects, plants and animals).
- Barrier effect (will it be on a bird resting site?).

Some mitigation strategies can include:

- Placing white strips along the edges of the panels to reduce their similarity to water.
- Translocation of, e.g., reptiles during the construction phase.
- Fencing which is porous to species movements.

- Minimal clearing of any native tree and shrub species.
- No nocturnal lighting (otherwise minimised and subject to strict control).
- Good management of the spaces between, beneath and around the panels.

Post construction monitoring should include a range of surveys to include:

- Assessments of resident, breeding and seasonal populations of species identified in the baseline surveys.
- Vantage point surveys to assess impacts on soaring species (e.g. Marsh harrier) or other species during migrations.
- Mortality and carcass surveys.

All records should be submitted to relevant Records Office (in Suffolk's case: Suffolk Biodiversity Information Service).

The local authorities note the intention to implement the mitigation hierarchy and the commitment to ecological enhancement. The local authorities consider that management and monitoring of the area, including any mitigation or compensation areas, during operation will be a key factor in achieving ecological objectives. As such a landscape and ecological management plan, for the lifetime of the project, setting out the ecological objectives and including monitoring and review protocol should be considered at an early stage in the process to ensure that ecological enhancements can be delivered with certainty and are achievable. Ecological enhancements should be a legacy which persist beyond the decommissioning of the scheme.

Given the scale and status of this proposal an exemplar approach to biodiversity issues would be reasonable. The local authorities are aware that the recent consultation on mandatory Biodiversity Net Gain implemented through the Town and County Planning Act considered all housing, commercial, industrial, institutional and leisure developments which require permission from a local planning authority. It would seem appropriate that this principle should also be applied to nationally significant infrastructure including this current project; the practical application of BNG to NSIPs is considered in https://cdn.ymaws.com/socenv.org.uk/resource/resmgr/files/knowledge_hub_files/bng_good_practice_principles.pdf

County & District Landscape Joint Response

Constraints

Whilst it is noted that there are no designated landscapes within the scheme boundary, the value of the Brecks is recognised locally and this unique landscape has been the focus of more detailed landscape studies. These include the Norfolk and Suffolk Brecks Landscape Character Assessment:
http://www.breakingnewground.org.uk/assets/LCAP/BrecksLCA2.pdf
and the Brecks Special Qualities report:
http://www.breakingnewground.org.uk/assets/LCAP/Brecks-Special-Qualities-Report-low-res.pdf.

In particular pine lines are the most familiar and iconic feature of the Brecks landscape. They comprise long, straight lines of pines, marching across the landscape, sometimes growing tall and straight but often contorted into dramatic patterns. The distribution of pine lines has been mapped and includes some within this Sunnica East area. The value of the Brecks locally and the pine line landscape features should be given the appropriate weight.

Landscape and Visual methodology

The proposed methodology as set out in the scoping document is broadly acceptable however the Local Authorities would expect to formally agree a range of *both* Representative and Illustrative viewpoints prior to undertaking the LVIA.

Additional specific viewpoints may also be required to support the assessment of impacts on built heritage which is outside the scope of the LVIA.

The local authorities would also expect to formally agree both the LVIA methodology and the detailed methodology for the preparation and creation of any photomontages and wireframes

The local authorities would expect cumulative landscape and visual impacts to be considered as part of this assessment.

Given the location and extent of the proposal the LVIA should also include a detailed assessment of the proposal on residential receptors. This is required in order to understand if any parts of the proposals meet the threshold of the Lavender Test of unacceptable impacts on residential amenity.

Mitigation and enhancement

The package of mitigation and compensation should be commensurate with impacts of the project and its unprecedented scale and the sensitivities of the receiving environment. For the Sunnica East area, the primary mitigation measures suggested within the report are limited in their scope and extent. It is disappointing that retention of existing landscape features is not included. As well as set back from roads, set back from the PRoWs should also be considered. In addition the potential for enhancement of field boundaries to provide connectivity in land cover should also be considered given the significant extent of the area proposed.

The Local Authorities note the proposal to consider landscape enhancement (para 10.4.45) and delivery of ecosystem service benefits. They expect a scheme of this scale to be an exemplar. Minimising landscape harm and reasonably maximising ecological benefits.

County Flood & Water Management

Section 9 of the scoping report is satisfactory and SCC Flood and Water management do not wish to add anything at this time. An FRA and Drainage Strategy (FRA/DS) will be submitted as part of the ES, which is fine.

Given the locations of Sunnica (East), we will expect the site to utilise infiltration type drainage to dispose of its surface water. But please make sure the FRA/DS assesses all areas of hardstanding and all building types of the development i.e. substations and battery compound and not just the main solar farm itself. BRE 365 infiltration testing has been referenced in the scoping report and we will expect data gathered from these tests to form the basis of the FRA/DS.

All watercourses affected by the cable route may need land drainage consent from SCC.

County Highways Authority

Chapter 1: Introduction

Sunnica East is within West Suffolk and Sunnica West in East Cambridgeshire. SCC notes that although the latter is in Cambridgeshire and that access is via the highway network Cambridgeshire County Council due to the geographical location the SCC network and Highways England network will be affected.

Chapter 2: The Scheme

It is noted that the scheme includes the main energy farm site, cable routes and extension to Burwell Sub Station (2.3.1 and 2.4.7)

SCC would ask for clarity on whether limits of the scheme (red line boundary) would require alteration to include any associated works such as highway mitigation that are identified by the Transport Assessment (TA) or Environmental Statement (ES)

SCC accept that the impacts of decommissioning are difficult to assess due to the future uncertainties (2.7) but it is unclear whether they will be assessed in the EIA or scoped out.

Chapter 3: Alternatives

SCC is unable to comment on the site evaluation process (3.2.3) and alterative cable routes (3.3.1) until details are provided with the information in the ES.

Chapter 4 Consultation

Paragraph 4.1.4 suggests that early stakeholder involvement has involved SCC (but not involving highways).

Reference should be made to the SCC Local Transport Plan
https://www.suffolk.gov.uk/roads-and-transport/transport-planning/transport-planning-strategy-and-plans/

Chapter 5: EIA Methodology

As one of the Highway Authority's SCC would be expected to be consulted on the scope of the baseline traffic information collection (5.2.1).

The impact of construction traffic on receptors adjacent to the public highway would be expected to be included in the scoping or scoped out with supporting justification (2.5.9).

Assessment years appear appropriate (5.4.5 & 5.4.7) with peak construction in the any stages of construction 2023. Note that if any highway mitigation is required the applicant will be required to evidence that the worst case is not immediately prior to mitigation rather than peak construction when the mitigation has been delivered.

The Effect Significance Criteria methodology (5.5) appears acceptable subject to the identification of the relevant topics and criteria used to assess the significance of the impacts for each topic.

The ES would be expected to determine whether both schemes delivered at the same time (concurrently) or one after the other (consecutively) or if both scenarios need to be considered as has been the approach with SPR EA1(N) and EA2

The proposed zone of influence of 10km (5.6.8) is reasonable but exceptions may be required if specific development will impact on junctions used by construction traffic. SCC would like to be involved in developing a 'long list' of relevant development (5.6.9) and where necessary estimates of local growth. The proposed parameters to determine which sites should be included (5.6.10) and the proposed criteria to filter the 'long list' (5.6.12 to 5.6.16) at this stage acceptable although continued involvement by the LHA and LPA is critical to ensure that this remains comprehensive.

