Horsham District Council

Local Impact Report

EN010117: Rampion 2 Offshore Wind Farm

February 2024

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1. EXECUTIVE SUMMARY

1.1 The purpose of this Local Impact Report (LIR) is to set out in Horsham District Council's view, those identified local impacts on the residents, businesses, and the environment within Horsham District that are raised by the proposed development Rampion 2 Wind Farm, and the extent to which the Applicant addresses these within the DCO application submission to comply with relevant local planning policy and other local material planning considerations.

1.2 Horsham District Council (HDC) supports renewable energy generation and carbon reduction objectives to meet climate change commitments. However, HDC has some concerns regarding the potential for negative environmental impact within its district. Despite the Applicant's DCO documentation submitted to date, including presentation of commitments and requirements to reduce the magnitude of impacts and the overall significance, it is HDC's view that there remains a lack of certainty to support the efficacy of a number of these mitigation measures. As consequence, there is some instance of non-compliance and/or conflict with local policy.

1.3 HDC has requested firmer commitments and appropriate mitigation and compensation to delivering social, economic and environmental benefits that are specific to the district. Where mitigation is not possible, HDC seeks appropriate compensation. HDC will continue to engage with the Applicant to secure these outcomes required during the Examination period and beyond. The table on the next page sets out HDC's view on the local impacts associated with the proposed scheme, as submitted. This table assumes the delivery of all currently proposed mitigation measures. The table is ordered by topic area and represents a summary of the points made in this Local Impact Report. It is colour coded to denote the degree of accordance with local policy (Red: conflict; Amber - non-compliance; Green – accordance).

Topic Area	Positive Impact	Limited Impact (required mitigation/compensation)	Negative Impact
Climate Change			
Socio-Economic			
Landscape and Visual Impact			
Terrestrial Ecology			
Noise and Vibration			
Air Quality			
Historic Environment			
Water Environment			
Draft Development Consent Order (dDCO)			

2. INTRODUCTION

Background

2.1 Rampion Extension Development Limited (the 'Applicant') has applied for a Development Consent Order (DCO) to construct, operate (including maintenance) and decommission an offshore wind farm, located approximately 13km off the Sussex Coast. This is known as Rampion 2 Offshore Wind Farm and herein referred to as the 'Project'.

2.2 This is the Local Impact Report from Horsham District Council (HDC) in its function as Local Planning Authority, which sets out the likely impacts of the Project within the administrative area of HDC, beyond the South Downs National Park. HDC is a host authority for the Project, with buried onshore cables proposed through the district, terminating at a new substation at Oakendene, east of Cowfold.

2.3 In its preparation, Horsham District Council has had regard to the purposes of LIRs as set out in Section 60(3) the Planning Act 2008 (as amended), DCLG's Guidance for the examination of applications for development consent (2015), and the Planning Inspectorate's Advice Note 1. This Advice Note refers to the Planning Act 2008 and states that:

'*The sole definition of an LIR is given in s60(3) of the Act as 'a report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area)'. The content of the LIR is a matter for the local authority concerned as long as it falls within this statutory definition'.*

Terms of Reference

2.4 The purpose of this LIR is to identity (positive, neutral, or negative) impacts of the Project during construction and operation, by referencing key issues from local knowledge and evidence and identifying relevant Development Plan policies and the extent to which the Project accords or does not accord with these. This report does this under topic-based headings, and by reference to the application documentation, including the DCO articles, requirements, and obligations.

2.5 As set out in the Advice Note, it is for the Examining Authority to conduct a balancing exercise of the likely impacts. LIRs should not seek to balance or weigh the impacts, nor should appraisal be undertaken in relation to National Policy Statements (NPSs).

2.6 Horsham District Council is the planning authority for Horsham district, beyond the area of the district within the South Downs National Park (SDNP), which falls under the planning responsibility of the South Downs National Park Authority (SDNPA). However, within its responsibilities for the planning needs for this area, the SDNPA refer to advice from the Environmental Health Department at Horsham District Council.

2.7 In addition, Horsham District Council is a 'B' Authority in the Development Control Order ('DCO') process. West Sussex County Council (WSCC) is the highways authority, education authority, minerals and waste authority, and the Lead Local Flood Authority that covers Horsham district. WSCC in its own LIR will consider the finer details related to local impacts related to these matters.

2.8 This LIR focuses on the remit and administrative area which HDC has primary planning responsibility. Where there is common ground HDC's LIR is intended to compliment both authorities, but it is not intended that its LIR duplicate that of WSCC and SDNPA in their responsibilities.

