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Thu, Feb 08, 2024 8:59AM • 2:01:04

00:06

So it's 210. Now, so this issue specific hearing is reconvened. I'll just check that the recording has started. Okay. Can you please note that we've decided to defer item seven of the landscape effects to written questions. So as a change to the agenda that you might like to note, Mr. Male, reflect over lunch. The examination authority is concerned that at this stage of the proposed development, there's still no detailed traffic management plan for the safe use of Ken street. That also takes into account its rural character. We understand that you're working on one, I just want to clarify when we can expect to receive it.

00:55

Thank you, Chris Williams on behalf of the applicant. We are, as we said, working working out that traffic management strategy, we do need to take account of traffic surveys being undertaken this month as part of that, which means we're going to going to struggle to hit deadline one, but we'll certainly be able to submit something that deadline to

01:16

so can we make that a firm action for deadline to please?

01:19

Yes, of course.

01:21

Thank you. Okay, so the next agenda item is kaufhold Air Quality Management Area. Now, there's a commitment in both the draft DCO and Coda construction practice, basically, to avoid the equity management area in kaufhold where possible, but we know from Table five, three HCV construction traffic distribution of the current outline, construction traffic management plan, that despite these commitments, there's a large number of two HGV movements through the kaufhold aq ma to access the onshore cable route to the southwest of the village and access 57 access 5653 and 52 Would you please explain how your ACB strategy tries to meet that commitment to avoid that AQ Ma.

02:20

Chris Williams on behalf of the applicant. So, the commitment included in in the ctmp Sorry, I should say commitments there is commitment 157 which relates to the avoidance of routing through settlements including kaufhold and also commitment 158 which is the specific one related to avoidance of the AQ MA in California. So, the HEV construction traffic strategy directs all traffic routes along the strategic road network. So the a 23 and a 27 as far as possible before coming on to the local highway

network. So that in theory should mean that only traffic using those accesses will be stated and 50 to 5657 need to travel through kaufhold village to access construction sites. Further to that is worth noting that on our assessments, and to provide a robust assessment as possible we did route approximately 25% of traffic go into accesses along the 272 Kent street winding Lane through kaufhold as well. So it's very much a worst case assessment of potential impact routed through Cal fault.

03:51

Okay, if I can just move that a bit. Table five three of the outline construction traffic management plan suggests that the 1550 HTV two way movements could be split or may be split between access 52 and access 53. Now table five one suggests that access 53 is accessed by local access route two and that's via the a 24 a two a three B 22135 and B 216. However, if that access point was accessed via that route that would take HGVs through Partridge green and table but table five stroke fives Jess is accessed by local access route three, which is by the A to seven to a to a one. Two, would you just confirm which access route that is access from a five three

05:01

Just sorry, just trying to find the relevant parts ECMP

05:05

I suspect access route three to avoid Partridge green. But as I say there's that error or inconsistency in the document?

05:13

Yes, that'd be correct, it would be access route three.

05:16

So, because when I was looking at that initially, I was thinking No. So, potentially up to 1550 could be taken out of the AQ MA and use access route to, but that's not an option you can do.

05:30

No, but we have done some calculations and the commitment removes up to 11,000 HGVs from California by assuming that only those accesses located around the 281 have to travel through California centre. Right.

05:52

Okay, just just looking a bit further at that, and an efforts to minimise that even further. For me, I raised earlier use of on site haul roads will be possible to use on site, all roads from the south, from the substation, south from the substation construction compound, a 63, to service areas that are currently proposed to be serviced from a 57, a 56, a 53 and a 52. As well, those are the accesses offered to a one. So what I'm suggesting is could a whole road come south from the A to seven two missing cow called to service those areas?

06:39

Sorry, Simon Nagel on behalf of the applicant? No, it's not possible because we have HD crossing a river a watercourse that, which brings that you'd have to rush to the dashboard. As far as we have this trenchless crossing of the of the watercourse or you could we bridge it temporary bridges in some way. Is it in the watercourse, you have the flood zone as well, which makes it quite a wide location, we can revert with more details on that was the length and width the watercourse. And we've investigated that just with that. Yeah. Okay. And

07:18

similarly, is there a whole row Route north from Access 56 service the same areas? So, basically, party's green sort of breaks the connectivity, isn't it? But if I'm just thinking from Access 50, whether all roads go north to service, those accesses are off the a two in one for the North.

07:47

I think I have to look at it in more detail on a diagram. Rather, perhaps you could take

07:53

an action bishop to look at use of Horos, both from the north and from the south. To further reduced HGV movements,

08:01

we can take the action it just should be noted that where we where possible we we try to use the whole road as much as possible to reduce the traffic overall on all networks. But we can provide that information of why it's not possible in certain circumstances. Okay.

08:21

And then, finally, could you please confirm the total number of ACB two way movements through the air quality management area, the time period over which those movements will take place? The peak number of HTV movements per day and the percentage of total HGV movements. This equates to so what I'm trying to get at there is what is the scale of the HCV movements in when you compare it to the background flows.

08:57

Chris Williams on behalf of the applicant so the IES assessments that included the routing of approximately 25% of the traffic through California that was serving oak and Dean chemistry and wine lane that had an increase of

09:27

sorry, it was the last my last place for ATVs on the ATA on sale for California per day 32 ATVs on the ATA one within the centre of California. And that was corresponding to a 2.3% increase on the ATA on to the south and a 3% increase in a 281 in the centre of California.

09:50

So low percentages, very low vehicle numbers. Yep. Okay. Perhaps I could go to West Sussex County Council now. Mr. Cook ideal. Do you have any comments on ACB? Reubens through the q&a?

10:11

Sorry, is it good to hear like, I can't quite hear you. I don't think there's anyone with your mic.

10:18

Sorry. What's up? There we go. England here West Sussex County Council for the second time. In terms of movements in the AQ Ma, I think it's from a higher point of view we want to minimise the number of movements. I think we recognise though the air quality issue there is for Horsham District Council, perhaps to comment on so I perhaps invite my colleagues at Horsham to comment further on those matters if that's okay. Thank

10:42

you, Mr. Gledhill. Yes. Mr. Porter, would you like to comment on AQa issue?

10:47

Yes, Matthew

10:48

Porter for Horsham district. So we welcome any commitments about reducing rerouting HTV, three day q&a with whoever positive impact on evidence, air quality issues, in addition to reducing congestion. Obviously, it'd be welcome if the applicant can evidence what's been suggested by you. So about the haul roads and seeing what options are there to reduce the HGVs. I just temper that by that there will be obviously amendment to the LVA if we're going to have receptors of vehicles along that route. But certainly, we would like to support X prefer of exploration.

11:36

Excellent. Thank you, Miss. Mr. Porter. Is there anyone else who'd like to comment on H? AQ Ma, and issues related to it? See me, Miss Smethurst.

11:51

Thank you. First of all, I'm not sure that you're you might consider the number of HGVs. But where have you considered the number of LGBs and passenger vehicles that would be going through California, because that also needs to be taken into account. And then you've got 10s of 1000s of LTVs coming and going to those two compounds and down to the A to A one, and the passenger vehicles will presumably be able to come in whichever direction they wish. And they're likely to be coming at peak times when the congestion at Cal fold is already as I tried to explain earlier at capacity and even small increases in percentage changes has a massive impact on the congestion all around cow fold. So the LTVs and the passenger vehicles absolutely must be taken into account as well. I seem to remember you have about a third of your vehicles coming from the west from the ATA or from the a 24. The other thing is, you really can you just clarify, please, because of something one of you said to meet earlier, we would not be happy with the use of the whole road being increased because of the dreadful devastating impacts on the ecology there. And can you clarify, please, whether that whole road from Kent street to the ATA one is actually continuous thing or not?

13:23

Okay, so Williams would like to comment on that.

13:28

I can comment on the LGV references now needs to refer to a colleague on in relation to the haul road. So it's correctly the LTVs aren't currently subject to the restriction or the commitment sorry, in relation to the kaufhold a QM A. And I don't have the numbers to hand that what that means in relation to the the increase in traffic. They shouldn't primarily be moving in peak hours though, given the construction working hours, they should arrive on site prior to the the peak hour and leave site after the peak hour. And in relation to the haul road,

14:21

Simon leg on behalf of the applicant, the whole road between the two eight what the eight to eight one and Kent Street, as I mentioned earlier is not continuous and because of that watercourse crossings, so we have a trenchless crossing under that and that's why we need access from both sides.