Chapter 11 Noise and Vibration

The scoping proposes that the study area for noise and vibration generated by the Burwell Substation Extension is the same as the cable corridor route activities (11.2.2). This type of construction works would appear to be similar to the other main site construction activities (11.2.1) and a hence a 500m limit may be more appropriate.

Confirmation is required that noise and vibration from construction traffic has been scoped out and justification for this decision.

Chapter 13: Transport

Clarity will be required for assumptions made when assessing traffic distribution, for example sources of aggregate and other construction materials.

The list of junctions should include A11 NB off slip and priority junction onto B1085 Elms Road in list of junctions 13.2.1. The existing roads described in (13.4.2) do not include reference the minor roads in the area. These need to be included.

In 13.4.3 it is noted that Public Rights of Way (PRoW) cross the Sunnica East site. SCC would seek to retain access along the definitive route within the main site and cable route where safe to do so. Diversion of PRoW during the operational phase would be resisted strongly.

It is noted that many routes are lightly traffic and not a deter to cyclists (13.4.5). The impact on construction traffic on these routes should be assessed to identify any impacts that would deter cyclists. This is important as the scoping proposes use of local roads to reduce internal roads (2.5.7).

SCC consider it is not only delays that could impact highway users (13.5.2). Issues such as road safety, including perception by vulnerable road users and severance within communities should also be considered. See 13.6.7. Consideration must also be given to users of the PRoW network when assessing the impact on highway users. The authority will comment further on the proposed thresholds for severance pedestrian delay, pedestrian / cycle amenity, fear and intimidation (13.6.9) as the greatest proportional impact may be on currently low traffic rural roads which are subject to significant construction traffic.

A satisfactory method of monitoring HGV's to enable compliance with any restrictions will need to be included in the DCO

Some evidence of timing of trips to / from site would be required to evaluate peak hour trips (13.6.3). SCC would expect the number of vehicle trips (13.5.6) to be evidenced in the TA and this to be consistent with volumes considered in the ES.

The scoping out of hazardous loads is, based on the information available on the likely nature of the scheme, acceptable at this stage (13.6.8)

The authority does not agree with the capacity thresholds proposed in 13.6.21 specifically that low sensitivity should be below RFC values of 0.85 and not 0.90.

Further information will be required regarding delivery of Abnormal Indivisible Loads (AIL) specifically appraisal of routes for special order movements from local ports.

Sources of aggregate and impact on transport routing. Presume that environmental impacts of aggregate extraction are included in separate EIA's for individual quarries.

The scoping estimates HGV numbers (42 HGV / day for eastern site -2.5.8) but numbers of trips associated with workers have not been included in the. The scoping should also assess the impacts of parking and welfare in the ES. As stated in the scoping SCC would expect scheme of this size to be supported by TA, TP, CEMP. The TA should assess junction capacity and identify any road safety issues on existing network and associated works and be agreed with the relevant highway authorities.

County Minerals & Waste Planning Authority

Sunnica East and the association electricity transmission cable falls within a Minerals Consultation Area and includes in its entirety Bay Farm Quarry, Worlington which is an operational sand and gravel quarry and inert waste landfill site. There is also a concrete batching plant and inert waste recycling facility on that site.

Minerals Core Strategy Policy 5 "Safeguarding mineral resources" applies:
https://www.suffolk.gov.uk/planning-waste-and-environment/minerals-and-waste-policy/minerals-core-strategy/

Minerals Specific Site Allocations Policy MSSA1 “Proposed Sites” applies:
https://www.suffolk.gov.uk/planning-waste-and-environment/minerals-and-waste-policy/minerals-specific-site-allocation-documents/

Draft Suffolk Minerals & Waste Local Plan (SMWLP) Policies MP9 “Safeguarding of port and rail facilities for the manufacture of concrete, asphalt and recycled materials” MP10 “Minerals consultation and safeguarding areas” and WP18 “Safeguarding of waste management sites” apply:
https://www.suffolk.gov.uk/assets/planning-waste-and-environment/Minerals-and-Waste-Policy/SMWLP-Pre-submission-Consultation-Document/Index-and-Chapters-1-to-6.pdf

Draft SMWLP Policy MS10: Worlington, also applies.
https://www.suffolk.gov.uk/assets/planning-waste-and-environment/Minerals-and-Waste-Policy/SMWLP-Pre-submission-Consultation-Document/Proposed-Minerals-Sites-Chapters-7-to-17.pdf

In interpreting the above policies Suffolk County Council as Minerals & Waste Planning Authority is mindful of the non-irreversible nature of the proposed development however it will also be concerned to safeguard existing minerals and waste developments and potential future areas of extraction including those which might offer further potential extensions in the foreseeable future to the existing quarry in addition to those already identified in the SMWLP. If is also possible that existing previously worked and restored areas of the quarry might be utilised for the proposed solar farm development so long as it does not prejudice the overall objectives of the proposed restoration such as biodiversity net gain.

County Noise Consultant & District Public Health and Housing Team Joint Response

Study area
I agree with the proposed study areas and identified noise sensitive receptors.

Construction effects
The construction period is expected to last up to 2 years with the majority of construction works completed in 2023. There is potential for construction to last 3 years if a slower phased construction plan is implemented.

During the construction stage, the applicant proposes a Construction Environment Management Plan (CEMP) in part to reduce nuisance due to noise and vibration during the construction of the site(s). This will include best practicable means measures such as temporary noise barriers or localised enclosures.

The applicant proposes to assess noise and vibration from construction using the methods given in BS 5228:2009 parts 1 and 2. I agree that this is an appropriate assessment method. The noise limits recommended in Annex E of BS 5228-1 should be adopted for general construction noise. The ABC method described in section E.3.2 is appropriate. Alternatively, the limits given as "trigger levels" in Table E.2 could be adopted as upper limits for construction noise.

The applicant states that vibration is scoped out of the assessment as vibration impacts are expected to be low. However, should assessment of construction effects suggest that vibration may be perceptible at receptors close to construction works, the guidance levels given in table B.1 of BS 5228-2.

The applicant states that vibration is scoped out of the assessment as vibration impacts are expected to be low. However there are a number of sensitive residential properties sited close (15m, 20m and 30m) to where heavy ground works or piling are expected to occur, that have the potential to cause elevated vibration effects as identified in BS 5228:2009+A1:2014. Therefore, it shall be a requirement in the CEMP for vibration levels to be monitored at agreed sensitive locations for compliance with guidance levels in BS 5228 and, if required, appropriate mitigation adopted.

Operational effects
Noise from proposed permanent plant fixtures at each of the Sunnica sites must be assessed using methods given in BS4142:2014.

Baseline survey work
To complete both construction and operational stage noise assessments, the applicant identifies that a baseline noise survey is required. The baseline survey must establish the existing LA90 and LAeq noise levels at all identified receptors.

As construction is expected to occur during day-time periods only, survey work close to cabling routes could be done by attended short term measurements during proposed construction periods. A minimum of 3 representative measurements must be taken at each receptor (in consecutive hours for assessment periods longer than 1 hour) to represent the proposed assessment period.

> *i.e. at Fuller KW & Son farmhouse (15 m from grid connection routes A and B), if construction is proposed during Monday - Friday 0800 to 1800 hours, 3 10-minute sample measurements could be taken at this receptor during three consecutive hours* within the proposed working period.