2.9 This LIR builds upon rather than duplicates the Relevant Representations (RR-148) and the initial Principal Areas of Disagreement Statement (AS-010) submitted by HDC to the Examining Authority in November 2023. Where relevant, content from these earlier documents is cross-referenced in this LIR.

3. PROJECT DESCRIPTION

3.1 The proposed development within Horsham District beyond the SDNP is as the Applicant's submission in Chapter 4: The Proposed Development, Volume 2 of the Environmental Statement (ES) (Document Reference: 6.2.4):

- Buried onshore cables in a single corridor using trenching and backfilling installation techniques and trenchless and open cut crossings.

- A new onshore substation, proposed near Cowfold, which will connect to an extension to the existing National Grid Bolney substation, via buried onshore cables.

3.2 Other than already identified in the Applicant's ES, there is no relevant planning history to be described nor does the development does not directly affect any sites allocated in the Development Plan for Horsham District, or for which planning has been permitted.

Local Issues and Impacts

3.3 Since DCO submission, HDC is in receipt of two pending full planning applications (details below) and would welcome update of the Applicant's DCO documentation in consideration of these.

HDC Ref:	Application Description and address:
DC/24/0054	Installation of Battery Energy Storage System with associated infrastructure Land West of Kent Street Cowfold West Sussex RH13 8BB
DC/23/2172	Construction and operation of a solar photovoltaic farm and associated infrastructure including transformers, inverters, DNO Substation, customer switchgear, security cameras, fencing, access tracks and landscaping Street Record Burnthouse Lane Cowfold West Sussex

3.4 Given up to four years duration of the onshore construction programme, there is a lack of construction phasing information to understand if impacts have been appropriately mitigated.

Summary Box

Positive	Construction and Communications Plan as part of the Outline Code of Construction Practice (CoCP) (APP-224) welcomed given up to four years duration of construction.
Neutral	Very broadly outlined detail on commitment (C-19) (APP-254) to how construction of cables in discrete sections will be secured (detailed phasing, sequencing of construction activities). Lack of detail and clarity in CoCp and Outline Construction Traffic Management Plan (OCTMP) (APP-228), to reduce the construction impact over the life of the Project.
Negative	Detailed design for trenchless crossings (Horizontal Directional Drilling) to be confirmed only at detailed design stage as part of Construction Method Statements (DMS). This leaves uncertainty as potential for impacts on the duration of construction.

4. DISTRICT OVERVIEW

4.1 Except for the paragraph 4.2 immediately below, this section of the Council's LIR is unchanged from the Council's Relevant Representation (RR-148).

Updated:

4.2 In January 2024, HDC adopted its Climate Action Strategy to support the whole of Horsham District to become carbon neutral by 2050.

4.3 Horsham District is located within the northwest part of West Sussex. The district is predominantly rural in character and contains several small villages and towns. 95km2 (36.49 square miles) of the district falls within the South Downs National Park.

4.4 The onshore cable corridor would pass through several National Character Areas (NCA) on route through Horsham District. This includes the Low Weald (NCA) that comprises of a mosaic of irregular pastoral and arable fields enclosed by a strong framework of mature trees, woodland shaws and Ancient Woodlands, which makes a significant contribution to district character. Two Valued Landscapes in the district are of national importance: the High Weald Area of Outstanding Natural Beauty covering the eastern part of the District and the South Downs National Park in the southern part. The cable corridor would pass through the latter.

4.5 Habitats and species found across the development area is varied, including arable, and grassland as well as rivers and associated environments but a key characteristic is the network of woodland blocks (some Ancient and Semi-Natural) and dense hedgerows linking wildlife habitats across the district. The south-west of the district provides an important feeding ground for the internationally important Barbastelle bats, a qualifying feature of The Mens SAC. The Arun Valley floodplain is a distinctive habitat of both national and international importance within the district.

4.6 The development area itself is largely rural countryside, mostly in agricultural use and managed rural estate, but sections of the cable corridor would pass close by settlements and their valued open space and green infrastructure, including the villages of Washington, Storrington and Sullington, and Cowfold. The latter is near to where the cable route would terminate to form a new substation to connect to the existing National Grid substation at Bolney.

Economy and Housing

4.7 The rural surroundings of the district support a rural economy. Additionally, employment opportunities in the district are generated from leisure, tourism, and retail businesses. The majority of Horsham District is located within the Gatwick Diamond economic area. Transport access and ease of movement is a key factor in the performance of the local economy, enabling residents to travel to their place of work, and allows the movement of goods and services. Cowfold Road (A272) is a key local distributor, taking traffic east-west across the district and linking several other strategic road networks (A23 to the east and the A24 to the west) with quieter, rural lanes. The district has seen a significant development in recent years with strategic-scale housing schemes under construction particularly in the northern and central parts of the district. The larger settlements have also accommodated developments of scale in recent years, however, pressure for housing development remains.