14:39

Okay, thank you. Can I ask then perhaps you take an action to provide the LGV figures.

14:48

Yes, cause Thank you.

14:51

Anyone else with any other comments?

14:55

Yep, sorry. It's Jenny and Crow resident is just very quickly this to Trent To this crossings there aren't there in between the two are one and Kent Street. And one as the whole road diverted round so it destroys even more ecology. So it's not suitable for putting more lorries through

15:18

Simon lake on behalf of the applicant, you are correct, there are two trenchless crossings coming from the A to A one the first one we do have a diversion of the whole work road around. But the second one we do not so it's not a continuous link. On so that's so there's not a continuous traffic running through there.

15:44

Okay, thank you.

15:47

I can't see any more hands in the room or on the

15:52

end slow for the applicant. Just on that crossing and the whole road we've been asked to consider from from the substation site south. We have put that HDD in there specifically to try and retain that line of vegetation and reduce the impacts for landscaping visual perspective and also ecological perspective. So that was one of the major considerations in terms of, of how we entered that site and how it would then retain screening during the substation construction and into operation.

16:26

Okay, if you could make that clear in the note you're going to provide on why that was discounted. Thank you. Okay. Oh, you'd like to say something finally. misspent methods.

16:40

So it's churning crowd. Just something is that it will come up later, but we're all that is happening. I don't think you're understanding the flooding at all. And it will come up late later. But where are those trenchless crossings? Are they coming up in the floods?

16:58

I think we may have an item on that in a minute. Okay, but I'm gonna move on now to the next agenda item which is kings and Brookfield lanes to the applicant put the figure 23.13 C of a PP dash 108 Back on the screen please

17:23

tweet.

17:48

Coming soon we've got a great

18:07

that's great, thank you.

18:12

No, I don't think that's the right one. It was the one we had that previously that showed all the accesses in the cocoa cocoa fold area.

18:27

It was the references to 3.13 C. And that says a PP. Cash 108.

18:47

I think that might be it. Yeah, that's the one.

18:52

Apologies is quite small. But kings are Montville lanes from private means of access of Kent Street, which serves a number of homes and businesses. And it's the red line on the plan looping around the woods lower bound farm. It's correct. To the east of the operational axis at 600. The line of the onshore cable route cuts the lane in two places. Both crossings are supposed to be open trench crossings. Now

the applicant is listed in response to relevant rep representations for bank. The applicant is listed a number of potential measures to mitigate the impact on residents. The latest version of the outline code of construction practice p p d dash 033. And these include advanced warning plating, backfilling outside working hours and localised diversions around the works. How does the applicant envisage this work in practice, as any consideration being given to horizontal directional drilling at this location

20:03

Thank you, Chris Williams on behalf of the applicant, just in relation to the strategy for a private means of access. We see that as very standard procedure, and not too dissimilar to how access would be retained if statutory undertakers were completing work on a road and not to maintain access to for local residents. So it's a strategy that we're setting out to try and minimise impact wherever possible, and allow access wherever possible, as you noted, emergency access at all times back fill in more or place in outside of working hours. And also, the requirements or respond to reasonable requests for access, I need to again pass to a colleague to the point where

21:01

I'm understanding you, there will be periods when the residents will not be able to actually access their properties or businesses. except in emergencies, but you'll you'll plan those instances and give them advance notice

21:17

that Yes, three months advance notice will be given to the works. And as I say reasonable requests for for access will be granted.

21:29

If you're going to seek further information on

21:39

Richard Tanner it on behalf of the applicant, yes, we've set out these principles to provide a general approach to these crossings. And we recognise that individual crossings will be part of a bespoke solution that will be coordinated also within the construction contractor in the end, and ourselves. And additionally, there is a nominated contact person for those crossings also highlighted in those commitments that we've made there in the clcp.

22:11

Okay, and then while the point by whether you did consider HDD, this location is a way of avoiding cutting the lane and.

22:28

Alright, Simon Nagel Simonik on behalf of the applicant, at this location, we have to come through here with the whole road, the actual open cutting of the road itself is not a long duration activity. This is not weeks of it being open cart and having to play to this, you know, the actual, the actual activity that affects the road in terms of open cutting is a very short duration days. So the the impact of that versus HDD was considered and it was considered that open cart in this location was the preferred method.

23:11

You say short duration. Can you define what that is?

23:14

We're talking about a day or two for the actual open casting are only a couple of days each crossing basically. Yes, yeah. Because we have to have four trenches in parallel. So the four circuits, so yeah, so there'll be like a few days to off the actual open cutting. Apart from that it will be in preparation, and then we'll be back to normal for the actual road within the whole road crossing.

23:43

Okay. Let's create this like boom. Would you like to amend your

23:47

anticipated my response? Thank you. Yes, Paul, like the resident on Kings Lane. I'm representing 10 other residential properties on that lane, and a working farm? Yes, we've helped we've had dialogue with the stakeholder manager, up until the 23rd of November. And the points that to that you mentioned in your presentation there have been communicate to us. cutting us off from the highway for well, the email I received so two or three days, that's been reduced to one or two days. But any restriction from as either getting out going to work getting kids to school would be unacceptable. More alarmingly, is we need emergency access. Emergencies aren't predictable. We've had several ambulance call outs recently. We've had urgent emergency fact call outs in several In the last six months, the fire service require a road capable of taking an 18 tonne Fire Truck using bends of minimum radii. So, alternative access would need some engineering intervention. Some of the local footpaths have had identified alternative accesses as one just north of our lane up past 1787 has had diversion number t 23. clearly shown. So, that has been recognised as public right of access, public right of way can have a temporary access the plan that we have been provided with which is AP p 01. To access right of way under STS plan sheet 32 Which only became to our attention when we got the DCM notification letter in September clearly shows that our lane which has been designated as a public right of way subject to temporary closures not designated as a private means of access a privately owned Lane maintained by us and great expense on itad has been cut into places for any duration however, short is unacceptable and alternative means of access providing us with 24/7 access must be provided. And I would urge the planning Inspectorate to include such requirements in any condition of consent if granted. There are several of these lanes identified and going back to the Mitchell Grove lane. Position this was referenced in West Sussex principal areas of disagreement statement as double O eight referenced 34 and West Sussex County Council's said the construction plans sections four, four and four five refer to temporary construction operational access. It doesn't indicate how roads such as this will be provided with access the Construction Management Plan AP p 228. does not include any alternative arrangements. The applicant talks about instructing their contractors to set up some form of dialogue so that if an emergency is required, they can put in place emergency plates so that the fire engine can get or an ambulance can get to us in an emergency. And we can get out if we have an emergency of our own. cutting us off from the outside world for any length of time is unacceptable. And the app isn't got to realise that. And it's got to guarantee that temporary access will be provided on 24/7 basis. Thank you. Okay, thank

28:14

you, Mr. Lightburn. Do you wish to respond? Thanks. So

28:21

for males, the applicant will certainly take it away. And we'll consider what we can do. Obviously, what I will say is that the measures that we've outlined are in an outline code of practice, which applies to the whole scheme. It's another one of those where there will be a level of detail developed in due course in relation to specific stages. So there is a mechanism within the way in which this will operate to deliver the tailored solution at particular points. Although I appreciate the points that have been made that we'll see what we can do around providing more clarity at this stage. Okay, thank

28:59

you. Okay, I think I'll move on then. Oh, sorry. This specialist. Hello.

29:07

Just to reiterate what Mr. Lightbourne said you do? Grasp, don't you that this is a dead end, and rerouting is not possible. You still have it listed in your draft development DCO as a bridle way 1730 scheduled for temporary closure. You cannot be allowed to continue. And actually it's not just emergency vehicles. There's an elderly demographic down that road, some of whom are already quite sick. They need access to GPS, palliative care, nursing services, you know, personal care, those things have got to be allowed to take place without restriction and not accept trouble to say, Well, you've got to somehow contact rampion get to get free access to them that is just going to completely be unacceptable. Okay, thank

30:09

you for those comments which are noted. Okay, I'm gonna move on now to the final agenda item on the topic of transport access and that's dragons lane. Will the applicant please display sheet 24 of Appendix A of the latest outline code or construction practice? That's p p d, Dash 033?

