

**Written Representation
of West Suffolk Council
Sunnica Energy Farm
(EN010106)**

November 2022

**Unique Reference Number:
20031311**

Written Representation of West Suffolk Council in respect of the Sunnica Energy Farm application

1.0 Introduction

- 1.1 Sunnica Energy Farm is a scheme for the installation of solar photovoltaic (PV) generating panels and on-site battery energy storage systems (BESS) across two sites within Suffolk and Cambridgeshire. The proposal will include the infrastructure associated with the required connection to the national grid, which will either involve an extension to the Burwell National Grid Substation or the installation of the necessary equipment within the solar PV sites to enable the generated power to be transported to the grid.
- 1.2 The scheme is situated across four sites:
- a. Sunnica East Site A, which is situated partly in West Suffolk and partly in East Cambridgeshire, is located approximately 3.5 kilometres(km) east of Mildenhall, 0.5km south-east of Isleham and 0.6km south-west of West Row;
 - b. Sunnica East Site B, located entirely in West Suffolk, is approximately 1.5km south-east of Mildenhall, 1km east of Freckenham and immediately south of Worlington;
 - c. Sunnica West Site A, located in East Cambridgeshire, is approximately 7km to the east of Burwell, immediately north of the A14 at Newmarket; and
 - d. Sunnica West Site B, located in East Cambridgeshire, is approximately 5.5km to the east of Burwell and 0.5km north of Snailwell.
- 1.3 This is the Written Representation of West Suffolk Council and does not express the views of the three other affected authorities, being East Cambridgeshire District Council, Suffolk County Council and Cambridgeshire County Council. A joint Local Impact Report was submitted by all four authorities at Deadline 1. This Written Representation draws upon the conclusions reached in the joint Local Impact Report and, while it focuses on the impacts of the proposed scheme in the district of West Suffolk, it also acknowledges where impacts will be felt more widely, including cumulative impacts.
- 1.4 The Council recognises the national benefit of a renewable energy project of this nature and in general has adopted a policy of being supportive in principle to renewable and low-carbon energy generation schemes. In September 2019, the Council declared a climate emergency and established an Environment and Climate Change Taskforce that developed an Action Plan to drive forward the Council's ambition to reach Net Zero by 2030 and to maximise its role in protecting and enhancing the environment, both in the way in which it carries out its operations and through specific initiatives. Specifically in regard to solar, the Council operates its Solar for Business initiative and its own 12.4MW solar farm at Toggam Farm in Lakenheath, as part of the Council's investment programme whereby profits derived from the solar farm directly subsidise the cost of delivering local services to local people (it should be noted that this solar farm development does not include any battery storage). The Council has also granted planning permission for a number of solar energy projects and is familiar with their nature and impacts.

2.0 Local context

2.1 On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. As a predominantly rural District, the future of the countryside is a significant issue and the Council is committed to maintaining and protecting the quality of its unique environment. The area benefits from a rich and diverse landscape, with the former Forest Heath area, in which the application site is located, made up of four distinct landscape character areas – The Fens, Breckland, East Anglian Chalk and South Suffolk and North Essex Clay. The immediate area has a wealth of assets in its natural and historic environment including a number of rare species identified for special protection in the Suffolk Biodiversity Action Plan, a Special Protection Area, 3 Special Areas of Conservation, numerous Sites of Special Scientific Interest and County Wildlife Sites. The area has a rich historic built environment including a number of conservation areas, many listed buildings, Scheduled Ancient Monuments and archaeological sites. The creation of the studlands and training grounds around Newmarket relating to the horse racing industry has resulted in a unique area of landscape and the horse racing and bloodstock industries within the town make a significant contribution to the local economy and the local workforce.

2.2 The Forest Heath Core Strategy (2010) identified a number of social, economic and environmental issues facing the then District of Forest Heath. These included the fact that nearly 50 percent of the District has some form of nature conservation and/or environmental designation. The spatial vision for the area makes the following statements:

“Forest Heath will be known for its unique countryside, its diverse population, rich heritage and a strong and diverse economy based on tourism, horse racing and other world leading and high-value businesses”.