Environmental Quality and Climate Change

4.8 Horsham District is in an area of serious water stress, as identified by the Environment Agency Water Stressed Areas Classification. Horsham District is supplied with water by Southern Water from its Sussex North Water Resource Zone. This supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site. In September 2021, the council received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an impact on the Arun Valley sites. It advises that development within this zone must not add to this impact.

4.9 The district benefits from a high-quality natural environment, some of which is designated for its international and national importance (including the Arun Valley SPA and The Mens SAC and its qualifying feature of Barbastelle bats). However, alongside much of the UK, biodiversity has been impacted by changing land management practices, increased pressure for development and climate change. In this regard, HDC is working with the Sussex Wildlife Trust in a five-year partnership called Wilder Horsham District. The main objective of this partnership is to deliver a district level Nature Recovery Network which will seek to reverse the decline in species and habitats and enrich the district's natural environment.

4.10 There is a high reliance on car travel in the district. In addition to traffic congestion, this also contributes to emissions of air pollutants. The district has two Air Quality Managements Areas (AQMAs) in Cowfold and Storrington. HDC has declared the whole of the district an ‘Emission Reduction Area’ and is a member of the Sussex Air Quality Partnership. Monitoring of air quality in the district has revealed that some areas have high levels of nitrogen dioxide and therefore a key consideration for the Council is the impact of development on air quality.

4.11 On 23 March 2023, Horsham District Council approved the draft version of its Climate Action Strategy for consultation and engagement. In the meantime, in June 2023, the Council declared a climate and ecological emergency, to move forward with its carbon neutral agenda, enabling it to achieve its own carbon neutral target for 2030 and the Horsham District carbon neutral target for 2050. The consultation and engagement confirmed the draft Strategy reflected the priorities of the local community.

5. LOCAL POLICY

Statutory Development Plan

5.1 The Development Plan for the area within the administrative area of Horsham District in which the Project is located, comprises:

- The Horsham District Planning Framework (HDPF) (excluding South Downs National Park) and accompanying Policies Map, was adopted in November 2015 and covers the period up to 2031; and
- The West Sussex Waste Local Plan adopted 2014 and the West Sussex Joint Minerals Local Plan, adopted 2018 (Soft Sand Review adopted 2021); and
- the following 'Made' Neighbourhood Plans:-
  - Storrington Sullington and Washington Neighbourhood Plan 2018 – 2031 (SSWNP), made September 2019. The SSWNP designated area covers both within and outside of the South Downs National Park.
  - West Grinstead Neighbourhood Plan 2019 – 2031 (WGNP), made June 2021.
  - Wineham and Shermanbury Plan 2014 – 2031 (WASP), made March 2017.

5.2 With respect to the Waste and Minerals Local Plan, WSCC will provide detailed comments in their own LIR.

5.3 The designated Washington Conservation Area Boundary is identified on the HDPF Policies Map.

Other local Material Planning Considerations

Natural England Position Statement September 2021

5.4 Horsham District Council is continuing to consider and determine planning applications. As part of our decision-making process an assessment of water neutrality is now needed for many of our applications.

5.5 Where an increase in water consumption is likely, the application is required to be accompanied by a water neutrality statement setting out the strategy for achieving water neutrality within the development. Water neutrality can be achieved by developers

building significant water efficiency measures into new development and by providing offsetting measures to reduce water consumption from existing development.

5.6 If an application cannot demonstrate water neutrality is reasonably achievable this will mean the development will not meet the requirements of section 63 of the Habitats Regulations, and the application could not be determined positively.

Cowfold Neighbour Plan Planning Advice Note

5.7 Cowfold Parish have produced a neighbourhood plan which have been subject to successful Examination but cannot proceed to Referendum because of the legal requirements in relation to Water Neutrality and the Habitat Regulations.

5.8 To support the hard work of the Cowfold community, Horsham District Council has prepared a Planning Advice Note. This Advice Note highlights how the policies in the Neighbourhood Plan are considered to align with National Planning Policy.

5.9 When the strategic solution to Water Neutrality is implemented, the Council will proceed to take the Cowfold Neighbourhood Plan to Referendum and upon a successful result the Council will ‘make’ the plan at full Council at the earliest opportunity.

Biodiversity and Green Infrastructure Planning Advice Note

5.10 In advance of the production of a new Local Plan and prior to the statutory biodiversity net gain requirements coming into force, the Council has produced the Biodiversity and Green Infrastructure Planning Advice Note. It sets out expectations to how Applicants are to demonstrate compliance with the requirement for measurable net gains for biodiversity, a 'get ready approach' for the emerging statutory requirements and promotes provision of 10% biodiversity net gain within development.