For receptors close to sites where operational noise may be expected (i.e. near Sunnica East, Sunnica West and near the Substation Extension at Burwell), long term measurements are preferable. As plant will operate 24 hours a day, 7 days a week, unattended noise loggers may be best suited to establish background noise levels during day and night-time periods over both weekdays and weekends. If sample measurements are used, they must establish the typical lowest background noise levels at each receptor and include at least 3 representative measurements at each receptor during each assessment period.

With respect to glint or glare Paragraph 10.5.30 of the scoping report states that a general consideration of the potential for glint and glare from the scheme to cause significant effects to landscape and visual receptors will be provided as part of the assessment. Due to the scale of this development and the sensitivities of activities in the vicinity of the site, including neighbouring residential properties within 30m of the Sunnica East site and aviation receptors, it is recommended that full consideration of potential adverse effects of glint and glare should be provided and scoped in to the ES.

County Public Rights of Way

I would hope that on such a visually intrusive development of this scale, irrespective of its commercial nature or national/regional importance, the LPA and County Council would be robust in demanding benefits for those wishing to access the local countryside.

I'd suggest keeping the green access ask relatively flexible, but along the lines of:

- Any onsite PRoW to be protected on wide, green corridors,
- A check is done for the existence of any unrecorded PRoW,
- Local green access is improved to mitigate the impact of the development, including a new PRoW and crossing of the R Lark to link Worlington with Mildenhall,
- And improving green access around Freckenham, West Row and Red Lodge.

County Property and Utilities Services

As far as I can tell this does not impact on land owned by SCC therefore Corporate Property do not have an interest.

County Children and Young People Services

No comments from an education standpoint.

District Planning Policy Team

Comments on references to planning policy

It should be noted that Freckenham Parish Council are in the early stages of preparing a Neighbourhood Plan, with the neighbourhood area designated on 2 November 2018.

From the 1 April 2019, St Edmundsbury and Forest Heath Council's formally merged to become West Suffolk Council. However, two emerging Local Plan documents for Forest Heath District Council, a Single Issue Review of Core Strategy Policy CS7 (SIR), and the Site Allocations Local Plan (SALP), are at an advanced stage in the planning process, having been through Examination and are currently awaiting the Inspectors' reports. It is considered that given the advanced stage of the plans, they, and the underlying evidence to support them, should be given considerable weight in the EIA process and referred to in the report as appropriate.

12. Socio-Economics and Land Use

Future employment land uses

Evidence to support the FHDC Local Plan included a Forest Heath Employment Land Review (ELR) (October 2016) which considers a potential employment site, the area for which partly overlaps with part of the Sunnica East site. The employment site was submitted to the local planning authority as part of larger area during a call for sites process in 2015.

The ELR recognises that a wide range of employment sites in the area rely on their proximity to the A11 corridor (and connected A14 Newmarket Bypass) for strategic road access, providing a route down to London in the South and Norwich in the East, and it is a long term aspiration of West Suffolk and adjoining authorities to achieve employment growth in this location.

The suitability of the site for employment uses was recognised at paragraph 6.45 of the ELR which refers to the site *'having excellent strategic road access being located on the A11 and relatively few other identified constraints.'* The ELR also recognises at paragraph 8.37 that *'this could provide a good opportunity for a new employment site proposition of a genuinely strategic scale that does not exist elsewhere in the District and could benefit from its location on the A11 to capitalise upon growth corridor opportunities. This could also provide the potential to develop a critical mass of business occupiers and benefit from a greater level of operational flexibility away from incompatible uses such as residential…'.* The site was not included in the emerging Site Allocations Local Plan as there was already a sufficient supply of employment sites at Red Lodge.

A smaller part of the above site was re-submitted in the most recent 2018 SHELAA call for sites by Eclipse Planning Services on behalf of Upton Suffolk Farms. The 55ha of land is proposed for employment uses (B1, B2 & B8), Factory retail outlet and farm shop and is considered available for this use. This site also overlaps with the Sunnica East proposals.

The suitability of this site for employment uses will be considered through the production of a new West Suffolk Local Plan. The Council's Local Development Scheme for the West Suffolk Local Plan was published in December 2019. This indicates an Issues and Options consultation will take place in late 2019, with adoption of the plan scheduled for May 2023. The link to the LDS can be seen at the link below:

https://www.westsuffolk.gov.uk/planning/Planning_Policies/upload/18-12-20-LDS-adopted-version.pdf

In light of the above, it is considered that under section 12.5 of the Scoping Report (Potential Effects and Mitigation) consideration should be given whether Sunnica East would prejudice the council's long term cross boundary aspirations for employment growth along the A11 corridor through the review of its Local Plan.

Future growth in and around Mildenhall – highways issues

Paragraph 4.8 of the Site Allocations Local Plan refers to the fact that the United States Visiting Forces in Europe (USVF) have indicated their intention to withdraw from RAF Mildenhall by 2023 – since delayed until 2027 at the earliest. The MOD has identified that part of the site should be released for housing, and the council is committed to reviewing this issue as part of the above mentioned West Suffolk Local Plan.

Part of the emerging Forest Heath Local Plan evidence base includes a cumulative impact transport study produced by AECOM which is available at the link below:

https://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/upload/AECOM-Cumulative-Impact-Study-with-appendices.pdf

This report identified highways constraints at key junctions within Mildenhall which will be difficult to mitigate. Paragraph 8.49 of the report states that *'…In addition a relief road around the town centre of Mildenhall should be explored.' Paragraph 8.4.9 goes on to state 'There is uncertainty over the MOD operation and proposals at Mildenhall, which will have a large bearing on the future transport needs in order to sustain long terms growth at this location. In order to sustain long term growth more strategic options should be explored, for example solutions which would remove through traffic from the town centre.'*

Given the nature conservation constraints to the east of Mildenhall, it is likely that any future relief road is likely to be located to the west of Mildenhall and south of Worlington, with the potential to link through to the A11 at Red Lodge. In light of this, it would be appropriate to give consideration in the scoping report to whether the Sunnica East proposals would prejudice both the bringing forward Mildenhall USAF base, and additional development in Mildenhall and the surrounding area, through the review of the West Suffolk Local Plan.

District Council general comments

At this stage West Suffolk Council also offer the following observations on the scheme and elements of the Scoping Report.

On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council was replaced by a single district council called West Suffolk Council. All reference to Forest Heath District Council should be removed from future documentation and reference made to West Suffolk Council.

Notwithstanding reference in the Scoping Report to the applicant taking the 'Rochdale Envelope' approach, it is considered that there are a number of elements to the scheme that are currently uncertain. The Scoping Report describes the nature of the equipment required for each scenario but does not offer any significant detail on the full extent of the scheme in terms of the number and location of pieces of equipment. The applicant has suggested that a number of environmental effects can either be scoped out or do not require standalone chapters in the ES. West Suffolk has therefore commented on the Scoping Report based on the information available and at this stage is unable to agree that that matters proposed to be included in Chapter 14 of the ES can be dealt with in this way.

There is no reference within the Scoping Report to operational effects from glint and glare on aviation receptors including RAF Mildenhall and RAF Lakenheath. It is recommended that MOD Safeguarding are fully consulted in order to ensure the approach being taken to the assessment of glint and glare is appropriate. Any effect on flying instruments should also be considered as well as the flight paths for RAF Mildenhall and RAF Lakenheath. MOD Safeguarding can be contacted at Kingston Road, Sutton Coldfield, West Midlands B75 7RL.

It is noted that the Burwell Substation Extension site is located in Flood Zones 2 and 3. Given the importance of the substation extension to the scheme it is expected that any operational risks to the substation from flooding are fully considered.