“The Countryside of Forest Heath will be known for its intrinsic landscape value and rich biodiversity”.

“The locally distinctive Brecks will be protected and enhanced, contributing to a linked green infrastructure network throughout the district and beyond”.

“Countryside recreation in the north of the district, together with tourism development, will continue to thrive, benefiting the economy, providing jobs and creating healthy lifestyles for residents and visitors”.

2.3 As has been demonstrated above, the area in which the proposed development is located is a unique and special area into which a very significant amount of intrusive infrastructure will be introduced. The development as proposed will cover a vast area of land in solar panels and associated infrastructure including substations, transformers and battery energy storage systems. The effect on the undeveloped serene character of the area will be to dramatically and significantly alter the landscape and functioning of the area.

2.4 The community has raised very serious concerns regarding the impact of the development on the area and has highlighted inadequacies in the application material in relation to a number of environmental topics. The Council is aware in particular of concerns raised regarding the Applicant's Agricultural Land Classification survey and the impact of the development on the town of Newmarket and the horse racing industry. These are just two areas in which the community, including the Say No to Sunnica Action Group, have made representations to the Council. Other areas concern the impact of the development on the landscape and historic environment, the 'green' credentials of the scheme and the safety of the Battery Energy Storage Systems. The Council shares many of the concerns raised by the community and, where appropriate, has endorsed the representations and evidence prepared by the community submitted to the Examining Authority to date and that which will be submitted with the Written Representations being made at the same time as the Council's Written Representation.

3.0 Policy context

3.1 As stated above, on 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new council by regulation. The development plans remain in place for the new West Suffolk Council (WSC) and, with the exception of the Joint Development Management Policies document (JDMPD) (which had been adopted by both councils), set out policies for defined geographical areas within the new authority.

3.2 The joint Local Impact Report sets out local policy as it relates to this proposed development with reference to policies within the Forest Heath Core Strategy and the West Suffolk Joint Development Management Policies Document. The Council expects the Examining Authority to take account of these local policies, which have been subject to due process and adopted in the expectation that they will be used to guide future development.

3.3 Policy DM8 of the JDMPD relates to Low and Zero Carbon Energy Generation. It states that proposals for generation or recovery of low carbon or renewable energy will be encouraged subject to certain criteria. The following are relevant to an application for a solar development:

- a. *Proposals are required to demonstrate the new carbon saving benefit that they will create, taking into account both carbon dioxide savings from renewable energy generation and any additional carbon dioxide generation that results from the proposal*

Comment: Chapter 6 of the Applicant's Environmental Statement (ES) undertakes an assessment of the lifetime greenhouse gas emissions (GHG). This concludes that the lifetime GHG intensity of the scheme compares favourably with fossil fuel electricity generation and is comparable with other low carbon energy generation.

- b. *Proposals will be required to include a landscape and visual impact assessment which should, where appropriate:*

- i. Show the impact of the proposal in the landscape or townscape. All development should be designed and sited to minimise visual intrusion;*
- ii. Include mitigation measures to address the visual impact of the scheme;*
- iii. Include an appraisal of the impact on the environment of the proposal either in isolation or cumulatively with any similar development.*

Comment: The Applicant has, as part of the ES, submitted a landscape and visual impact assessment. The ES predicts significant effects as a result of the proposals across the DCO site during construction, operation and decommissioning. The ES highlights significant visual effect from the proposals when viewed from the surrounding countryside. By year 15 (when mitigation planting will have begun to mature), the ES predicts that the visual effects would persist but would have reduced to the extent they are not significant. The Council does not agree that the visual effects of the proposals at year 15 can be dismissed and that the accumulation of residual effects in combination would be significant.