31:09

Okay, thank you. Now I don't think that's the correct one. You can go up a link to Dragonling.

31:29

Xi 24?

31:43

Yes, that's the one.

31:47

So the figure shows dragons lane, which is that red line coming from the letter right to the top of the plan. And that's a private access road to a number of properties off the a to a woman to the south of kaufhold, which used to be used as an operational access a five, eight for the proposed development. But I think there's a little bit of confusion about what bike lanes actually going to be useful in the

relevant reps. So, could you please clarify the nature of the work that will be carried out from that lane, the type weight and size of vehicles involved and the frequency of use?

32:29

Chris Williams on behalf of the applicant. So, I can confirm that yes, that access a 58 will be for operational purposes only. Paragraph 23 point 4.21 and 23 point 4.22 of chapter 23 vs describe the expected operational and maintenance phase activities associated with the proposed development effectively, these will be used very sporadically, typically only by light vehicles. For scheduled maintenance, unscheduled maintenance or emergency repairs will also require a small number of vehicles, usually, again, light bands, very infrequently, it might require the occasional HTV that depends on the type of repair that is, has been undertaken.

33:24

So you're not ruling out use of that lane by ha Shooby.

33:28

Not in totality. Now, if there is a repair that is required, that needs HTV support that that would mean that access would need to

33:39

be used on HGTV and what sort of frequency

33:44

you normally expect scheduled maintenance for like vehicles is between two and five years, I believe, just for for checking that everything is operation operating as expected. Unscheduled repairs, I would presume will be less frequent and occur very on a very rare occurrence.

34:10

So the use of HDB will be exceptional. Yes. Couldn't it be accessed from the access or suitable access that he is required?

34:24

That's not something I'm aware of. I'm having to take that away and consider and

34:28

if you would, please. And the final question I have on dragons lane is if you look at the the plan, I think there's a proposed a location of a horizontal directional drilling compound, just these two lane, which is to hatch blue. I just want you to confirm how that compound will be accessed.

35:02

Simon Nagel on behalf of the applicant. These are the two HDDs we were discussing earlier from the A to eight one, which is to the to the east here. The the construction traffic will just off the bottom of the screen there, we'll come up the whole road to the first HDD. And then we'll hug the western side of the red line boundary and go round and as my colleague pointed out, those to reduce the impact in that

area. So we're not open cutting through through the areas just the with the whole road, and then that will join back into the cable route running up to the northern most HDD compound. And that northernmost HCD is over that river and flood zone area, which the other side is accessed from chemistry.

35:56

Okay, just to be clear, there's no proposal to use dragons Lane no to access that compound. Okay, thank you. Okay, so I think Mr. Otter Crawford, and hopefully you're still on the line indicates he wants to speak on this or may want to speak on this item.

36:18

Oh, sorry. I thought you were online. Apologies. Would you like to comment on what you've just heard?

36:26

Firstly, for clarity, my name is Robert Crawford Clark. Laurie, and I'm Agent for Mr. Face, who owns Cravens farm at the bottom of dragons lane. Thank you for the clarification that it will only be an operational and not a construction access. I'm still very unclear on the root of this whole road which will pass up through his property. From your description perhaps you could just read describe it and perhaps trace it with the merits as you go along because we're back here. That map is very vague. And then perhaps I could comment further.

37:00

Simon Nagel on behalf the applicant. Yes, of course. That's coming through it's a bit delayed and so, to the the HGVs and LGBs will access just just where where my pointer is there and they will come along and join the whole road coming up here to the first cut trenches compound cross crossing here, the whole road will come around this side, so the western side of this area here and join back in to the cable corridor and up to the second HDD

37:37

location. Right. So through Cravens farm, there'll be no strolling outside of the construction corridor for the whole road. So what you're saying.

37:49

But for Yeah, the only the only area we we stretch outside of the cable, like corridor here is for this crossing here. And then it's back in.

38:01

Right, thank you. Just another small point on the operational axis. And your point about occasional use by HGVs. How would you envisage those using the lane firstly, getting through the very narrow pinch points between buildings about halfway along the lane? And secondly, once they've gone down the lane, where do they go then? Because it's they're not car so can just pull in a little gap on the lane.

38:29

Somebody who on behalf of the applicant? I think as my colleague said we will revert in more detail about that. I think it should be put into context to how infrequent this would be it's not this is not a one in 10 years event we will having a fault along the cable cable, the entire cable route is very infrequent and then to have this location specifically is infrequent again. Yeah. But we can provide more details. Yeah.

38:59

I just like to stress that my client has a they live very close to that endpoint of dragon slaying the farmhouse is there. It's listed, by the way. And yes, it may be infrequent. But if it was an emergency access, the trial saw it's for something fairly major. So there could be several HGVs. And we need some clarity on how that would have to be handled and how that will work.

39:24

Yes, and we can provide some details along those lines, too. Okay, thank you.

39:32

Okay, so that concludes my questions on transfer access. And now we're going to hand over to my colleague this specimen

39:45

that bits that hooks around the top of treatments on their website that is is that in part of the bits that you will be using for construction, or is that part of your operational only access

40:02

Simon, they go on behalf of the applicant. Are you talking about this point here that I'm Yes, that is associated with the operational access only only.

40:12

So where where is the material store going to be for your trenchless crossing compound

40:19

within the compound site itself. Everything will be within that compound, we have the limits of the deviation of the compound. So what is that

40:28

thing there? Are you going to create a permanent road? Because one doesn't exist at the moment. There's no operational access that hook round treatments farm what is it? Is it going to be a permanent road that you're going to create?

40:42

No, there'll be no permanent road there.

40:46

And how will you turn round your HGVs? If there's no because you're going to have to aren't you if there's no crossing over California stream?

40:56

Oh, wait as in when we bring them up? Yes, there will be within the cable corridor construction there will be sufficient space for turning HGVs here and back.

41:08

Can I perhaps interject? And maybe this is a conversation you want to have in the break or something where perhaps you could explain to me Smithers how this is working. Just keen to avoid sort of cross chatting here. It is a questioning from the examining authority. Can I also firstly got Mr. Scott's hand up? Whose eyes is this a matter you wanted to speak on this item? Or is that a legacy hand?

41:34

Nick's off West Sussex County Council. It's a legacy. And that's what it was for? Well, it was from from item four, three kings and outfield lanes, and but it also impacts on dragons lane as well. Obviously, the closure of that, obviously has an impact on the local on the private access, but also quite a big impact on the public roadway network, particularly Broadway 1730, which runs between the ATA one and Kent Street, over kings, outfield lanes and dragons lane as well. So I just really, the point may have passed now. But at the time, I just wanted to sort of highlight the quite major impact on on users, particularly potential cyclists and horse riders who would use that route and no longer be able to so I'd just add that if through further consideration, an alternative route is provided to allow private access to the properties then for this also to be suitable for all lawful public users. So they could utilise that and continue to gain access between the 8081 and Kent Street. Thank you.

42:40

For that, yes. If you could take that into account, then perhaps in the note you're going to provide. Okay, so I'll now hand over to my colleague, Mr. Sullivan. Oh, you so

42:50

sorry. I just wanted to clarify the point made by Mr. Crawford Clark, where you said you'd provide additional information. Is that an action point? Or is that information you're providing directly to Mr. Call for Clark? I wasn't clear.

43:07

You could take it as an action point. Information submit

43:12

into the app. Okay. Thank you. Thank you.

43:22

We're now at item or three the Historic Environment and specifically condemned manner. At this point, the ESA wishes to discuss the level of detail available to assess the impacts on this heritage asset and also the level of impact on this heritage asset from the onshore substation. So the first question on this subject areas to the applicant really. So Appendix A of as 003, the revised design and access statement, there's an indicative layout and elevation and an appendix D as an indicative landscape

plan, showing the maximum parameters and mitigation the onshore substation. So can the applicant justify the level of detail here in terms of assessing the impact on the heritage asset and detail how this level of information will enable the NSA to robustly consider this impact on the setting of open D manner?

44:49

Thank you. So as Paul male for the applicant, I'm just going to introduce a new member of the team hadn't spoken yet today. Mr. Simon Atkinson, he deals with heritage matters if he could make himself known until you respond to your question. Thank you, sir.