Yours sincerely,

G Gunby

J Barrow

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Growth Highways & Infrastructure
Suffolk County Council

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Date: 11 April 2019
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For the attention of Marnie Woods

Dear Marnie,

Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impact Assessment) regulations 2017 (the EIA Regulations) – Regulations 10 and 11. Application by Sunnica Ltd (the Applicant) for an Order granting Development Consent for the Sunnica Energy Farm (the Proposed Development). Response of Suffolk County Council (SCC) and West Suffolk Council (WSC) to the Scoping Opinion submitted to the Secretary of State.

Thank you for the opportunity to comment on the Sunnica Energy Farm, Environmental Impact Assessment Scoping Report dated March 2019. This is a joint response of the two Suffolk local authorities relevant under Section 43(1) of the Planning Act 2008. It is understood that Cambridgeshire County Council and East Cambridgeshire District Council will also provide a further joint response.

In summary the project is to develop a 500MW photovoltaic solar farm in conjunction with accompanying 500MW lithium-ion battery storage over three separate sites. There would also be a 16km 132Kv underground grid link to the National Grid near Burwell in Cambridgeshire. The eastern most site (Sunnica East) is located within Suffolk between Worlington and Red Lodge. The western most sites (collectively called Sunnica West) are located either side of Snailwell in Cambridgeshire.

The following text sets out the internal consultation responses which form the basis of our comments upon the submitted Scoping Opinion.

County Air Quality Consultants

The applicant has commissioned an Environmental Impact Assessment (EIA) scoping report. This EIA scoping report states the intention to perform an assessment for potential dust impacts in accordance with the Institute of Air Quality Management (IAQM) 2014 guidance on the assessment of dust from demolition and construction, and the Defra (2018) Local Air Quality Management Technical Guidance (TG16). I agree that this is an appropriate measure given the size of the Sunnica sites, the closeness of some sensitive receptors to site boundaries (i.e. those listed in section 11.4.2), and the potential for dust generation via.vehicle movements to/from the site.

The scoping report correctly states that there are no Air Quality Management Areas within the vicinity of the site, with the closest located in Newmarket, over 3km away from the Sunnica West site. This implies that air quality in the area is currently good. The distance of this AQMA from the sites also implies that it is unlikely that site related vehicular transport will influence the air quality within the AQMA. As such, the scoping report states the applicant's proposal not to perform a detailed air quality assessment for operational phase impacts in section 14.2.7:

> *"Following construction, the Scheme is expected to result in minimal alteration to the baseline situation in respect of air quality. No emissions are anticipated from the on-site infrastructure, and, as described in Paragraph 2.6.1, there are will be minimal vehicle movements to and from the Sunnica East Site and Sunnica West Site. Therefore, consideration of air quality impacts during the operational phase is also proposed to be scoped out of the EIA. This is an acceptable statement while the conclusion of that there will be minimal changes to traffic flows remains applicable."*

This proposal is also acceptable, provided that this statement remains applicable to scheduled works, and that the outcome of assessments, such as the Transport Assessment, support it.

Therefore, we recommend a planning condition to ensure that the screening and assessment for potential dust impacts will occur prior to the start of any construction works, and that a detailed air quality assessment for operational impacts will be required if the following conditions are met:

- The outcome of the Transport Assessment no longer supports the statement in section 14.2.7.
- Significant changes to infrastructure onsite which result in higher than anticipated emissions.

District Environment Team

We note that the site location overlaps at least one historic landfill and a number of other historic pits that have been backfilled with potentially contaminative materials. We would therefore expect a Phase One Land Contamination assessment as part of the EIA.

We do not consider that there will be any Air Quality impacts from the operational phase of the development and we would not require an air quality assessment as part of the EIA**.**

County Archaeology

Please find below our comments and advice in relation to all elements of this Major Infrastructure Project which are located in Suffolk. This is primarily Sunnica East, alongside a small section of the connection corridor. Cambridgeshire County Council Archaeological Service should also be consulted on this cross-county scheme, as well as Historic England and the Forest Heath Conversation Officer regarding the settings impacts upon above ground and designated heritage assets within and surrounding the development area. This includes Scheduled Ancient Monument, Listed Buildings, Registered Parks and conservation areas.

Potential Impact:
This extremely large proposal affects an area of known archaeology recorded in the County Historic Environment Record (HER). Within the red line development boundary itself, both above and below ground archaeological remains and extensive multi-period find scatters have been recorded (see baseline information below), with large numbers of further archaeological finds and features recorded surrounding the Sunnica East site. However, the majority of the proposed development area has never been subject to systematic archaeological investigation and, therefore, the character, extent and significance of surviving below ground heritage assets which will be impacted upon by this scheme has yet to be defined.

The proposed development (including temporary land take areas for construction, infrastructure improvement works, landscaping and screening works and any other mitigation works involving ground disturbance) would have a direct impact upon heritage assets as the planned works will damage or destroy any surviving remains which exist within the site, however, without further assessment, the impacts cannot be fully understood. The scale of this proposed development scheme means that it has the potential to cause wholesale destruction of an archaeological landscape. Thorough desk top assessment and field evaluation is therefore needed to allow the archaeological potential of the different parts of the study area and therefore the likely impacts of the proposed development, to be fully assessed. Evaluation will provide sufficient baseline information to enable design decisions to be made and to inform planning decisions. The potential impact of this development upon the setting of designated heritage assets as well as the historic landscape also needs to be assessed.

Baseline Information:
Suffolk County Council Archaeological Service (SCCAS) are pleased that archaeology has been scoped in as part of the EIA, however, the high potential of proposals to impact upon both known and previously unrecorded below ground heritage assets is not adequately recognised.

The Sunnica East development area is situated in a very favourable topographic location for archaeological activity from all periods, on light soils and in close proximity to the River Lark and Lee Brook. Existing data regarding heritage assets present within the proposed development areas comes from information recorded within the County HER, with archaeological finds and sites identified through archaeological investigations, aerial photography, metal detecting and fieldwalking. Existing records show that that this proposed development area is located within a landscape of known multi-period archaeology.

Extensive archaeological finds and features are recorded on the County HER within the red line development boundary, as well as in the immediate vicinity. Within the Sunnica East site itself, a Bronze Age barrow cemetery is recorded. This includes the barrow BTM 004, which is a Scheduled Ancient Monument and therefore must not be disturbed by development. Setting implications will also need to be considered and development within the field in which the barrow is situated is unlikely to be supported by Historic England. Remains of further barrows (BTM 017 and 028) are also situated within the proposed development area, with further barrow sites and finds of human remains, recorded just outside of the red line development boundary (BTM 027, WGN 003, 013, 039). As such

there is high potential for archaeological remains relating to prehistoric funerary activity to survive within the Sunnica East site.

A ploughed out medieval moated site is also recorded near Freckenham (FRK 004) and extensive multi period finds scatters have also been identified throughout the proposed Sunnica East development area, with a particular focus of activity in close proximity to the River Lark and Lee Brook near Freckenham and West Row (WGN 009, 021, 025, FRK 002, 003, 010, 031, 032, 033, 037, 053, 053, 059 063, 064, 066, 068, 069, 077, 079, 084, 106 and 109). Further extensive multi-period scatters have also been recorded just beyond the red line site boundary. These finds are indicative of settlement and funerary activity from all periods. This is evidenced through the results of the limited archaeological investigations which have taken place within and on the edge of the red line development area, with prehistoric features recorded within Worlington Quarry (WGN 028, 033 and 034) and an Anglo Saxon hut site and Roman inhumations identified during historic archaeological works just beyond the proposed development boundary near West Row (FRK 01 and FRK 012). A Roman building of some status is also indicated immediately adjacent to the development area, through extensive scatters of building material and other finds (WGN 023). There is also potential for paleoenvironmental and waterlogged archaeological remains to survive within the part of the development area located within the floodzone of Lee Brook.