Local Plan Review

5.11 The new Horsham District Local Plan 2023 - 2040 will set out planning policies and proposals to guide development in the district, excluding the South Downs National Park, up to 2040. The Council’s Regulation 19 Local Plan has been published for a six-week period of representation from 9am Friday 19 January until 5pm Friday 1 March 2024.

Planning Policy Evidence Base Documents

5.12 Relevant background documents which support the existing Local Plan (the Horsham District Planning Framework), and the Local Plan review:

- District Wide Carbon Reduction Study & Carbon Audit of the Local Plan Review
  (2022)
- Habitats Regulations Assessment (Nov 2023)
- Sussex North Water Neutrality Study JBA Consulting Parts A, B, and C (2022)
- Green Infrastructure Strategy (April 2014) Addendum: Green Infrastructure Strategy 2014 (Jan 2021)
- Horsham Biodiversity Net Gain Assessment (Temple Jan 2023)
- Horsham District Landscape Character Assessment (2003)
- Open Space, Sport & Recreation Review (June 2021)
- Sussex Air Quality Guidance (2021)
- Storrington Air Quality Management Area (declared in 2010)
- Cowfold Air Quality Management Area (declared in 2011)
- Air Quality Annual Status Report (2022)
- Storrington-Sullington Parish Design Statement

South Downs National Park Policy and Guidance Documents

5.13 South Downs National Park Landscape Character Assessment, and the South Downs National Park: View Characterisation and Analysis are documents that the SDNPA will provide commentary on in their own LIR.

Horsham District's Climate Action Strategy (January 2024)

5.14 The focus of Horsham District's Climate Action Strategy is to map a pathway for HDC, its key strategic partners, local communities, residents, and businesses to achieve carbon neutrality by 2050 and start to adapt to climate change. This Strategy provides an overarching 10-year plan (with regular review periods) for the area to decarbonise, whilst delivering multiple co-benefits to local businesses and communities. It builds on existing work, lessons learnt and successes in the district to address the climate crisis, reduce carbon emissions and improve climate resilience.

ASSESSMENT OF IMPACTS AND ADEQUACY OF RESPONSE

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6. ALTERNATIVES

Local Planning Policies

6.1 HDPF Policy 2 Strategic Policy: Strategic Development sets out the Council's strategy to achieve a sustainable distribution of development, and maintenance of the district's rural character.

6.2 Policy 26 Strategic Policy: Countryside Protection seeks to protect the rural and undeveloped nature of the countryside against inappropriate development. To be acceptable, a proposal in the countryside, including renewable energy infrastructure, must be essential to its location and it must meet one of four criteria.

6.3 SSWNP Policy 1: A Spatial Plan requires development outside of the Built-Up Area Boundaries conform to Development Plan policies in respect of the management of development in the countryside.

Local Issues and Impacts

6.4 As part of the statutory consultation process, HDC advised the site selection process for considering the main alternatives for project infrastructure based on evidence and justification, should have been presented to stakeholders in a robust, transparent, and detailed manner, setting out why alternatives have been discounted in favour of preferred sites.

6.5 HDC raises some issue with the limited demonstrated consideration in the DCO application documentation (Chapter 3 of the ES) of environmental, social and economic effects including, where relevant, technical and commercial feasibility for the choice of the Oakendene substation and construction compounds, which, in its view, presents the site selection process poorly to be understood fully.

6.6 HDPF Policy 26 makes clear the restrictions that it imposes are directed to the aim of protecting the countryside's distinctive character and quality. The site is located within the countryside as defined by HDPF Policy 2 but insofar as Policy 26 sets out criteria for consideration of development in such cases, the specific locational concern is the effect that the development would have on the character and appearance of the area.

6.7 It is important to continue to manage development and change within the district, considering the need for infrastructure requirements to meet the Council's Climate Action Strategy. It is preferable to do this in a proactive way rather than a reactive way. All Development Plan policies are inter-related to one another, and should be read as a whole, including the vision, spatial objectives, and spatial strategy.

Summary Box

Positive	Evidence in the DCO application documentation of site selection process
Neutral	Onshore Substation Options and Selection: Applicant states there was only a marginal preference for Oakendene site (taking account environmental effects). Construction Compound Options and Selection: Washington compound would potentially represent some three years of construction presence in proximity to sensitive receptors (residential, school, and village hall).
Negative	Chapter 18 of the ES indicates the Construction Compounds as containing welfare facilities/offices, parking, construction plant and storage of materials and equipment (up to 7m high) and a concrete batching plant up to 20m high.