The applicant has failed to recognise and embrace the fact that the scale of these proposals go far beyond any other solar plant within the UK and create their own landscape. It is paramount that this new landscape is designed to an exemplary standard through high quality design and robust mitigation that is demonstrably deliverable. The Council considers that the mitigation proposed will not have the desired effect in all areas and mitigation planting to screen the development in some areas of open landscape can have its own adverse impact.

- c. Where appropriate the proposal includes provision for mitigation and compensation measures, such as habitat enhancement or relocation.*

Comment: The ES identifies a range of potential impacts arising from the proposed development on a suite of ecological receptors. In many cases mitigation and/or compensation measures are proposed to address these impacts, however, in a number of cases these measures are either inadequate, too vaguely defined or inadequately secured by the proposed DCO to give certainty that all ecological impacts can be satisfactorily addressed in the long-term.

In addition to the above, Policy DM8 requires proposals to demonstrate to the satisfaction of the Local Planning Authority that due regard has been given to the following:

- d. The impact of off-site and on-site power generation infrastructure including achieving underground connections to the electricity grid system*

Comment: The Council notes that the cable trench corridor to Burwell and cable corridors between fields have not yet been evaluated and as such an appropriate mitigation strategy has not yet been formed. Similarly, analysis of the soil quality within the cable route has not been carried out and as such the Applicant is unable to confirm whether the route takes in any Best and Most Versatile agricultural land. As stated above, the landscape impacts of the vast solar arrays and associated substations and BESSs will be significant

and cannot be accommodated into the landscape without residual adverse effects.

f. soil quality is not affected adversely by either construction or the operation or decommissioning of the development.

Comment: The Applicant has failed to demonstrate to the satisfaction of the Council that soil quality will not be adversely affected throughout the lifetime of the development. Similarly, the ES does not reflect the capability of the soils to produce high yield crops.

In addition to the above, the Policy states that 'In the case of proposals in nature conservation sites, or within or visible from Conservation areas or other heritage assets, the developer or operator must be able to demonstrate to the satisfaction of the Local Planning Authority that the proposals represent the highest standards of siting and design appropriate to the location'.

The Council does not consider the majority of the above criteria have been fully met to the standard expected of a development of this nature, scale and magnitude.

3.4 Policy DM8 does not make any specific reference to the use of battery energy storage systems, which is not surprising given that it was adopted in 2015 and such systems are a new and evolving form of energy storage and on which there is very little legislation and guidance.

3.5 The Council understands that a Nationally Significant Infrastructure Project (NSIP) of this nature is subject to the National Policy Statements (NPSs), however, the importance of local policy should not be downplayed given that it is specific to the area in which it applies. The local policies remain important and relevant considerations in the decision-making process.

3.6 The Council notes that the current National Policy Statement for renewables (EN-3) does not have any technology-specific policy within it and that a draft EN-3 was published in excess of 12 months ago. The current Government has yet to affirm its commitment 'to sustained growth in solar capacity' as is stated in the draft EN-3 and this absence of any current higher status guidance is significant. The Council also notes that the Members of Parliament for West Suffolk and Southeast Cambridgeshire have publicly objected to the proposed development.

4.0 Council's Concerns

4.1 The Council's concerns are set out below as they relate to the following key areas:

Landscape impact

4.2 In total Sunnica East Site A and Sunnica East Site B encompass an area of approximately 542 hectares, with the scheme as a whole encompassing some 981 hectares across the two districts. The vast array of equipment and infrastructure required to support a solar development of this scale will lead to significant landscape and visual impacts. The scheme will result in a

landscape dominated by the presence of the infrastructure and will alter the existing landscape beyond recognition. The Council questions whether such changes can be justified for a period of 40 years given the low efficiency of solar technology and the scale of the adverse impacts.