As well as known archaeological remains, there is also extremely high potential for additional extensive and significant below ground heritage assets to survive within the proposed development area, which are as yet unknown, due to only limited systematic archaeological investigation having been undertaken previously.

There is a strong likelihood for remains of national significance to survive within the proposed development area, given the high potential for remains of funerary and settlement activity to be present within this site. The landscape and multi-period nature of archaeology which is likely to exist enhances its potential significance. As a result, there is high potential for remains which are worthy of preservation in situ to survive within the Sunnica east site.

Methodology:
Given the above evidence, the impact of this development cannot be assessed (or permission granted) until a full archaeological evaluation has been undertaken. All archaeological, heritage and landscape assessments should therefore be undertaken prior to the submission of the EIA. The results of this work will enable an accurate review of the archaeological resource (both in quality and extent). This is in accordance with paragraphs 189 and 190 of the National Planning Policy Framework and also NPS EN-1 paragraphs 5.8.8 - 5.8.10.

SCCAS would advise that all of the Sunnica East site and associated connection corridor should be subject to archaeological assessment at this stage in considering the layout and design of new development, to allow for preservation in situ where appropriate of any sites of importance that might be defined (and which are currently unknown) and to allow archaeological strategies to be designed. A desk-based assessment would be appropriate in the first instance, including a search of the Historic Environment Record, a historic map regression, a study of aerial photography (including historical imagery), an assessment of

LIDAR data, and predictive modelling of potential based upon topographic and geological evidence. A site walkover site should also be undertaken.

A settings impact assessment for above ground heritage assets should also be undertaken and the impact of the proposals upon historic hedgerows, boundaries and other historic landscape elements should also be considered through the use of historic mapping and Historic Landscape Characterisation data.

Geophysical survey (a combination of magnetometry and resistivity as appropriate), also accompanied by fieldwalking and a metal detecting survey, should form a first phase of field evaluation for the entire development area. The results of these assessments should be used to then inform a programme of trial trenched evaluation. Paleoenvironmental assessment should also be undertaken as appropriate.

Upfront work will ensure all options can be properly considered (including giving proper thought to preservation in situ and alternative solutions). The results of all of the above evaluation and assessment techniques should then be used to develop a mitigation strategy for the site, which should be presented as part of the EIA and planning application. Proposals should be discussed and agreed with SCCAS. Some areas (as yet unidentified) may require preservation in situ where appropriate. For surviving below ground archaeological heritage assets, where (1) development impacts are proposed that will damage or destroy remains and (2) where mitigation through recording is considered acceptable, the resultant mitigation included in the EIA should include proposals to record and advance understanding of the significance of heritage assets before they are damaged or destroyed. Appropriate mitigation techniques, such as excavation prior to development, and the definition of areas which require further investigation, will be based upon the results of the suite of evaluation and assessment work undertaken. Proposals for outreach and enhanced public understanding as part of this mitigation work should also be included as part of the EIA.

Note
The Conservation Team of the Suffolk County Council Archaeological Service would be pleased to offer guidance on the archaeological work required and will, on request, provide a brief for each stage of the archaeological investigation.

Please see our website for further information on procedures and costs: http://www.suffolk.gov.uk/libraries-and culture/culture-and-heritage/archaeology/)

Please do get in touch if there is anything that you would like to discuss, or if you require any further information

District Conservation Team

I have visited the site and read the relevant sections of the scoping report. I confirm that the conservation areas and listed building around the site have been correctly identified and there are adequate measures included to assess the impact of the proposals on these heritage assets.

County & District Ecology Joint Response

West Suffolk Council holds no information on other constraints within the study area. However, the consultants should consider the need to include survey of agricultural field margins for rare plants within the scope of the additional survey.

A Solar Farm can be an excellent opportunity for biodiversity however Natural England make it clear that there is still much research to be done, however there can be elements of gain for biodiversity by drawing up a site-specific plan for managing biodiversity and including some of the following features into any future management plan:

- Hedgerows
- Wildflower meadows
- Bird (and Bat) boxes
- Ponds

In order to do this, an applicant must identify:

- The Existing biodiversity on site.
- Especially, migrating birds that may pass over or near the site.
- Impacts of construction and use.
- Specific site objectives for enhancements.
- Wider landscape biodiversity enhancements.
- Suitable species for planting.
- Bird nesting and roosting opportunities.
- A life-long management regime.
- Continual monitoring throughout the working life of the Solar Farm (and how any identifies adaptation will be implemented).
- Impacts of decommissioning.

Those potential impacts include (the features we should expect to be identified, researched and how the mitigation hierarchy will be met):

- Habitat loss/fragmentation.
- Risk of collision.
- Pollution (construction activity, cleaning).
- Disturbance (mistaking the panels for water).
- Change of habitat function. (changing available food sources such as seeds, insects, plants and animals).
- Barrier effect (will it be on a bird resting site?).

Some mitigation strategies can include:

- Placing white strips along the edges of the panels to reduce their similarity to water.
- Translocation of, e.g., reptiles during the construction phase.
- Fencing which is porous to species movements.

- Minimal clearing of any native tree and shrub species.
- No nocturnal lighting (otherwise minimised and subject to strict control).
- Good management of the spaces between, beneath and around the panels.

Post construction monitoring should include a range of surveys to include:

- Assessments of resident, breeding and seasonal populations of species identified in the baseline surveys.
- Vantage point surveys to assess impacts on soaring species (e.g. Marsh harrier) or other species during migrations.
- Mortality and carcass surveys.

All records should be submitted to relevant Records Office (in Suffolk's case: Suffolk Biodiversity Information Service).

The local authorities note the intention to implement the mitigation hierarchy and the commitment to ecological enhancement. The local authorities consider that management and monitoring of the area, including any mitigation or compensation areas, during operation will be a key factor in achieving ecological objectives. As such a landscape and ecological management plan, for the lifetime of the project, setting out the ecological objectives and including monitoring and review protocol should be considered at an early stage in the process to ensure that ecological enhancements can be delivered with certainty and are achievable. Ecological enhancements should be a legacy which persist beyond the decommissioning of the scheme.

Given the scale and status of this proposal an exemplar approach to biodiversity issues would be reasonable. The local authorities are aware that the recent consultation on mandatory Biodiversity Net Gain implemented through the Town and County Planning Act considered all housing, commercial, industrial, institutional and leisure developments which require permission from a local planning authority. It would seem appropriate that this principle should also be applied to nationally significant infrastructure including this current project; the practical application of BNG to NSIPs is considered in https://cdn.ymaws.com/socenv.org.uk/resource/resmgr/files/knowledge_hub_files/bng_good_practice_principles.pdf

County & District Landscape Joint Response

Constraints

Whilst it is noted that there are no designated landscapes within the scheme boundary, the value of the Brecks is recognised locally and this unique landscape has been the focus of more detailed landscape studies. These include the Norfolk and Suffolk Brecks Landscape Character Assessment:
http://www.breakingnewground.org.uk/assets/LCAP/BrecksLCA2.pdf
and the Brecks Special Qualities report:
http://www.breakingnewground.org.uk/assets/LCAP/Brecks-Special-Qualities-Report-low-res.pdf.