45:04

Oh, yes, thank you. My name is Simon I concern to be SP and I'm speaking for the applicants on Historic Environment Matters. So, in response to the question firstly, in terms of the assessment, we the first part is to understand the significance of the asset and the contribution setting makes to that. So as part of our assessment, we have undertaken this start Lunz Parkland assessments, which is provided in which are provided as appendix appendix out on the list of building and assessing are described in Appendix 25.8, which is a pp 214. And the Parkland assessment is appendix 25.5, which is ABP 211. So there's established baseline understanding of the setting of the asset. The the assessment of the effects of the of the diamond was based on the the presented information on the extent of the substation, and the temporary works include the construction compound. And the and with and with the, the landscape mitigation planting, which, as you mentioned, is presented in Appendix D of the design and access statement. So it's also been supported by we've undertaken site visits as part of the assessment. And there is a viewpoint illustration, which is viewpoint as as a three which is bigger 18 point 12. That's in a PP. o nine, nine. So taking all of that, together, we're confident on our on our assessments, to the degree of effects on the list of building.

47:36

And so just to pick up on I think, Paul, my, for the applicant, just to pick up on I think that the second element of how there's that then reflected in the ultimate details that are brought forward, I'd refer you to requirement eight, which relates to detailed design approval for the onshore substation. Requirement eight two requires the details to accord with the principles set out in the relevant part of the design and access statement and including a number of things but relationship to and the and effect on heritage assets. And the details submitted for approval include siting and layout and landscaping proposals. So there is the linkage there to between what has informed the assessment through the design and access statement then to the details that are actually submitted in due course for approval.

48:45

Thank you for that description that the point I was trying to make was really the level of detail on the ponds that have been submitted in terms of weather that is sufficient to enable us to make the decision on what the impact on the setting is, rather than where the level of where the weather detail is within the s. T is more was shown on this particular ponds. How does that enable versus the XA to make that consideration about setting on that heritage asset?

49:26

You want to think in that regard, you've you've heard from Mr. Atkinson as to how these use those details to inform his his assessment. And so from from the applicants perspective, they've deemed it to be sufficient detail for an order that for that assessment to be completed. It may also be worth Mr. Atkinson, referring to comments in relevant representations, which also align with this point. Yes,

50:01

Yes, sir. To add to that, we understand from Robert representations from ocean District Council, there is sensually seems to be agreement on the level of facts or just quoting from rather than reps. Paragraph 1110 of the horseshoe relevant representation states that the impact of the development including substation on on these would be less than less than substantial at the lower end of the scale of that category. And that includes this includes the substation.

50:44

Thank you. We move on to the next question, which is to West Sussex County Council. I know from the County Council's principal areas of disagreement statement as to 008 Particularly at point 43 of that statement. Reference whether there's sufficient evidence to call inclusively rule out substantial harm. So the grade two listed building or condemned manner. Could you expand on that point and sort of explain? It may well be linked back to the first question, but I explained that the County Council's concern there and a little a little bit more detail please

51:37

call UniSA West Sussex County Council. Yeah, so this does link to the previous point regarding the level of detail provided by the applicant. As Australian centres set out the the significance of various the building and the contribution made by setting is is assessed within those documents that he mentioned. Even that I would sort of say there are certain areas where the contribution of setting and sort of certain key views and the the sort of the relationship that the details of the relationship between the historic parkland and the Manor House are perhaps not fully explored. But one of the key issues is it's due to the lack of suitable viewpoints visualisations from suitable viewpoints that reflects Historic Environment concerns. In particular, from Oh, Candyman are looking southeast towards the substation and the compound locations, it's it's not possible to fully assess the degree of change within the setting of the Heritage assets. So for example, statements such as views will be heavily filtered towards the substation can't really be substantiated. Currently, we have viewpoint sa three, which has taken from the public right away, south south of the Manor House, which does show long shows long range views across the Historic Park Lands towards the listed building, which are important. But yeah, without without sort of understanding the precise degree of change within the setting when looking at those long views, se for the man house, it's just very hard to be to sort of assess the precise degree of of harm. The assessment within the ies of sort of the substantial harm versus less than substantial harm arguments, I think more nuanced assessment is needed. The applicant basically equates you know, anything less than a major magnitude of change, as less than substantial harm. Whereas I think, you know, a more nuanced discussion of how the sort of specific characteristics of significance will be affected, and how that sort of, you know, where that where that sits on the scale of harm is probably required, rather than sort of making a very, very clumsy comparison. I think, you know, the fact that they mentioned that, that the building will be physically unaltered. Yes, that's true, but that, you know, obviously, change within setting can, in certain cases lead to high degrees of harm, saying that,

obviously, substantial harm is is a high bar, you know, but where the scale can be sort of explored in a bit more detail in terms of less than substantial harm at the upper end of the scale. I think that that more discussion along those lines would definitely be required in order to understand the degree of harm properly.

54:33

Thank you. Does the applicant wish to respond to those points in terms of the overall assessment and particularly the point in regard to viewpoint essay three and longer range views?

54:53

Pull me off the applicant. Certainly in terms of what up what Further information can we provide you with in order to assist In this assessment and what may have informed judgement to corroborate the the applicants position, we can certainly take that away as an action and look at what can be provided to you. I don't know whether Mr. Atkinson wants to add anything further

55:15

to that.

55:18

Yes, sorry. My concern? We would, there was an intention to take photography, the viewpoint from southeast corner at the manor house. It wasn't we weren't able to arrange access. But we're looking into that. And I understand that that is something that we wished was still we're hoping to be able to do.

55:50

Can we take that as a action point then to provide the note the Mr. Mail use suggested and perhaps to update us in regard to the viewpoint from the southeast corner, if that access is able to be arranged that? Certainly

56:12

we can we can we can try, sir. So if if we can't provide that information by the next deadline, we will certainly give you an update on when we might be able to do it and what we can provide you with? Thank you.

56:35

Smith, as you speak to the point, I'm

56:39

not sure I quite understand that you've managed to communicate with the owner over the DCO and and your rights, why on earth can you not have communicated with him over access to get a photograph? And when you do take this viewpoint, please, can you make sure that unlike your other viewpoint pictures, you actually removed from the photograph the trees and hedgerows that are currently there? Because otherwise it gives a very disingenuous view of what what you're actually taking pictures of and gives a very misleading picture. That sticking this substation in the historic parkland, or the grade two listed building is just brutal. I mean, of course, it's going to diminish its its, its value as a grade two listed

building. It also diminishes its value in terms of its rural setting. And I really think you are downplaying its impact considerably with regards to the you know, because that falls within the curtilage of that building. And you're removing huge amounts of hedgerows and trees in order to put the substation in of being brutal change to the to the historic parkland. And with regards to sa three, I mean, it's a public right of way and you do take some viewpoint photographs from the high ground there, and those are bad enough. But actually, one of the most extraordinary things when you're on that particular path is the view of the manor. And there's absolutely no other manmade structure, visible part from the manor house. And that theatre, you can see the fields the parkland, the AONB in the distance the high Weald AONB, and it's a completely rural landscape, and you will utterly destroy that. What's more, I think it's a bit disingenuous to take that viewpoint from where you have because that footpath goes between the two lakes, the big one and the little one, right past the substation. So how can you possibly imagine it can't radically alter those you view of the Manor House from there when you've got a huge substation right next to you? It's not in the Parkland anymore. It's completely industrialised. And and please don't use the Oakland Dean industrial estate as an excuse, because you can't really see that

59:18

back around a lot for the applicant. If I can just answer on the point about the photography and access to open Dean manner. So the landowner was contacted, and we were unable to provide access. There were personal reasons for that, which I don't want to go into but to do with the landowners situation, so we did not have access. But what we did do from the landscape perspective is we provided our CO team on the heritage front with some wire lines from the 3d model of this of this substation. So they weren't photo montages, but they were naked while lines if you'd like to show the scale and extent of the development as it will be perceived from that location, we took viewpoint sa three where it was, because I felt that it was the high ground that as you walk along that footpath, you have just exited the enclosed tank field wood woodland area, and you get this great reveal this open view where you can clearly see us. It's been so well explained the AONB the manor house within its setting. And we took the view from there, we did not take a viewpoint from the closest point on the footpath because from a photo montage point of view this there's practical difficulties with that, we would then have to remove all the foreground hedge row in order to create a new image of the of the substation and all the planting that would have gotten placed in that that front. So it's of practical difficulties. And I think from our perspective, we realised that you know, at that proximity, there would be a large degree of change, and it's for our colleagues in the heritage team to assess that. So I just wanted to clarify that on the the point location. Thank you.