- 4.3 The fragmented layout of the proposals, located amidst and around several settlements, is likely to have such an impact on local character to such an extent as to affect the sense of place. In some parts of the site it has been established by the Applicant that impacts cannot be mitigated to a satisfactory level. At the very least, the Council consider that elements of the scheme should be redesigned and the Applicant should propose more ambitious, robust and deliverable and properly secured mitigation proposals.
- 4.4 The U6006 (also referred to as Green Lane/Badlingham Lane/Icknield Way) transects Sunnica East B and is an important recreational route for local residents as well as being an important landscape and ecological feature. The current proposals to use this road as an access to some of the solar arrays would have a devastating effect on the character of the route, its amenity value and its value as a well-connected wildlife corridor.
- 4.5 In some areas the landscape is very open, particularly where there is little tree cover. This is the case at Sunnica East A where the proposed BESS would be visible and where woodland planting would not be an appropriate form of mitigation. The impact of the proposal on the Elms Road area is difficult to assess without further detail as to the alterations proposed to the road itself to understand effects on the character of the road and on visual receptors. The appearance of the battery containers is of particular concern to the Council with white containers being highly visible in the landscape. The exterior of any such infrastructure must be 'toned down' to an appropriate colour.

Ecology and biodiversity impacts

- 4.6 Within West Suffolk the development site is within, contains or is close to a number of sites designated for their nature conservation importance, including Breckland Special Protection Area (SPA), Worlington Heath County Wildlife Site (CWS) and Badlingham Lane CWS.
- 4.7 The Applicant's submission identifies the potential for likely significant effects during construction to land that is functionally linked to Breckland SPA and its population of Stone Curlew. As is the case with other developments in close proximity to the Breckland SPA, the Council considers that the scheme should be designed to avoid the destruction of confirmed stone curlew habitat and minimise disturbance to it in line with the mitigation hierarchy.
- 4.8 The Council is concerned that the Applicant's baseline survey work is incomplete and as such the extent of any potential effects cannot be judged. Where impacts have been identified and mitigation and/or compensation measures proposed, there are a number of areas in which these measures are either inadequate, too vaguely defined or inadequately secured by the draft DCO to provide certainty that all ecological impacts can be satisfactorily addressed. Of particular concern to the Council is the uncertainty regarding the long-term retention of mitigation and/or compensation measures following

decommissioning. Successful mitigation and/or compensation is also dependent upon the monitoring and management of such measures.

- 4.9 The Council has suggested a number of measures to the Applicant to address impacts on ecological receptors some of which include changes to the scheme layout and commitments to monitoring and management of land to ensure habitats and species are protected. The content of the Construction Environmental Management Plan and Landscape and Ecology Management Plan will be key to achieving this aim.
- 4.10 Overall, the Council does not agree with the Applicant's assessment that the development as proposed would not result in significant residual effects to ecological receptors.

Socio-economics and land use

- 4.11 The Council is concerned that the Applicant's socio-economic assessment is inadequate, given substantial concerns about its methodology, the use of unrealistic assumptions and invalid conclusions. As such, the assessment does not provide sufficient information on which to make informed conclusions.
- 4.12 The Council recognises that the scheme has the potential to generate local employment and local investment opportunities, particularly during the construction and decommissioning phases, however, overall concerns remain that the scheme will have a negative impact on the local economy in relation to several key areas.
- 4.13 Of note is the fact that the construction of the scheme requires a significant workforce and, while the Applicant expects a large majority of the workforce to be sourced locally, this is likely to have an impact on other construction projects taking place in the area at the same time.
- 4.14 Newmarket is known as "the Home of Horseracing", is internationally recognised for the industry, and is home to some of the industry's leading Trainers alongside a significant support industry of bloodstock sales, studs, farriers, vets etc. The Council is aware of the significant number of representations made by the horse racing industry to the Examining Authority and that the industry is represented in the Examination. The Council shares the concerns raised by the horse racing industry that the scheme could affect the level of investment in the town and deter potential owners and trainers who will view the area as being blighted by an industrial project of the scale proposed.
- 4.15 The Limekilns gallops (training grounds) are referred to by the Newmarket horse racing industry as being of exceptional quality and highly valued by the industry and the general public alike. Significant parts of the scheme will be visible from this landscape viewpoint and the adverse effects on the landscape will detract from the special qualities for which the Limekilns is known and could be a determining factor for those investing in the business.