In particular pine lines are the most familiar and iconic feature of the Brecks landscape. They comprise long, straight lines of pines, marching across the landscape, sometimes growing tall and straight but often contorted into dramatic patterns. The distribution of pine lines has been mapped and includes some within this Sunnica East area. The value of the Brecks locally and the pine line landscape features should be given the appropriate weight.

Landscape and Visual methodology

The proposed methodology as set out in the scoping document is broadly acceptable however the Local Authorities would expect to formally agree a range of *both* Representative and Illustrative viewpoints prior to undertaking the LVIA.

Additional specific viewpoints may also be required to support the assessment of impacts on built heritage which is outside the scope of the LVIA.

The local authorities would also expect to formally agree both the LVIA methodology and the detailed methodology for the preparation and creation of any photomontages and wireframes

The local authorities would expect cumulative landscape and visual impacts to be considered as part of this assessment.

Given the location and extent of the proposal the LVIA should also include a detailed assessment of the proposal on residential receptors. This is required in order to understand if any parts of the proposals meet the threshold of the Lavender Test of unacceptable impacts on residential amenity.

Mitigation and enhancement

The package of mitigation and compensation should be commensurate with impacts of the project and its unprecedented scale and the sensitivities of the receiving environment. For the Sunnica East area, the primary mitigation measures suggested within the report are limited in their scope and extent. It is disappointing that retention of existing landscape features is not included. As well as set back from roads, set back from the PRoWs should also be considered. In addition the potential for enhancement of field boundaries to provide connectivity in land cover should also be considered given the significant extent of the area proposed.

The Local Authorities note the proposal to consider landscape enhancement (para 10.4.45) and delivery of ecosystem service benefits. They expect a scheme of this scale to be an exemplar. Minimising landscape harm and reasonably maximising ecological benefits.

County Flood & Water Management

Section 9 of the scoping report is satisfactory and SCC Flood and Water management do not wish to add anything at this time. An FRA and Drainage Strategy (FRA/DS) will be submitted as part of the ES, which is fine.

Given the locations of Sunnica (East), we will expect the site to utilise infiltration type drainage to dispose of its surface water. But please make sure the FRA/DS assesses all areas of hardstanding and all building types of the development i.e. substations and battery compound and not just the main solar farm itself. BRE 365 infiltration testing has been referenced in the scoping report and we will expect data gathered from these tests to form the basis of the FRA/DS.

All watercourses affected by the cable route may need land drainage consent from SCC.

County Highways Authority

Chapter 1: Introduction

Sunnica East is within West Suffolk and Sunnica West in East Cambridgeshire. SCC notes that although the latter is in Cambridgeshire and that access is via the highway network Cambridgeshire County Council due to the geographical location the SCC network and Highways England network will be affected.

Chapter 2: The Scheme

It is noted that the scheme includes the main energy farm site, cable routes and extension to Burwell Sub Station (2.3.1 and 2.4.7)

SCC would ask for clarity on whether limits of the scheme (red line boundary) would require alteration to include any associated works such as highway mitigation that are identified by the Transport Assessment (TA) or Environmental Statement (ES)

SCC accept that the impacts of decommissioning are difficult to assess due to the future uncertainties (2.7) but it is unclear whether they will be assessed in the EIA or scoped out.

Chapter 3: Alternatives

SCC is unable to comment on the site evaluation process (3.2.3) and alterative cable routes (3.3.1) until details are provided with the information in the ES.

Chapter 4 Consultation

Paragraph 4.1.4 suggests that early stakeholder involvement has involved SCC (but not involving highways).

Reference should be made to the SCC Local Transport Plan
https://www.suffolk.gov.uk/roads-and-transport/transport-planning/transport-planning-strategy-and-plans/

Chapter 5: EIA Methodology

As one of the Highway Authority's SCC would be expected to be consulted on the scope of the baseline traffic information collection (5.2.1).

The impact of construction traffic on receptors adjacent to the public highway would be expected to be included in the scoping or scoped out with supporting justification (2.5.9).

Assessment years appear appropriate (5.4.5 & 5.4.7) with peak construction in the any stages of construction 2023. Note that if any highway mitigation is required the applicant will be required to evidence that the worst case is not immediately prior to mitigation rather than peak construction when the mitigation has been delivered.

The Effect Significance Criteria methodology (5.5) appears acceptable subject to the identification of the relevant topics and criteria used to assess the significance of the impacts for each topic.

The ES would be expected to determine whether both schemes delivered at the same time (concurrently) or one after the other (consecutively) or if both scenarios need to be considered as has been the approach with SPR EA1(N) and EA2

The proposed zone of influence of 10km (5.6.8) is reasonable but exceptions may be required if specific development will impact on junctions used by construction traffic. SCC would like to be involved in developing a 'long list' of relevant development (5.6.9) and where necessary estimates of local growth. The proposed parameters to determine which sites should be included (5.6.10) and the proposed criteria to filter the 'long list' (5.6.12 to 5.6.16) at this stage acceptable although continued involvement by the LHA and LPA is critical to ensure that this remains comprehensive.

Chapter 11 Noise and Vibration

The scoping proposes that the study area for noise and vibration generated by the Burwell Substation Extension is the same as the cable corridor route activities (11.2.2). This type of construction works would appear to be similar to the other main site construction activities (11.2.1) and a hence a 500m limit may be more appropriate.

Confirmation is required that noise and vibration from construction traffic has been scoped out and justification for this decision.

Chapter 13: Transport

Clarity will be required for assumptions made when assessing traffic distribution, for example sources of aggregate and other construction materials.

The list of junctions should include A11 NB off slip and priority junction onto B1085 Elms Road in list of junctions 13.2.1. The existing roads described in (13.4.2) do not include reference the minor roads in the area. These need to be included.

In 13.4.3 it is noted that Public Rights of Way (PRoW) cross the Sunnica East site. SCC would seek to retain access along the definitive route within the main site and cable route where safe to do so. Diversion of PRoW during the operational phase would be resisted strongly.

It is noted that many routes are lightly traffic and not a deter to cyclists (13.4.5). The impact on construction traffic on these routes should be assessed to identify any impacts that would deter cyclists. This is important as the scoping proposes use of local roads to reduce internal roads (2.5.7).

SCC consider it is not only delays that could impact highway users (13.5.2). Issues such as road safety, including perception by vulnerable road users and severance within communities should also be considered. See 13.6.7. Consideration must also be given to users of the PRoW network when assessing the impact on highway users. The authority will comment further on the proposed thresholds for severance pedestrian delay, pedestrian / cycle amenity, fear and intimidation (13.6.9) as the greatest proportional impact may be on currently low traffic rural roads which are subject to significant construction traffic.

A satisfactory method of monitoring HGV's to enable compliance with any restrictions will need to be included in the DCO

Some evidence of timing of trips to / from site would be required to evaluate peak hour trips (13.6.3). SCC would expect the number of vehicle trips (13.5.6) to be evidenced in the TA and this to be consistent with volumes considered in the ES.

The scoping out of hazardous loads is, based on the information available on the likely nature of the scheme, acceptable at this stage (13.6.8)

The authority does not agree with the capacity thresholds proposed in 13.6.21 specifically that low sensitivity should be below RFC values of 0.85 and not 0.90.