1:01:14

Thank you for that. Was there any other points that the applicant wanting to come in on what's just been said on other than the the viewpoint or?

1:01:31

past reports posted 14 District notes just to qualify what the applicant said earlier about our assessment in our relevant rep. Obviously, that's based on following the mitigation approach set out in the DCO.

1:01:46

Thank you for that clarification. This is there anyone else who wants to make any other comments on this item on the agenda?

1:02:10

West Sussex County Council want to come back in sorry.

1:02:14

Yes, please, there's just two or three points I'd like to raise. Obviously, with that, as as Horsham just mentions, we rent, we welcome the proposed embedded mitigation. However, it's just worth pointing out that due to the proximity of the substation to the listed building, the harm can only be reduced to a certain extent, you can't you can't fully mitigate the harm. Even with all the sort of appropriate and historically you know appropriate pricing in the world, it's it's there's still going to be a sort of permanence adverse change within the setting of the manner. And you know, that that's going to be recognised. The other issue is, obviously, the design principles, the high level design principles set out within the design and access statement she has as stache 003. Again, sort of that they are welcomed, they are positive. And, you know, they they sort of that there was obviously the intention to mitigate the impact upon the historic environments. But the issue we have to raise is that they currently lack certainty. The wording such as seek to reduce the effects on open Deen. And, you know, there's obviously the intention there. And also with that, with the sort of the commitments that's, you know, intended to reduce that impacts, it's just not having that certainty currently that those measures will reduce the harm to the degree that has been assessed within the AAS chapter. My second point would be, obviously, for the operational phase, the, the residual effect is assessed as major adverse. However, for the construction phase, it's been assessed as not significant the magnitude of impacts has been assessed as low. And I'm slightly struggling to understand that. Because obviously, you have the construction of the substation, but also the impacts of the construction compounds, or roads, all the construction activities and traffic. There's obviously noise changes, which we believe are under assessed within the s, they're sort of described as a very low magnitude of change. However, there's also the you know, it's also acknowledged as going to be an increase above background levels of four to five decibels, which we feel will constitute a significant decrease in tranquillity within the setting of the asset. So it's, it's sort of puzzling to understand how that's been translated into a low magnitude of change. I have to assume it's on the basis that these impacts are temporary. But again, to me that that should be assessed as sort of a medium or high magnitude of change, but on a temporary basis, rather than downgrading the impact to low if that makes sense. And also, yes, temporary, but It's it's predicted to be four years for construction for the substation, and even then my understanding is that that isn't secured by by DCR requirements as it currently stands. So she wants to raise those points.

1:05:16

Thank you for that. Today. Come back on those points, particularly with regard to the assessment of the effect in terms of the magnitude of impacts. I'll

1:05:30

let Mr. Atkinson respond to those construction change points in a second, sir. But I think that it's important to recognise that it's the applicant is what it's not the applicant position that there is no harm. Here, the applicant is very clearly assessed less than substantial harm. And indeed, I think both

Horsham, and West Sussex County Council have concurred with that conclusion subject to the embedded mitigation measures and the commitments being delivered. So any difference that exists is one of scale on the less substantial harm element. And certainly, we can take away and look at how we can give you more certainty over how that has been assessed, and indeed, potentially looking at, you know, whether there's any ways in which those embedded mitigation commitments might be beefed up through the documentation that's been submitted. So that's something that we'll take we'll take away and consider. Will Mr. Atkinson have anything to say on the construction stage of this assessment?

1:06:34

Yes, thank you. Yes. So, the, the non significant effect during the construction phase it is because it is temporary. That's the Historic England guidance on setting setting effects stated that temporary or otherwise nature of change is, is a relevant factor to consider and so that's that's how that was assessed in in the in the asbestos on temporary nature.

1:07:13

Thank you for that. That brings to a close the next questions on this particular agenda item. Don't see anyone else in the room or online who wishes to speak further on this issue. So I passed to my colleague Miss below to take the next agenda item.

1:07:46

Thank you. Can you hear me clearly? Okay, so we are now looking at section 4.6. On the agenda, which is the flood risk and proposed drainage plans for the proposed substation sited Oaken Dean. I'm not intending to discuss wider aspects of flooding. The proposed development today we're focusing on the open DNS site. Questions on wider flood risk issues not related to open DNS site will be dealt with via written questions that will isolate a hearing. So concerns have been raised from some interested parties at the current flood risk assessment and drainage design proposals at the proposed open DNS substation do not truly reflect the winter flooding that occurs at this location or local groundwater conditions. relevant documents are a pp 216, Appendix 26.2, the flood risk assessment and the outline operational drainage plan in a PP two to three. So firstly, Mr. Mail, could the applicant explain the worst case flood scenarios considered for the open DNS site from all potential sources of flooding and the drainage that strategy proposed?

1:09:00

Thank you, Ron, Paul, Michael, for the applicant. This is another member of the applicant team and someone who's joining virtually actually. So I'd like to ask Mr. Guy Douglas to who's obviously turned on his camera and to introduce himself and answer the question, man, thank you.

1:09:16

Hi. Yes, thank you. I'm going Douglas work for W SP. In the Water Environment Team, some speaking on behalf of the applicant. Think in terms of discussing the flood risk assessment. Figure 26 point 2.6. A is probably best at illustrating the, the scenarios that were sort of considered in terms of the worst case scenario and I'm So, basically I suppose, in terms of design, the The approach was one of firstly avoidance. And I suppose the the two main sources of flood risk taken into account in the flood risk assessment a PP 216 Where fluvial flood risk from the watercourse to the site. And so if I've had show

my cursor Yes, so, the word question is, so, what we, what we did was we sort of took a precautionary approach to avoid the 0.1% annual exceedance probability event. And so, that's the kind of lighter blue shading there and we sort of discussed that approach with West Sussex County Council and western district counsel to the lead local flood authority and local planning board in this respect, and and that was recorded in Annex A of the flood risk assessment and avoidance of that 0.1% A key was sort of agreed as being a suitably precautionary extent to avoid and so that's why we separate out so, we do flood risk in terms of the other kind of mean sorts of flood risks relating to the site its its surface water wing to the underground clear conditions in the region. So, as you can see on that figure away from the watercourse there are several steps for flat flow pathways which generally sort of flow from the north side and into that watercourse. And the approach taken to that was sort of set out in the outline operational drainage plan again, as being fairly precautionary in its nature ranging for a number of reasons really, but for for instance, I think if we if we move on to EPP to to the appendix A they can they can talk through the outline drainage plan okay. So, just kind of, I suppose, in keeping with with those surface sport pathways, we have sort of designed the concept whereby surface one surface what do we have on the on to the north from the site from the road and beyond, will be captured and diverted into an attenuation basin, which will attenuate flow and then we have a swale which then continues that, that management of surface water and carries into into this basin into or discharging squat Of course, we've also got several other bases we've got one set up free, which was to attenuate surface water runoff from substation site, and we've got another one COVID to the to the west, which will will take some some additional surface water to come and tenure there before discharging into the workforce. Now we've we've factored in an uptrend climate change allowance of 45%. So that in itself is very conservative. We've also sort of supplied the figures in the two paragraphs 2.4 point 10 To 2.4 point 13. Of the outline, operational drainage plan and in summary The kind of attenuation requirements for the site is is more than more than suitably sort of accounted for by these by these different options. For instance, with the state that basins P two, three and four provides greater than about 1100 years worth of storage, then what's required? Sort of there's additional, there's additional sort of, I suppose, options, which, which they, for which there's there's a lot of flexibility in the design. So yeah, I think in terms of the way that it's been assessed, we're confident that there is in terms of fluvial, land surface water flood risk, I precautionary approach has been taken. And there's sufficient flexibility in that outline, drainage plan, such that it can be revised and adapted accordingly at the detailed design.