Adequacy of the DCO Application, Actions and Commitments

6.8 For demonstration of the site selection process to be fully understood (taking account of environmental effects), HDC seeks further justification regarding the size and location of Oakendene substation and the construction compounds within its district, including the following issues:

	Issue	**Recommended Action**
1	Additional justification required to explain why the Wineham Lane North site was discounted for the onshore substation, with a focus on the engineering and environmental constraints of site	Applicant to provide further evidence and better presentation of the evidence testing of alternative substation sites, such as inclusion of the BRAG appraisal referred by the Applicant as undertaken at 3.6.23 as appendix. DCO, ES Volume 2 Chapter 3 para. 3.6.23.
2	Additional justification to the location choice of the construction compounds within Horsham district.	Applicant to provide further evidence and better presentation of the evidence testing of alternative compound sites.
3.	Need for greater certainty of the use of Construction Compounds.	i) Application to provide description of Work No. 10 of comparable detail to other Work No. descriptions in the DCO of use or another document so there is a commitment to comply with the description.

		ii) Prior to commencement on related land, approval sought from HDC for use of construction compounds as part of the detailed design and stage specific control docs, for exact positioning of the concrete batching plant and soil/aggregate stockpiles and be placed to mitigate impacts onto residents/other sensitive Receptors. This must be accompanied with justification to demonstrate the proposed positions put forward are the least harmful.
4	Firmer commitments to mitigation measures specific to Construction Compounds sought, in a single control document for ease of reference and reassurance to affected communities.	Provision of an additional Requirement for submission and approval of tailored stage specific management plans for each individual Construction Compound, informed by site-specific mitigations, to include but not limited to: - i) appropriate landscaping/boundary treatments which must include advance planting; and ii) ecological mitigation and compensations; and iii) Communications Construction Plan, iv) a Dust Management Plan, which should take into account emissions of off-road construction vehicles, NOx and particulate matter

7. CLIMATE CHANGE

Local Planning Policy

7.1 HDPF Policy 35 Strategic Policy: Climate Change supports development where it makes a clear contribution to mitigating and adapting to the impacts of climate change and to meeting the district's carbon reduction targets.

7.2 HDPF Policy 36 *Appropriate Energy Use* sets out that the Council will permit schemes for renewable energy where it does not have a significant adverse effect on landscape and townscape character, biodiversity, heritage or cultural assets or amenity value.

7.3 HDPF Policy 37 *Sustainable Design and Construction* states development should integrate the use of decentralised, renewable, and low carbon energy.

Local Issues and Impacts

7.4 Horsham District Council is committed to reducing carbon emissions. The need to mitigate and adapt to climate change is a Spatial Objective of the HDPF in fulfilment of its Vision. As the Council's district wide Climate Action Strategy identifies, the development of renewable and low carbon energy is a key means of reducing the district's contribution to climate change and sustainable design has a key role to play in mitigating the environmental impact of new development both at the time of construction and in the future.

7.5 Given all this, HDC will support renewable energy development, subject to policy-specific criteria. As HDPF Policy 36 requires, renewable energy proposals will need to consider the impact that they may have on Valued Landscapes, including the need to consider views from Valued Landscapes to proposals which lie outside but in the setting of the South Downs National Park or High Weald National Landscape.

Summary Box

Positive	Contribution to renewable energy generation in contributing to the UK's national target of net zero by 2050 and to responding to climate change
Neutral	Energy from the Project would be to the national grid, rather than for local use within Horsham District
Negative	Location of project infrastructure within the countryside will have effects on the spatial pattern of development in the district.

Adequacy of the DCO Application, Actions and Commitments

7.6 The DCO is adequate with respect to whether the development is an appropriate contribution to assist in mitigation of climate change which it proposes to authorise.

8. SOCIO-ECONOMICS

Local Planning Policy

8.1 HDPF Policy 10 *Rural Economic Development* encourages sustainable rural enterprise in order to generate local employment opportunities and economic, social and environmental benefits for local communities. In the countryside, development should be appropriate to the location and must: contribute to the wider rural economy; and, if there are exceptional cases where new buildings are involved, result in substantial environmental improvement; and reduce the impact on the countryside; and support sustainable economic growth towards balanced living and working communities.

8.2 Proposals that would result in the loss of existing green infrastructure will be resisted under HDPF Policy 31 *Green Infrastructure and Biodiversity* unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss.