- 4.16 In relation to agricultural land use the Council is extremely concerned at the way in which this has been approached by the Applicant. The Council is unable to verify the Applicant's Soils and Agriculture Baseline Report and notes the very strong concerns raised by the local community as to the accuracy of the Applicant's assessment and the conclusion that just 3.8 percent of the land being taken over by the proposed development is classified as Best and Most Versatile agricultural land. The Applicant has failed to fully consider the productivity of the land and the high value crops that are grown each year. Similarly, the Applicant has failed to consider the issue of food security and the fact that the proposal will result in the loss of land from agriculture, with crops not being produced for the lifetime of the scheme. The Applicant has also failed to consider the impact of the proposal on the feedstock areas associated with the Bay Farm Anaerobic Digester. Increasing travel distances for feedstock will inevitably generate additional traffic and is contrary to the sustainability credentials attached to the plant.
- 4.17 The impact of the proposal on the attractiveness of West Suffolk as a tourist destination is also of concern to the Council. The industrialization of the landscape and impacts on public rights of way has the potential to deter visitors, with a direct impact on the local economy.

Traffic and transportation

- 4.18 Suffolk County Council, as the local highway authority, has raised significant concerns regarding the quality and adequacy of the Applicant's Transport Assessment and it has highlighted where essential information is missing from the application. Such omissions, particularly in relation to the site access points, means that the local highway authority is unable to fully assess the impacts of the scheme and whether highway safety will be at risk. The Council fully endorses and supports the position of the local highway authority in this regard.
- 4.19 The impacts of traffic generated at the construction, operation and decommissioning phases will be acutely felt at a local level and the Council has particular concerns regarding the following junctions/highways:
- A11 slip road junction for Elms Road B1085 – This junction already takes a high volume of traffic coming from Cambridge/Newmarket to Norwich via the A11 joining the B1085 which is used extensively by local traffic accessing Freckenham village via Elms Rd and for Worlington and Red Lodge via the B1085 Newmarket Rd. Any blockage/severe congestion at the "Fiveways" roundabout results in significant numbers of vehicles travelling through Worlington, exacerbating the problem. There is insufficient detail as to mitigation to prevent traffic associated with the development queuing on the B1085, back to the A11. Further detail as to highway improvements in this area needs to be provided.
 - B1085 Elms Rd roundabout 1st exit to B1085 Newmarket Rd to Worlington, and 3rd exit to B1085 Newmarket Rd into Red Lodge – this roundabout carries a significant amount of traffic including that entering and leaving Red Lodge (approximately 3,700 houses and two primary schools). The Council requires assurance that access for residents and emergency

vehicles will not be impacted and any necessary mitigation must be delivered.