1:16:31

Thank you. If we could look at figure 26 point 2.2 In the flood risk assessment, a pp 216, which shows the area of the proposed development within flood zones two and three.

1:16:51

Yep, that's right.

1:16:53

It's very difficult to see any detail of the open DNS site at this scale. Is there a map which shows this information at a larger scale for the opened in site?

1:17:07

If you heat so you can the inside? I can clarify that suppose is it's within flood zone one relating to this flood map for planning. And the figure that was showing before because it's an ordinary watercourse, and it's not mean River. The flood risk extents that we needed to use were based off the risk of surface water flood mapping. But I suppose with with regard to this one, it's it's an area of flood zone one. So we didn't go into that detail of resolution, we kind of we went into degree two degree of resolution for the for the more appropriate flood layer.

1:18:04

Okay, thank you. So would you say that the flooville Groundwater flood risk is negligible at Oak Indien? Site?

1:18:14

Yeah, so for clay VO? I would say so. Because we have, we have cited substation footprint outside of the 0.1% annual exceedance probability. So it's, it's a very low risk. Here, in addition to that, we've taken an even more precautionary approach because we've we've committed to project two commitment to fi zero, which is adherence with the National Grid's target guidance. And that's for flood resilience with the 0.1% EP plus climate change. Some said plus 300 mil worth of pyboard. So, so yeah, that goes above and beyond the usual planning requirements. Groundwater just thought so. Please carry on groundwater. Yeah, it's, it's described in the ocean District Council, strategic flood risk assessment and in 2020, the areas described as having negligible groundwater flood risk, as would be expected with an area that's that's underlain by wield clay. So yeah.

1:19:58

The flood risk that it is If the flood risk on this site is surface water pluvial flood risk, principally, yeah,

1:20:07

yeah. And we've emitted we've emitted fluvial, essentially, by citing the substation where we have gone from the off taking it into account. And it's, you know, it's the site's on a slope. The substation footprint is is raised up from the watercourse and the downs and then the downstream lake which is well, well away from the water, sorry, well away from the substituent the surface water flood risk is is going to be adequately addressed through that outline operational cleanup plan, which will be secured. Yeah, by final drainage. Thank you.

1:20:58

So can you confirm that accounting for the predictive impacts of climate change throughout the developments lifetime, and that it will be that that volumes and peak flow rates of surface water leaving the oak Indian site would be no greater than the rate prior to the site's development?

1:21:19

Yes, so we've the in our calculations, we have accounted for climate change for the duration of the operational periods. So that that has given us climate change allowance and 45% increase in peak rainfall intensity. And the calculations and measures are for sort of attenuation of of that to Greenfield developments, q bar or two litres per second, whichever is greatest.

1:22:04

Thank you. Can we can you can you confirm whether the runoff from the proposed development at the Oakland Dean substation site would cause increased flood risk elsewhere?

1:22:20

No, no, it wouldn't. I think on the basis of both those those proposals and to kind of the management of the that runoff then to Greenfield benefits. So I can I can confirm yes in transmission festival. Thank you.

1:22:46

Could you also confirm whether the proposed drainage strategy is compatible with the delivery of wet woodland?

1:22:53

It is yeah, we so the collaborative approach has been taken in in drawing up that landscape plan? I think discussions have been held with the project project colleagues in ecology and the various aspects. So yes, that shouldn't cause any problems.

1:23:24

Thank you. And now the question on the draft Decio commitment to ensure ongoing maintenance of the proposed drainage infrastructure in the vicinity of the open Dean substation site. So kid kid kid, the App Print, explain where in the draft DCO this commitment, because

1:23:49

I refer your mom to requirement at 17 which is the requirement which secures the operational drainage plan detailing that drainage system and its management during the operational life of the development. So that's how that's occurred.

1:24:05

Thank you. Could I ask now whether West Essex County Council have any comments on the matters discussed relating to flood risk assessment and proposed drainage plans at Oak Indien at the proposed oak Indian substation site?

1:24:23

Yep, Kevin Mcnay from West Sussex County Council. Can you hear me okay? Yep. So I have not come up on my screen. So. I mean, I think our concern mirrors the concern of the residents and the parish council for the Oakland Dean site. Over the last two winters, we've seen significant flooding of that site, which it doesn't mirror the surface water flood mapping that's been used for the assessment of the flood risk assessment. And whether there is some sort of interaction between the groundwater and surface water. It's not clear. So whether any groundwater monitoring has been done at the site would be a question whether we're seeing the perch groundwater table that's overlying the wheeled clay there. But we are we are seeing significant levels of water at that location that concerns us with regards to flooding.

1:25:28

Thank you. There's the response to that concern. All right.

1:25:40

Now, Mr. Douglas, I was just gonna invite you to respond. So

1:25:45

I think in terms of the suppose the adherence to the national dream guidance, and I suppose that the we're not we're not just I suppose using the, the flood extent, exclusively, we're also kind of applying quite a big climate change allowance and 300 mil pyboard. On top of that, so I think, yeah, in terms of getting away from that water, of course, there's quite a lot of clearance in terms of the basins as well think, well, I was saying about the kind of flexibility in the design. So I think, you know, even if there was backing up from the watercourse, for instance, and into into some of those drainage basins, if that was controlled by groundwater levels, levels, they would still be from some calcs, they would still be about 303,000 metres cubed. Worked with storage. And the requirements that we we've set out for the for the development was 3800 News cube. Now there's also also other storage, that's, that's in our options. Like, there's another base and which, which, which wasn't taken into account. And there's also it's also, I think, as we sort of described during one of the stakeholder meetings with requests, which yourselves were cancelled, that there's, there's going to be kind of granular fill in the substation, which will if we provide even more storage, so the thing I don't think the concern that we're, we're were restricted in terms of like, what we can do this part of the final design, and there's a lot of there's, there's more than enough storage contained within the various options. And the other thing is, I suppose the the basin's have also been kind of cited as as much as possible they're outside the 0.1%. A piece of a lot of the the options have been cited as part of the sequential approach, and then, yeah, it's all that flexibility within the design was working, if there is any concerns. They can be factored and taken into account as part of the the final design. Because, okay, so

1:28:56

if I could just summarise from your point of view, you believe that the drainage proposals would provide sufficient storage to account for the groundwater flooding, or any potential groundwater flooding occurring at that site?

1:29:11

Yeah.

1:29:14

Okay, thank you. This Horsham District Council have any comments on this? Agenda Item?

1:29:22

It's Matthew Porter ocean District. Thanks for the invitation to comment. It's mostly focused on the need or otherwise to raise levels on the substation as a consequence of any flooding and having that evidence testing presented to us because obviously, there's implications on LVA and also volatility of the ecology mitigation for the way woodland. So from where we are in terms of ongoing talks on our

pads is we're awaiting that clarification particularly about sight levels and how the three ball A correlate together successfully.

1:30:04

Okay, thank you.

1:30:05

Is that something that the applicant can provide? Or is that is that is that in hand?

1:30:14

Andy slow on behalf of the applicant? Yes, we can clarify that point in writing in relation to the site levels.

1:30:21

Okay. Thank you for take that as an action point then please. Okay. Do any other interested parties have any comments on the flood risk and drainage proposed drainage plans for the site? Yes, Miss Smith.

1:30:35

Thank you. There's no real reason why the government maps should be accurate. There's no housing there, there's no, you know, there's been no reason to update those maps, they're out there. But there is definitely flooding that occurs. The South lodge on the other side of the A 270 has definitely flooded, and West Sussex County Council have been involved in drainage of that under the 272, into the Oakland Dean site to help it. So they're very concerned that that isn't affected in any way.

1:31:13

You can't really speak a little bit close to the microphone.

1:31:17

You can't really see from the 26 point 2.6 A that's up on there. But it looks to me as though certainly the top half top part of the substation site is within the North Point 1% A P, and that the swale that goes down the eastern border is in an even higher zone. We've got photographic evidence that shows just how much this site actually does floods. And we also know from the T adjacent properties that this is very clay based soil, and you start digging down and and there's plenty of water there. And it's difficult to see quite how this is going to drain into into a stream that's overflowing up onto the onto the site. And there's regards to that, I wonder if you've actually taken into account the enormous tree and hedged loss that will occur on this site. And trees and hedges, obviously a crucial to, to sucking up the water. And that needs to be that loss needs to be factored in. And with regards to the ground height, having meetings in California residents raised concerns about just how visually how visually impacted we're going to be by this thing. And they were initially saying, Oh, we could have we could lower it like we did at bolney. But actually, I think they've now realised that you're actually going to have to raise this, and to say, 12 and a half metres above final ground height. I mean, that that's just two, three rain, it could mean anything will have a severe impact on any landscape and visual assessment. Thank you.