Further information will be required regarding delivery of Abnormal Indivisible Loads (AIL) specifically appraisal of routes for special order movements from local ports.

Sources of aggregate and impact on transport routing. Presume that environmental impacts of aggregate extraction are included in separate EIA's for individual quarries.

The scoping estimates HGV numbers (42 HGV / day for eastern site -2.5.8) but numbers of trips associated with workers have not been included in the. The scoping should also assess the impacts of parking and welfare in the ES. As stated in the scoping SCC would expect scheme of this size to be supported by TA, TP, CEMP. The TA should assess junction capacity and identify any road safety issues on existing network and associated works and be agreed with the relevant highway authorities.

County Minerals & Waste Planning Authority

Sunnica East and the association electricity transmission cable falls within a Minerals Consultation Area and includes in its entirety Bay Farm Quarry, Worlington which is an operational sand and gravel quarry and inert waste landfill site. There is also a concrete batching plant and inert waste recycling facility on that site.

Minerals Core Strategy Policy 5 "Safeguarding mineral resources" applies:
https://www.suffolk.gov.uk/planning-waste-and-environment/minerals-and-waste-policy/minerals-core-strategy/

Minerals Specific Site Allocations Policy MSSA1 “Proposed Sites” applies:
https://www.suffolk.gov.uk/planning-waste-and-environment/minerals-and-waste-policy/minerals-specific-site-allocation-documents/

Draft Suffolk Minerals & Waste Local Plan (SMWLP) Policies MP9 “Safeguarding of port and rail facilities for the manufacture of concrete, asphalt and recycled materials” MP10 “Minerals consultation and safeguarding areas” and WP18 “Safeguarding of waste management sites” apply:
https://www.suffolk.gov.uk/assets/planning-waste-and-environment/Minerals-and-Waste-Policy/SMWLP-Pre-submission-Consultation-Document/Index-and-Chapters-1-to-6.pdf

Draft SMWLP Policy MS10: Worlington, also applies.
https://www.suffolk.gov.uk/assets/planning-waste-and-environment/Minerals-and-Waste-Policy/SMWLP-Pre-submission-Consultation-Document/Proposed-Minerals-Sites-Chapters-7-to-17.pdf

In interpreting the above policies Suffolk County Council as Minerals & Waste Planning Authority is mindful of the non-irreversible nature of the proposed development however it will also be concerned to safeguard existing minerals and waste developments and potential future areas of extraction including those which might offer further potential extensions in the foreseeable future to the existing quarry in addition to those already identified in the SMWLP. If is also possible that existing previously worked and restored areas of the quarry might be utilised for the proposed solar farm development so long as it does not prejudice the overall objectives of the proposed restoration such as biodiversity net gain.

County Noise Consultant & District Public Health and Housing Team Joint Response

Study area
I agree with the proposed study areas and identified noise sensitive receptors.

Construction effects
The construction period is expected to last up to 2 years with the majority of construction works completed in 2023. There is potential for construction to last 3 years if a slower phased construction plan is implemented.

During the construction stage, the applicant proposes a Construction Environment Management Plan (CEMP) in part to reduce nuisance due to noise and vibration during the construction of the site(s). This will include best practicable means measures such as temporary noise barriers or localised enclosures.

The applicant proposes to assess noise and vibration from construction using the methods given in BS 5228:2009 parts 1 and 2. I agree that this is an appropriate assessment method. The noise limits recommended in Annex E of BS 5228-1 should be adopted for general construction noise. The ABC method described in section E.3.2 is appropriate. Alternatively, the limits given as "trigger levels" in Table E.2 could be adopted as upper limits for construction noise.

The applicant states that vibration is scoped out of the assessment as vibration impacts are expected to be low. However, should assessment of construction effects suggest that vibration may be perceptible at receptors close to construction works, the guidance levels given in table B.1 of BS 5228-2.

The applicant states that vibration is scoped out of the assessment as vibration impacts are expected to be low. However there are a number of sensitive residential properties sited close (15m, 20m and 30m) to where heavy ground works or piling are expected to occur, that have the potential to cause elevated vibration effects as identified in BS 5228:2009+A1:2014. Therefore, it shall be a requirement in the CEMP for vibration levels to be monitored at agreed sensitive locations for compliance with guidance levels in BS 5228 and, if required, appropriate mitigation adopted.

Operational effects
Noise from proposed permanent plant fixtures at each of the Sunnica sites must be assessed using methods given in BS4142:2014.

Baseline survey work
To complete both construction and operational stage noise assessments, the applicant identifies that a baseline noise survey is required. The baseline survey must establish the existing LA90 and LAeq noise levels at all identified receptors.

As construction is expected to occur during day-time periods only, survey work close to cabling routes could be done by attended short term measurements during proposed construction periods. A minimum of 3 representative measurements must be taken at each receptor (in consecutive hours for assessment periods longer than 1 hour) to represent the proposed assessment period.

> *i.e. at Fuller KW & Son farmhouse (15 m from grid connection routes A and B), if construction is proposed during Monday - Friday 0800 to 1800 hours, 3 10-minute sample measurements could be taken at this receptor during three consecutive hours* within the proposed working period.

For receptors close to sites where operational noise may be expected (i.e. near Sunnica East, Sunnica West and near the Substation Extension at Burwell), long term measurements are preferable. As plant will operate 24 hours a day, 7 days a week, unattended noise loggers may be best suited to establish background noise levels during day and night-time periods over both weekdays and weekends. If sample measurements are used, they must establish the typical lowest background noise levels at each receptor and include at least 3 representative measurements at each receptor during each assessment period.

With respect to glint or glare Paragraph 10.5.30 of the scoping report states that a general consideration of the potential for glint and glare from the scheme to cause significant effects to landscape and visual receptors will be provided as part of the assessment. Due to the scale of this development and the sensitivities of activities in the vicinity of the site, including neighbouring residential properties within 30m of the Sunnica East site and aviation receptors, it is recommended that full consideration of potential adverse effects of glint and glare should be provided and scoped in to the ES.

County Public Rights of Way

I would hope that on such a visually intrusive development of this scale, irrespective of its commercial nature or national/regional importance, the LPA and County Council would be robust in demanding benefits for those wishing to access the local countryside.

I'd suggest keeping the green access ask relatively flexible, but along the lines of:

- Any onsite PRoW to be protected on wide, green corridors,
- A check is done for the existence of any unrecorded PRoW,
- Local green access is improved to mitigate the impact of the development, including a new PRoW and crossing of the R Lark to link Worlington with Mildenhall,
- And improving green access around Freckenham, West Row and Red Lodge.

County Property and Utilities Services

As far as I can tell this does not impact on land owned by SCC therefore Corporate Property do not have an interest.

County Children and Young People Services

No comments from an education standpoint.

District Planning Policy Team

Comments on references to planning policy

It should be noted that Freckenham Parish Council are in the early stages of preparing a Neighbourhood Plan, with the neighbourhood area designated on 2 November 2018.

From the 1 April 2019, St Edmundsbury and Forest Heath Council's formally merged to become West Suffolk Council. However, two emerging Local Plan documents for Forest Heath District Council, a Single Issue Review of Core Strategy Policy CS7 (SIR), and the Site Allocations Local Plan (SALP), are at an advanced stage in the planning process, having been through Examination and are currently awaiting the Inspectors' reports. It is considered that given the advanced stage of the plans, they, and the underlying evidence to support them, should be given considerable weight in the EIA process and referred to in the report as appropriate.