8.3 HDPF Policy 39 *Infrastructure Provision* stipulates the release of land for development will be dependent on there being sufficient capacity in the existing local infrastructure to meet the additional requirements arising from new development, or suitable necessary mitigation arrangements for the improvement of the infrastructure, services and community facilities caused by the development being provided.

8.4 HDPF Policies 40 *Sustainable Transport* and Policy 41 *Parking* support development if, amongst other things, it maintains the existing transport system and provides safe and suitable access for all, adequate parking, and accompanied by an agreed Green Travel Plan because of a need to address an existing local traffic problem.

8.5 HDPF Policy 43 *Community Facilities, Leisure and Recreation* sets out proposals that would result in the loss of sites and premises used for the provision of community facilities or services, and leisure will be resisted unless equally usable facilities can be conveniently provided nearby.

8.6 SSWNP Policy 16: *Local Green Spaces* lists Local Green Spaces designated in the SSWNP and shown on the Policies Map, including (10) Washington Recreation Ground, (12) The Triangle, and (13) Jockey's meadow. Policy 16 sets out proposals for development in a Local Green Space will be resisted other than in very special

circumstances, unless they are ancillary to the use of the land for a public recreational purpose or are required for a statutory utility infrastructure purpose (e.g., small areas of car parking).

8.7 SSWNP Policy 17: Traffic & Transport supports development proposals provided it is demonstrated residual traffic impacts on the local road network are not severe.

Other Material Planning Considerations

8.8 Emerging Cowfold Neighbourhood Plan (CNP) Policy 14 Employment supports proposals for business development where they would not have an unacceptable effect on the local road network in terms of highway safety or residual cumulative impacts.

8.9 CNP Aim 12: Traffic Management supports improvements to traffic management in the Parish including but not limited to traffic calming measures, reduction in HGVs routeing through the Parish, improvements to road layouts and signalling.

8.10 CNP Aim 13: Road Safety supports developments which do not adversely affect road safety; and ensure appropriate visibility splays.

Local Issues and Impacts

Overview

8.11 The Project has potential to impact the district by negative or neutral effects arising from disruption, of which some will not be able to be mitigated. Whilst the Project has the potential to align with local policy around sustainable rural economic development to offset these effects, based on the current DCO documentation there is uncertainty to achieving this. For example, the ES does not estimate construction or operational employment impact of the Project at the district level.

8.12 Construction works would give rise to localised disturbances, including for those not living on main roads but affected by construction routes such as around the village of Cowfold, and temporary road closures and/or diversions during the construction period would cause further disruption for residents of the district, businesses, and the visitor experience. Parts of the cable route are underlain by minerals, safeguarded through the

JMLP, notably soft sand aggregate, which is a scarce resource. As the planning authority for minerals and waste, WSCC will detail their comments on this in their own LIR.

Disruption to landowners

8.13 Landowners have expressed to HDC their concerns over implications for their land holding operations, including uncertainty to the risk of degradation of land (soil) where the onshore cable route passes through, with consequential impacts for ongoing financial stability and viability for the holding, the character of the worked landscape and food security, should land use change during the construction phase be enforced by the terms of future easement. In the view of HDC, these negative effects are tempered by the DCO requirements and commitments to reinstate and re-establish the land post construction, albeit with certain planting restrictions directly above the cable corridor. HDC supports the provision of a Soil Management Plan (SMP) and note Natural England has provided extensive commentary of Defra 2009 Code of Construction Practice for the Sustainable Use of Soils on Construction Sites Document used: (APP-224) 7.2 Outline Code of Construction Practice C-27.

Disruption to Communities

8.14 Many Public Rights of Way (PRoW) will be affected, through temporary closure and diversion, as result of the proposal, albeit The Outline Public Rights of Way Management Plan (APP-230) sets out measures to manage and mitigate effects on PRoW network are accepted by HDC.

8.15 Assets to the local community (Village Hall and playing fields and Primary School) would be near the Washington Construction Compound. This means that the negative effects to these assets during the construction period would also affect the local community.

8.16 Within the district, the A272 runs in a broadly west-east direction from Billingshurst to Haywards Heath. The A24 runs in a north-south direction down the western side of the district and crosses the A272 to the north. At Cowfold, the natural restriction created by the staggered A272/A281 junction, combined with the volume of traffic using the A272 as a major link road, results in significant standing traffic during morning and evening peak periods. This is reflected in congestion being raised as a key issue by the community.

8.17 The number, size, timing, and routeing of construction vehicles (in particular, HGVs) is the most widespread concern of local communities expressed to HDC in relation to the Project. HDC is aware of the particularly strong feeling on this issue expressed by parishes at Storrington, Washington, and Cowfold and their local communities, and regard should be had to their concerns. The concerns also relate to the suitability of such vehicles on rural roads as well as 'A' roads, and general disturbance from increased level of activity.