1:33:06

Does the applicant like to respond?

1:33:10

Brief? Just thank you, mom. Just Just Just briefly, I'll see what the Mr. Douglas has anything to add. Obviously, there's a landscape and visual issue that's been been arranged here, that's not on the agenda for today in relation to this particular topic. So we'll take that away, if anything comes in, particularly in writing around that will respond to at that point in time, Mr. Douglas, anything to add in relation to flood risk,

1:33:34

I would just just reiterate that I suppose the point about the the surface workflow pathway, which comes on to the site, we we've acknowledged that it's, it's one of the reasons we've we've kind of bottomed out I felt a dream which which runs alongside the access point and then discharges into an attenuation basin. So that flow down and then this this will will will also kind of help provide that functionality as well after that in we've also got a secondary base and so, those those sorts of areas are considered and and part of the strategy which is which is primarily there to to keep surface water runoff stored up appropriately. Slow down. We've we've taken into account in terms of the permeability and yeah, we've we've been on clay brand conditions. So again, that's that's quite conservative sort of factor in the calculations. Yeah.

1:35:13

Okay, thank you. Just coming back to the concern from West Coast, Sussex County Council, will you be continuing to discuss this with West Sussex County Council and be able to provide an update in their statements of common ground? Yes. Thank you. Okay. So I think that completes this agenda item. Okay. So it's please.

1:35:42

Okay, we're looking to move on. So we'll take these two and then we'll move on the agenda. Yeah.

1:35:47

Thank you. Thank you. I just wanted to ask a question or wrongly, do

1:35:51

you just introduce yourself?

1:35:53

Oh, sorry. It's Sue Davis. [REDACTED]. I just want like to know from guide Davis. He mentioned the Horsham District Council flood risk assessment that they weren't concerned. According to some minutes, we found out that they were started to they were first involved on 20/22 of June 22. But the information that they weren't concerned about the flood risk seems to be inaccurate, because according to the environmental agency maps, six, six properties within that single postcode are designated as at high risk of surface flooding, and another six at medium risk. And also, the maps don't appear to show the correct conditions that actually exist at the moment. Interestingly, we went over and had a look,

there's a lot of surface water there in comparison to when and that site, whereas that condition doesn't appear to occur down at y and m lane, there is a big difference between the two sites. The other the other point is that in one of their documents and six point 4.2 6.2, they actually said that the underlying topography used within the modelling predates this development and does not provide an up to date overview of the surface water flooding at this site. So I'd like to know is their modelling actually based on accurate up to date information now? Have they taken soil samples and done hydrological tests and geo technical surveys? And lastly, according to en, one, apparently, floodplains should be avoided. And I can't quite understand why they haven't looked at the alternative. Thank you. Okay,

1:37:50

thank you get printed like to respond to you. Okay. Okay, let's Miss Grey, would you like to comment?

1:38:02

wanted to just give a quick points of view. And this is not about the cake route. However, I live in the middle of the bit between the 281 and oak and Dean and just to talk about what the flooding is doing these days, and the what the weather is doing the fact that weather seems to keep switching between all rain or all dry, and we're on clay. It's having a lot more effect on the flooding. And I absolutely think this is massively underplayed, it floods the two I one quite often not bridge and that's increasing. From my house, I can see when the cow folds stream leaves its boundaries and flows across the fields in front of me. And then I've got another flood meadow at the end of my garden, which is a tributary off that. Actually, I know it was for a previous point, but where some of your trenches crossing is, is underwater, where the compounds and the other bits come out. So that flooding is established that it's increasing. Basically, it's increasing. And if you underplay it, this is going to be totally disastrous for people like us. I will also say that the property next to me is had floods. And people septic tanks keep flooding, which never used to happen. And I've been in that site for 18 years. So just on the from a residents point of view, the evidence is there that it is an increasing problem.

1:39:35

Thank you. Okay. With the applicant like

1:39:40

to respond. I probably don't think so. Ma'am. I think Mr. Douglas is responsibly the same as those he's, he's given earlier. So I think I think we'll leave it there. Okay.

1:39:49

Thank you, though, I think that it completes this agenda item. And we'll now move on to the last item on item four. The item 4.7, which is the effects of ecology including rec list and UK priority species, wildlife corridors, trees and hedgerows. So there have been a number of relative representations from interested parties, citing concern over the potential impact on ecology at the Oakland Dean site, including Red List species, UK BAP species. There have been references in the relevant relative representations to Nightingale breeding sites, the presence of otters and waterfalls Hazel dormice, to name but a few. Mr. Male, could the applicant explain how these features have been considered in the ecological impact assessment?

1:40:39

Certainly, mom, I'd like to introduce Mr. Alan Kirby. He will explain what his role is on the project and then answer the question. Thank you.

1:40:49

Thanks. So my name is Alan Kirby, I work for logic consultants, and I'm representing the applicant with regards to biodiversity issues. So in terms of the site at Oak Indien, a range of surveys have been done between 2020 and last year. And these include phase one habitat survey, which is appendix 22.3. A pp 181 a hedgerow survey, which is in line with the headrow regulations 1997, Appendix 22.5 a PP. 183 There's a an agricultural survey which has been done in line with a British Standard 5837 which is appendix 22 point 16. And that is a pp 194. There's a whole range of other surveys that have happened including great crested newts, door mines, reptiles, breeding birds, bats, Otter water roll and badger in the area. I think the other thing to note is that we done a desk study, which both use data from the local record centres, publicly available datasets. And there's also used path planning information, but data that was also supplied by Mrs. Cray. And so for example, that data is referenced in Appendix 22.2, which is a PP one at specifically paragraphs 3.12 and 4.56. And the latter of those refers to Nightingale. So I think in general, what I would say about the site is we have done a lot of survey there to understand what is there and it's unavoidable. To say that there will be an impact because there'll be a loss of hedge row. And so, by our calculations, we'll be losing around 622 metres of intact hetero, and that headrow As with all native hedgerows, is a habitat principle importance under the UK Biodiversity Action Plan priority habitat descriptions published by the jncc of joint Nature Conservation Committee, and also be losing 19 category A trees, all of which are oaks on the site, the other sort of main issues that we have, if you like our door mice, so a juvenile dormouse was found in the boundary features of oak and Dean Manor. There's also reptiles on the site, both grass snake and slow worm. And we have a record of Otter on the fishpond that's associated with the manor as well. We haven't discovered nightingales on the actual open DNS site, but we do have five territories just to the south and west of the site, as well as a range of other breeding birds. And what we've done in terms of the assessment that we provided in chapter 22, which is a PPE 063 is to take each one of those on its merits and look at the level of impact and the type of mitigation that will be put in place. So with regards to the Oakland Dean site, most of that mitigation is focused on both providing additional habitat to dormouse base as a buffer to disturbance but also additional feeding opportunities and maintaining corridors of movement both north south and east west. That also, those sort of corridors of movement are also good for bats that are regularly on the site and in the surrounding areas. So in terms of that design, some of that habitat would come forward, pre commencement of construction. And in terms of dorm eyes is very likely to be wrapped up within a European protected species licence application to Natural England. Great crested newts in the area, although they're not directly on the site, they're very close by. There's a number of ponds where they're positive, there's positive records. And there's a number of other ponds, which may be positive in different years. And so an application to the district level licencing scheme run by nature space would be undertaken. And that would be to ensure that there's a strategic delivery of great crested new terrestrial habitat within within the sort of confines of that scheme.

1:45:55

Thank you. That's clear. Kid. Could you just confirm if there are any designated sites, priority habitats or documented wildlife sites at the proposed substation site have taken D?

1:46:11

No, not on the on the site itself. There is priority habitat there as I said, the hedgerows but in terms of local wildlife sites or sites scientific special scientific interest now.