- B1085 Newmarket Road Worlington to Golf Links Road - This junction is unsuitable for use by HGV & AILs with the extent of the damage caused to this road by large vehicles already extensive with regular repairs being carried out by the local highway authority during the year. Suffolk Highways have already declared this road as unsuitable to HGV traffic.
- B1085 Newmarket Road Worlington / T junction for B1102 / Freckenham Rd / Mildenhall Rd - This junction currently has a high vehicle flow 24hrs a day with any increase is a concern. The narrow turning area available to HGV, farm vehicles and single/double decker buses which currently use the road daily makes it unsuitable for such traffic. HGV vehicles regularly have to block the B1085 to make their turn and have to mount the pavement area (outside the Walnut Tree Public House) and cause regular damage to the street sign mounted on the pavement. There is insufficient detail in the application to demonstrate that an AIL can safely navigate this route. The submission needs to show how the Applicant proposes to control the flow of additional traffic in the event of the A11 being closed (a regular occurrence) and traffic diverted via Worlington onto Mildenhall to bypass the "Fiveways" roundabout on the A11.
- A11 slip road Newmarket Road to Barton Mills / Golf Links Road towards Worlington – Although alterations are shown to this area, it is unclear whether the application documents fully consider the volume of traffic using this slip road entering Barton Mills via Church Lane and Worlington via Golf Links road. No account has been taken of queuing traffic on the A11 prior to entering the solar panel site. Further survey work must be undertaken in this area.
- Proposed Gap closures on the A11 between Red Lodge and Fiveways (National Highways consultation) - The potential closures if approved will have an impact upon all traffic arriving and leaving the site with some routes assessed in the application documentation no longer being available. The impact of the proposed closures should be explored in detail and information shared with the district and county authorities.
- Junction at Freckenham Road / Isleham Road (the old railway line between Mildenhall and Cambridge) / West Row Rd (using the disused railway line and bridge crossing) - Construction traffic and AILs will be required to use the bridge over the old railway line and the Council has significant concerns as to the suitability and safety of this route for such vehicles. Further survey work of this area should be undertaken and shared with the Council.
- Newmarket Road into Worlington (Access points D and H) – the close proximity of two access points to be used during construction and decommissioning is of significant concern, particularly in relation to the control of traffic movements and the ability of other traffic (included non-motorised users) to safely navigate this route at peak times.

- 4.20 The Council is aware that the operation of the nearby Worlington Quarry is subject to rigorous controls in relation to wheel washing and road sweeping to ensure that mud does not enter and remain on the highways, causing a risk to safety. Such measures must be implemented in relation to this scheme and meticulously applied in accordance with any approved details.

Battery Energy Storage System (BESS) safety

- 4.21 The Council has very grave concerns regarding the lack of detail provided by the Applicant in relation to the BESSs and the implications of a fire within the battery compounds, particularly in relation to public safety. The BESS shown at E33 within Sunnica East B is located very close to a site occupied by a number of traveller families and just 500m from the village of Red Lodge that has a population of approximately 6,000.
- 4.22 The Suffolk Fire & Rescue Service has engaged with the Applicant from an operational firefighting point of view only and has openly acknowledged that there is very little guidance or legislation on this topic given that it is a relatively new technology. The Council is aware of a number of fires in relation to similar systems within the UK and abroad and is acutely aware of the very real risk of an incident occurring. The Council considers that detailed proposals of the BESSs should be submitted by the Applicant at this stage to allow a full and open discussion on the appropriateness of accommodating what appear to be very large systems into the scheme. This discussion is necessary prior to any decision being taken on the merits of the proposal.

Flood risk, drainage and water resources

- 4.23 The Council supports the County Councils as the Lead Local Flood Authorities in their request to be provided with sufficient evidence to demonstrate that a suitable drainage solution can be delivered as the information accompanying the application lacks required information.

Community impacts

- 4.24 This project has already had an impact on the health and wellbeing of local residents that will be affected by the scheme. The prolonged consultation and pre-examination phases have resulted in a great deal of stress and uncertainty being felt in the community, which has been compounded by the lack of information at the examination stage in relation to matters such as the safety of the BESSs.
- 4.25 The nature, size and duration of the construction phase of this development is likely to cause complaints of adverse effect on nearby sensitive receptors in relation to noise and vibration (with similar effects being felt at the decommissioning stage). In addition, residents will have to endure living in a landscape dominated by the solar arrays and the associated infrastructure, with impacts keenly felt on public rights of way that are essential for recreation and wellbeing. There are no immediate benefits to the local residents as a result of the scheme and the vast resources that the Council has had to put into this application and examination process could have a

direct impact on the ability of the Council to deliver essential services going forward.

5.0 Conclusion

- 5.1 Whilst the Council acknowledges the contribution that the proposed development would make towards achieving energy security and renewable energy generation, it is contrary to many adopted Local Plan policies aimed at protecting the landscape and natural environment within the local area. The proposal fails to deliver any significant community benefits and will blight the area for a generation. The Council objects in the strongest terms to the proposed development in its current form and recommends that a Development Consent Order is not granted.