8.18 HDC shares the communities' concerns over the need for safe access to works and capacity of the local highway network. HDC considers it paramount that an extremely rigorous Traffic Management Plan (TMP) is implemented and enforced for the construction programme to ensure impacts of development traffic remain within the parameters of the transport assessment and accounts for other concerns. WSCC's LIR will address these matters in greater detail, amongst all other technical highways and transport matters, reflective of their role as Local Highway Authority.

Summary Box

Positive	i) Outline Code of Construction Practice (COCP REV B) (PEPD-033) sets out how construction methods to be deployed to ensure drainage patterns are interrupted as little as possible and that, where possible, trenches will be backfilled with onsite arising, with material returned in the order they were extracted. Consequently, to the best of HDC's understanding, impacts on agricultural activities should be minimised. ii) Washington Recreation Ground would remain open during construction. Therefore, the development complies with SSWNP Policy 16, which seeks protection of open access land and public open space. iii) Applicant has undertaken a range of engagement initiatives with key stakeholders in the skills and business sectors and proposed to continue these. The DCO provides for an Outline Skills and Employment Strategy document, with a commitment to a Supply Chain Plan. HDC is a consultee of the development of the OSES. iv) All site operative parking is to occur within the site, including deliveries. v) draft CoCP and Outline Construction Traffic Management Plan REV B (PEPD-036a) contains some necessary measures, such as operational restrictions and procedures to ensure deliveries are managed into and out of the site. vi) Travel plan contains sufficient detail to assure HDC that appropriate initiatives will be undertaken to support sustainable travel.
Neutral	i) Job creation is likely to be neutral based on current estimates (low levels of supply chain expenditure are expected to be retained within Sussex) ii) A Sussex level estimate of job creation not assessed at the district level. iii) HDC defers to the expert opinion of WSCC as Local Highway Authority on whether the proposed visibility splay improvements and swept path diagrams, and proposed delivery numbers across the construction period, demonstrate the development area is accessible safely by way of temporary construction access and access routes
Negative	i) Limited offset benefits of the Project during construction and lack of secured Community Benefit Fund; and in details of provisions and outputs of the Outline Skills and Employment Strategy (OSES Rev b). ii) Whilst HDC is now listed as a consultee to the development of the Skills and Employment Strategy., the Outline Skills and Employment Strategy still provides very limited detail. iii) current CoCP lacks sufficient controls and checks expected for the flows of traffic travelling through the area during the construction phase of a scale of project of this type, with such consequential impact on a highway network already experiencing peak time queuing.

Adequacy of the DCO Application, Actions and Commitments

8.19 A Community Benefits Package is referred to in the Outline Skills and Employment Strategy (OSES REV B) (PEPD-037). Whilst described as 'remaining separate' from the planning process, HDC strongly advocates its potential role as a consultee to the funding criteria of this Package to help ensure it is tailored to address negative effects within Horsham District identified by the Project, as a commitment and secured through the DCO.

8.20 Additionally, to secure appropriate mitigation and offset for negative effects, further refinement of certain requirements within the DCO is necessary, particularly in the monitoring and enforcement mechanisms needed to ensure controls and restrictions embedded in the documents are adhered to, and to that end, HDC expects:

	Issue	**Recommended Action**
1.	More robust evidence to how measures in OSES will realise positive employment effects at district level during the life of the Project	As part of the stage specific OSES, the Applicant undertakes full assessment to inform various actions and initiatives developing skills and employment opportunities within the district, detail be provided on the OSES, including linking to apprenticeships and local education institutes in Horsham District, and opportunities for Small Medium Enterprises (SMEs) to access the supply chain.
2.	More evidence that measures robust to compensate for socio-economic disruption to affected communities in the district during the life of the Project	Amend commitment C-35 so HDC is a consultee to the formation of the Community Benefits Package, including its tailored funding criteria, so the Community Benefits Package can be targeted to help compensate and offset adverse effects within the district that cannot be otherwise mitigated (particularly along the cable route and vicinity of substation).
3.	Maximising efforts to avoid socio-economic disruption to affected communities in the district during the construction phase	Following elements set out and are committed to in the DCO control documents, e.g., the CoCP REV B (PEPD-033) and Outline Construction Traffic Management Plan REV B (PEPD-036a), but not limited to: •detailed Phasing Strategy of the project. • monitoring and management details, with penalties and mitigation set out for exceeding limits. •co-ordinated traffic flows limit, duration limits, time periods limits (e.g. limits on all vehicular traffic movements and measures to adhere to these limits; confirmation of the size of vehicles to access each part of the construction route network; restriction on movements between temporary compounds to outside the peak