1:46:22

Okay, thank you. Okay, I'll just now say Do do any of the sketchy nature conservation bodies or any of the local authorities wish to comment? West Sussex County Council, or Horsham District Council.

1:46:45

At report ocean district, it only just comes back to view. The point we're trying to ascertain about not so much site levels on the site, but the compatibility of the way woodland and divide the dignity of delivery of that. Because obviously, that's important gain for the nightingales. That's our principal concern with habitat on site. Species impact.

1:47:12

Okay, thank you. The applicant like to respond to that. Yeah. So

1:47:16

Alan Kirby for the applicant. I mean, in terms of the the wet woodland that's been proposed there that is for Nightingale, because it's picking up a local conservation priority, something that's been flagged in the area. But as I noted, a little earlier, there is no Nightingale territories on Oak and Dean site itself, or at least there wasn't at the time of the survey, they may come later, there are species of successional habitat, so they tend to move around. And working with Mr. Douglas and others, the idea of using the sort of sustainable drainage features to create that habitat where it was thought of as worthwhile. And so that's why it's put forward and we're sort of confident that that will work. Thank you.

1:48:12

Are there any other interested parties who wish to call it? Yes, Miss cray.

1:48:19

I think this is a very big subject, and it will be my written representation. So that's one one thing, but there's a few points, just a few points I'd like to put forward here. We'd like to sing the comparative studies for the alternative, which weren't put out in advance. We only got any of this information at the DCO time. And it just doesn't give us time to respond to that. The reliance on disk study is completely inappropriate because it is a flood area because it doesn't have major roads. It's just a few foot poles. There hasn't been a lot of study done. And it's it, it doesn't make it is the reflection of Nepenthes the other part of the river Aiden has a lot of the same wildlife. Just because it's not in study doesn't mean to say It doesn't exist. Just because it's not been designated doesn't mean to say It doesn't count. Unless there's Yes, I don't worry too much. We do think there is unimproved lowland meadow there, there wasn't a study that you'd have not done a vegetation study. In the middle of Cravens where that is aware that's really obvious. The only the only surveys you've got are in somewhere that is been turned over for grassland which is one side and the other side is right by the cow fold stream. That's not where the meadow is. It's really obvious where the meadow is and there aren't there aren't surveys for that.

I'm so we've been trying to plug the gaps but that's not very easy for residents to do. We have put 230 records into I record the last year. You have not really listened to what I put in. The only thing that's been mentioned is nightingale's the snakes are being ignored, which are threatened to be extinct. The toad migrations being ignored when you're cutting through the tributary that feeds into the pond, you say you don't need to survey for amphibians, because the ponds aren't affected. And yet, if you cut into the tributary, which is where they wait, and where they meet to breed, it's still going to affect them, you need to know where they are, we're trying to fill in the gaps. And that's just not very easy. We found 22. Nightingale territory is not five. There is an awful lot there is one. There was one over the road from Kent Street on the east side and there's several below taint field was a bit chilly. So I think that is grossly underplaying the situation. I will come on to so there are survey failures. That is that's gone. A couple more points. Ah, trying to plant for nightingales. We've got think about nip and think about well, they say that the territory is six to eight metres thick. That is what has developed in all this time, because it's all flood meadow, it's been allowed to spread. So it's scrub we're talking about not hedgerow, exactly. The scrub is what you're taking out. miles of scrub, even small crossings to bring the whole road through because you've done a trench risk crossing somewhere else takes out a six metre. There's a section a six metre just to get the vehicles through, and it's all scrub.

1:52:09

Nice. I wonder whether you

1:52:11

one more thing, one more thing is we, we think there's about 114 trees in our section alone, and 40 Odd around oak and Dean. So I'm not accepting we've actually, this will be in the written representation, that is fine. But there's something else, it's very difficult for us to assess the tree loss because quite a lot of it is put in G 35. I know one of those G's, has 22 trees in your construction bid, and 11 that will be taken out in this process, and that it's just hidden in this, we would really like to see a list of tree loss comparatively for the two options I think that will do for now. Okay,

1:53:00

thank you. If if there is additional evidence that you say you've collected, then if you could submit that with your written representation, then that'd be helpful. Thank you. Okay. And lastly, Committee, Mr. Smith,

1:53:12

thank you just want to say as part of the en one, it does actually say that matter of policy includes the following to be given the same protection as sites covered by habitat regulations. And that includes five of possible special areas of conservation. And I think it's important when we're looking at open D, that we don't just look at Oak and Dean, but the whole area from Oak Indian all the way to the 281 along the whole road. And some of that area is really quite remarkable in its habitat and diversities. Its ancient structures, the number of hedges and trees, and you will find that eight of the 14 important hedges that rampion found, are there, three of the seven veteran trees across the whole DCO are there the only place where you found otters and and some other species on really high density of nightingales. And that's despite, we were not convinced that you'd actually done the surveys in a meaningful way. By the time you made the decision to do to choose that point, it seems to us that at best, many of the surveys

were inadequate, and some of them were incomplete. Got, for example, the great Crested Butte survey where there are a lot of degraded DNA in our area for a lot of sites not accessed in our area. And so unlike, for instance, the bat survey, there was a lot of bat detectors that were broken in our area. And we put that together with the fact there's been no reason to do desktop 30 desperately underplays and significant of the biodiversity and importance of that area. Thank

1:55:07

you smear test, if you could put the evidence you have collected into your written representation, please. And that will be very helpful. Thank you. Okay, so is there anybody else who would like to speak on this item? Online? Or in the room? No. Okay. Thank you. I think that then concludes this item on the agenda.

1:55:31

We're gonna take a break at this point. Before we move on to the next item. I just want to put those who are here for the rest of the agenda, we are probably likely to go past five o'clock. I think the construction affects the next item we may be able to do more quickly. But we obviously there will be need to be quite a lengthy discussion on the South Downs National Park. And as you know, we're not going to do with item seven today, we will do that as written questions. Do you just want to do action points quickly? And then we will adjourn for a break.

1:56:17

Yeah, if the African could go through the action points they've got so it's going back to the beginning of a section.

1:56:27

Thank you. So what I've what I've got here is firstly, providing a plan explaining why access to the cable route can't be attained, other than by Kent street. There was a concern raised by kaufhold versus rampion, about non motorised users of can street and I think they were going to provide a note to the extent that it wasn't already in their, their submissions. At date. The applicant was going to provide a traffic management plan for Ken Street, that was something that was going to come in at deadline of two because it was dependent on the the updated assessment work that's been undertaken. I think there was a there was a correction to be made to the ctmp. Around routing to access a 53. I think I noted that. And we were going then to produce a paper on the north on the use, or the potential use of haul roads to the north and the south around California. The applicant was then going to provide figures for LGV movements through the Air Quality Management Area. Mu moving on to kings and moat filled lanes. I think there was a takeaway point in conjunction with dragons lane to look at traffic management issues in more granularity around preserving access to residence. And also a point was raised that that note should also consider bridleway users. In relation to dragons Lane, the applicant was going to consider whether alternative access is in for exceptional HGV use during the maintenance period was possible. And there was more information going to be provided to Mr. Core for Clark concerning the operations around dragon lane and the impact upon his clients. Moving on to heritage issues, the applicant was going to see what it could do by way of provision of further information around viewpoint analysis. To enable you to make an assessment that Oh Can Dean alongside examining how the embedded mitigation commitments might be beefed up through the documentation in the in the

application. And then, one final point I've got related to the clarity requested by Horsham District Council on site levels for the Oakland Dean substation site.

1:59:44

That's all I've got. I

1:59:47

think that's it. There's just a few that I've noted which may be based similar, maybe just different wording. I've got provided note which I suppose the feasibility of HGVs accessing the area service by the A 57 A 56 a A 53 and a 52 by a whole road roads south of the a 63 or north on the A 52 I think is basically like what you but then and the, again African FIDE LG V and workforce vehicle numbers travelling through Cofield AQ ma to the A 57, a 56, a 53 and a 52. And what these equate to in numbers and percentage in comparison to predicted traffic flows without the proposed development applicant to consider and report on alternatives to use the dragon slang for exceptional HDB use during the operational phase of the proposed development. And I think the rest of them are basically as you set out, okay.

2:00:51

We'll come we resume back in this room. It's half past four place. Okay. Get