

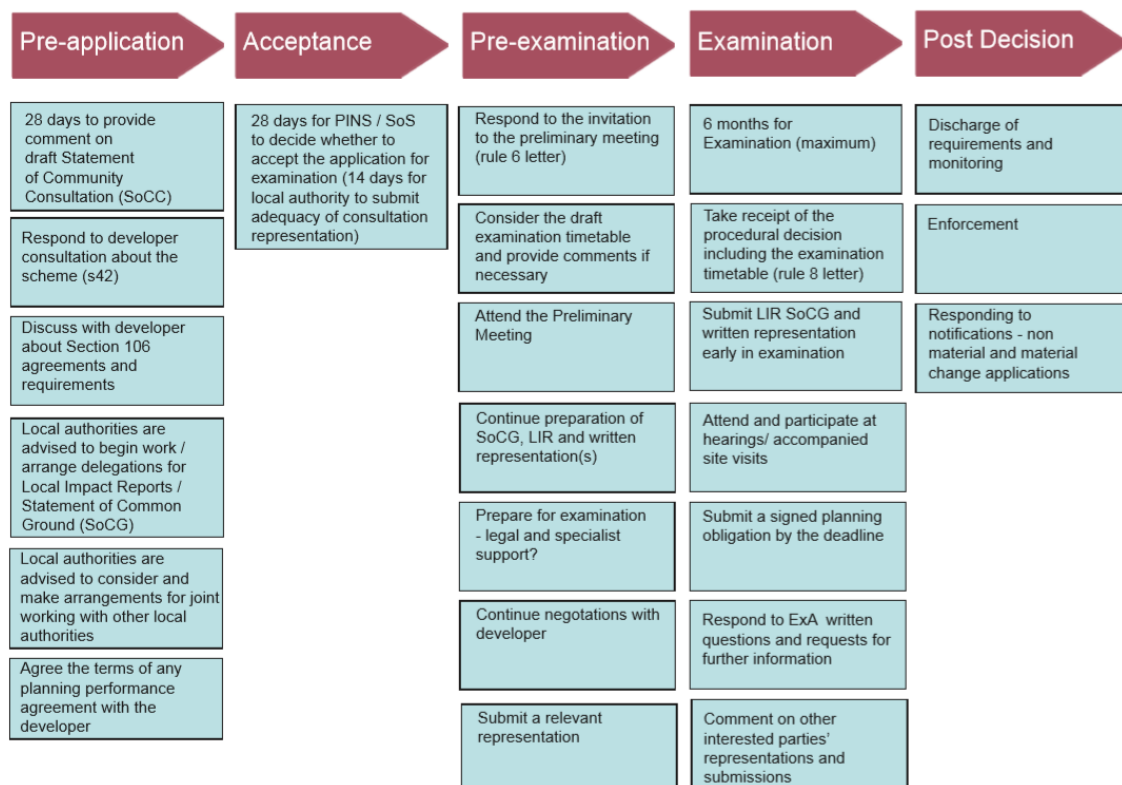
## Development Consent Order Process (DCO) – Sunnica

The proposal:

Energy Farm will deliver up to 500MW of renewable energy – sufficient to power approx. 100,000 homes

Ground mounted photovoltaic panel arrays combined with electrical battery storage technology

## The role of local authorities



East Cambridgeshire District Council is a consultee in this process and has no powers to determine the application and should not consult the wider public.

The determining body (Examining Authority) is the relevant Secretary of State with the Planning Inspectorate acting on their behalf.

We are currently charging the developer for our time through a Planning Performance Agreement.

### Pre-application Stage (Pre-June 2020)

In accordance with Government advice officers from the Cambridgeshire and Suffolk Authorities have been using this time to learn about the application, as well as providing local and specialist input to the developer.

### Statement of Community Consultation (SoCC) (Summer 2020)

This document sets out how the applicant proposes to consult the community. It is for the Local Authority to help ensure that this consultation is the best possible for the local communities.

#### *Informal (1 June -23 July 2020)*

This was an officer led process and seeks to minimise future concerns.

During this period Officers from the County and District Authorities have been involved in meetings, as well as other forms of communication with the developer to discuss the best ways for consultation to commence while Covid 19 is reducing in person public participation.

This was a key opportunity to ensure as much input was made to ensure the SoCC best informs the local community about the development.

#### *Formal (3 August to 1 September 2020) 28 day process where the developer submits the Draft SoCC to the Local Authorities*

East Cambridgeshire District Councillors will be given sight of the Draft SoCC at September Planning Committee for noting. With only 28 days to comment, there will be no amendments and officers will need to make a judgement in the first week following the submission of the Draft SoCC. This stage is primarily to agree the technical process. There is no requirement for consultation responses to be submitted via Planning Committee and further it is not possible for committee to endorse the Officer comments due to the consultation period expiring prior to a committee being held.

The SoCC needs to balance allowing flexibility while ensuring clarity for the local communities.

While a developer must have regard to the comments the Local Authorities make, it is not required to act on them. Disagreement between the developer and Local Authority over the effectiveness of the methodology of the consultation is covered in a later stage (Adequacy of Consultation).

The statutory consultation period will then last late September to late November 2020, though this timeframe is still flexible.

### Pre-submission work (November 2020 – February 2021)

This is of fundamental importance as once the application is submitted it cannot be changed/amended significantly.

Officers across the authorities will continue to work together to minimise the amount of concerns/disagreement about technical issues between themselves and the developer.

In short this is not much different to the pre-application process that East Cambridgeshire District Council already provides. It will provide professional advice, without prejudice to any future determination.

This work should also include considering what conditions might be required should a Development Consent Order be granted.

#### Draft Statement of Common Ground (Current time frame proposed: 23 February – 23 March 2021)

This is likely to start to act with prejudice for the local authorities, as it begins to conclude what elements are agreed, where more negotiation is required and areas of fundamental difference.

It should be noted that this is only the draft version and not a formal response.

#### Just before submission of the DCO (March – April 2021)

The Planning Inspectorate will write to the Local Authorities outlining the date of submission and to ensure that the Authorities can prepare for the work required.

#### Adequacy of Consultation Representation (AoC) (approx. April – May 2021)

Local Authorities will have 14 days to respond to the Inspectorate. With this short period of time to respond officers will provide this response and update Councillors accordingly.

Primarily it is for the Local Authorities to agree or disagree that the developer has undertaken the consultation in line with the Statement of Community Consultation (SoCC).

#### Local Impact Reports (LIR)/ Statements of Common Ground (SoCG) (Approx May – June 2021)

The LIR will cover all topics relevant to the development and is fundamentally a technical document.

The SoCG will formally agree all the issues that are agreed by both parties.

It is currently the aim that all the officers of the Cambridgeshire and Suffolk District and County Authorities involved with the process will write fundamentally the same report for the LIR and SoCG.

A report will be presented to Councillors at Planning Committee to enable comments. At the same committee, Councillors will need to determine if they are in support or opposition to the scheme, this is known as the written representation for the DCO.

However, as previously mentioned East Cambridgeshire Local Planning Authority is not the determining authority; members voting to support or oppose the scheme will help inform the Inspector's recommendation to the Secretary of State.

#### Public Enquiry/ Hearings

The Local Authorities will need to defend their recommendation to the Examining Authority.

The Examining Authority will then make a recommendation to the Secretary of State.