12. Socio-Economics and Land Use

Future employment land uses

Evidence to support the FHDC Local Plan included a Forest Heath Employment Land Review (ELR) (October 2016) which considers a potential employment site, the area for which partly overlaps with part of the Sunnica East site. The employment site was submitted to the local planning authority as part of larger area during a call for sites process in 2015.

The ELR recognises that a wide range of employment sites in the area rely on their proximity to the A11 corridor (and connected A14 Newmarket Bypass) for strategic road access, providing a route down to London in the South and Norwich in the East, and it is a long term aspiration of West Suffolk and adjoining authorities to achieve employment growth in this location.

The suitability of the site for employment uses was recognised at paragraph 6.45 of the ELR which refers to the site *'having excellent strategic road access being located on the A11 and relatively few other identified constraints.'* The ELR also recognises at paragraph 8.37 that *'this could provide a good opportunity for a new employment site proposition of a genuinely strategic scale that does not exist elsewhere in the District and could benefit from its location on the A11 to capitalise upon growth corridor opportunities. This could also provide the potential to develop a critical mass of business occupiers and benefit from a greater level of operational flexibility away from incompatible uses such as residential…'.* The site was not included in the emerging Site Allocations Local Plan as there was already a sufficient supply of employment sites at Red Lodge.

A smaller part of the above site was re-submitted in the most recent 2018 SHELAA call for sites by Eclipse Planning Services on behalf of Upton Suffolk Farms. The 55ha of land is proposed for employment uses (B1, B2 & B8), Factory retail outlet and farm shop and is considered available for this use. This site also overlaps with the Sunnica East proposals.

The suitability of this site for employment uses will be considered through the production of a new West Suffolk Local Plan. The Council's Local Development Scheme for the West Suffolk Local Plan was published in December 2019. This indicates an Issues and Options consultation will take place in late 2019, with adoption of the plan scheduled for May 2023. The link to the LDS can be seen at the link below:

https://www.westsuffolk.gov.uk/planning/Planning_Policies/upload/18-12-20-LDS-adopted-version.pdf

In light of the above, it is considered that under section 12.5 of the Scoping Report (Potential Effects and Mitigation) consideration should be given whether Sunnica East would prejudice the council's long term cross boundary aspirations for employment growth along the A11 corridor through the review of its Local Plan.

Future growth in and around Mildenhall – highways issues

Paragraph 4.8 of the Site Allocations Local Plan refers to the fact that the United States Visiting Forces in Europe (USVF) have indicated their intention to withdraw from RAF Mildenhall by 2023 – since delayed until 2027 at the earliest. The MOD has identified that part of the site should be released for housing, and the council is committed to reviewing this issue as part of the above mentioned West Suffolk Local Plan.

Part of the emerging Forest Heath Local Plan evidence base includes a cumulative impact transport study produced by AECOM which is available at the link below:

https://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/upload/AECOM-Cumulative-Impact-Study-with-appendices.pdf

This report identified highways constraints at key junctions within Mildenhall which will be difficult to mitigate. Paragraph 8.49 of the report states that *'…In addition a relief road around the town centre of Mildenhall should be explored.' Paragraph 8.4.9 goes on to state 'There is uncertainty over the MOD operation and proposals at Mildenhall, which will have a large bearing on the future transport needs in order to sustain long terms growth at this location. In order to sustain long term growth more strategic options should be explored, for example solutions which would remove through traffic from the town centre.'*

Given the nature conservation constraints to the east of Mildenhall, it is likely that any future relief road is likely to be located to the west of Mildenhall and south of Worlington, with the potential to link through to the A11 at Red Lodge. In light of this, it would be appropriate to give consideration in the scoping report to whether the Sunnica East proposals would prejudice both the bringing forward Mildenhall USAF base, and additional development in Mildenhall and the surrounding area, through the review of the West Suffolk Local Plan.

District Council general comments

At this stage West Suffolk Council also offer the following observations on the scheme and elements of the Scoping Report.

On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council was replaced by a single district council called West Suffolk Council. All reference to Forest Heath District Council should be removed from future documentation and reference made to West Suffolk Council.

Notwithstanding reference in the Scoping Report to the applicant taking the 'Rochdale Envelope' approach, it is considered that there are a number of elements to the scheme that are currently uncertain. The Scoping Report describes the nature of the equipment required for each scenario but does not offer any significant detail on the full extent of the scheme in terms of the number and location of pieces of equipment. The applicant has suggested that a number of environmental effects can either be scoped out or do not require standalone chapters in the ES. West Suffolk has therefore commented on the Scoping Report based on the information available and at this stage is unable to agree that that matters proposed to be included in Chapter 14 of the ES can be dealt with in this way.

There is no reference within the Scoping Report to operational effects from glint and glare on aviation receptors including RAF Mildenhall and RAF Lakenheath. It is recommended that MOD Safeguarding are fully consulted in order to ensure the approach being taken to the assessment of glint and glare is appropriate. Any effect on flying instruments should also be considered as well as the flight paths for RAF Mildenhall and RAF Lakenheath. MOD Safeguarding can be contacted at Kingston Road, Sutton Coldfield, West Midlands B75 7RL.

It is noted that the Burwell Substation Extension site is located in Flood Zones 2 and 3. Given the importance of the substation extension to the scheme it is expected that any operational risks to the substation from flooding are fully considered.

Yours sincerely,

G Gunby

J Barrow

Graham Gunby
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Growth Highways & Infrastructure
Suffolk County Council

Julie Barrow
Principal Planning Officer
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West Suffolk Council

integrated working

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28/03/2019

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Sunnica Energy Farm Environmental Impact Assessment Scoping Response

Dear Marie Woods

Thank you for communicating with West Suffolk Clinical Commissioning Group (CCG) regarding the Sunnica Energy Farm Environmental Impact Assessment Scoping Report. The West Suffolk CCG will only be commenting on the possible impacts of the proposed development on primary care in and around the area of Sunnica East. The CCG recognises that the proposed site of Sunnica East is in relatively close proximity to several primary healthcare facilities. Reynard Surgery in Red Lodge would be 0.5km from the south of the proposed development. 2 surgeries in Mildenhall (The Whitehouse Surgery is a branch of Reynard Surgery and Market Cross Surgery) will be 2km of the north of the proposed site.

The CCG has some questions that have arisen from the EIA that would need to be explored before full consent could be given to the plans. The EIA looks at construction starting spring 2022 and being operational by spring 2025 after either 15 months continuous construction or 3 years over a phased construction option. The CCG would like some more information and details about the following please.

- How many people are expected to be in the construction workforce?
- Would the construction workforce be local or would they be from outside of the local authority boundary?
- If they are not local based would a camp be created for the construction workforce?
- Are healthcare provisions being made for the construction workforce?
- Will a Health Impact Assessment be created as part of further consultations?
- Could there be possible electrical outages during construction that could affect primary healthcare facilities in the vicinity?
- Is the proposed upgrading of existing roads and tracks going to cause delays that could reduce services to and from local primary healthcare facilities?

To maintain a primary care service for the residents of the area, mitigation might be sought through Community Infrastructure Levy (CIL) or Section 106 contributions.

integrated working

West Suffolk CCG would welcome the opportunity to discuss with the Sunnica LTD and West Suffolk Council potential solutions to ensure sustainable healthcare services for the local community going forward.

If you have any queries or require further information, please do not hesitate to contact me

Yours faithfully

[redacted]

Chris Crisell
Estates Planning Support Officer
West Suffolk Clinical Commissioning Group