		hours; requirement upon the Applicant to secure agreement on the number of vehicles that can access the temporary compounds during peak hours; provide for HGV timing restrictions to be implemented where access routes coincide with access to school routes and to account for variations associated with the agricultural and tourism seasons; •measures to ensure HGVs are marked in such a way that the public can associate them with Rampion 2 for monitoring and enforcement purposes. •pre and post construction surveys to ensure any damage to the highway is remediated. •review mechanisms should be set up to full range of impacts monitor and unforeseen consequences as the project develops, to review the adequacy of mitigation or compensation measures and adjust as necessary.
4.	Avoidance of future disruption to affected communities during operational phase.	Existing commitments C-9 and C-19 to access for routine checking and maintenance will be via manhole covers to the buried joint bays, should be extended to apply to the Local Green Spaces in the SWWNP namely; Washington Recreation Ground, The Triangle, and Jockey's meadow (Work No.9). In the unlikely event that cable repairs and/or replacement is required, this will be implemented via the existing joint bays and will not require new excavation.

9. TERRESTRIAL ECOLOGY

Local Planning Policies

9.1 HDPF Policy 31 *Green Infrastructure and Biodiversity* sets out the principles of maintaining and enhancing existing networks of green infrastructure, biodiversity, and woodland, along with introducing compensatory ecological mitigation measures where appropriate. Where felling of protected trees is necessary, replacement planting with a suitable species will be required.

9.2 Policy 31 also sets out that where development is anticipated to have a direct or indirect adverse impact on sites for biodiversity, development will be refused unless it can be demonstrated that the reason for the development clearly outweighs the need to protect the value of the site; and that appropriate mitigation and compensation measures are proposed.

9.3 SSWNP Policy 15: *Green Infrastructure & Biodiversity* supports development provided layout and landscape schemes have appropriate regard to a list of criteria, including retention of important landscape and natural features; hedgerow and tree replacement being of indigenous species; and achieving ecological connectivity with surrounding and existing biodiversity corridors.

9.4 WGNP Policy 4 *Green Infrastructure: Existing Trees, Hedgerows, Habitats and Wildlife* supports development which uses traditional native species; promote landscape buffers to complement green infrastructure; conserve and enhance wildlife habitats where practicable, connect habitat and wildlife populations; and provide for biodiversity gain.

9.5 WASP Policy 2: *Protect and Enhance Biodiversity* requires development to retain existing mature trees and hedges; provide bird and bat nesting boxes; protect Biodiversity Action Plan (BAP) Habitats; and include hedgerows of native species for screening.

Local Issues and Impacts

9.6 Local communities have expressed concern to HDC on ecological impacts of the Project, and securing adequate mitigation for this purpose of minimising these impacts has been the subject of scrutiny. The Project is reliant on a package of avoidance, mitigation,

compensation and enhancement measures to address ecological impacts on the protection and enhancement of biodiversity and the protection of trees, and of designated European, national and local status sites.

9.7 HDC's stated in its Relevant Representation (RR-148) that sufficient baseline survey efforts and proposed mitigation/compensation plans had been done to begin making an assessment, in accordance with good practice guidance. This comment did not refer to the assessment itself and does not discount that further survey and modifications would be likely to be required. Having reviewed the DCO documentation, the submission of a mostly complete set of data and survey results is welcomed. However, survey data is still lacking in the proposed areas of the construction compounds at Oakendene West and Washington.

Oakendene West Construction compound

9.8 The Oakendene West construction compound is proposed within an area ecologically assessed as having very high biodiversity potential within the Wilder Horsham District Nature Recovery Network and is associated with a high risk of surface water flooding from the Cowfold Stream to the immediate West of the red-line boundary (Figure 26.2.5e in Appendix 26.2 Flood Risk Screening Assessment APP-216). Additionally, the compound also borders a hedgerow running along the western edge, a potentially important hedgerow running along the eastern edge (H513 on Figure 22.5.4q of Appendix 22.5 Hedgerow Survey Report APP-183), and traditional orchards and lowland deciduous woodland (priority habitats identified on MAGIC, listed under Section 41 of the Natural Environment and Rural Communities Act 2006, with some pockets listed as ancient woodland in the Natural England ancient woodland inventory) are located nearby to the site, to the north-east, south and south-east of the site.

9.9 The linear features of the Cowfold Stream and hedgerow have the potential to act as commuting and foraging habitat for bats and otter, and the hedgerows are suitable foraging and refuge habitat for great crested newt (and other amphibian species), common reptiles, and hazel dormouse (all known to be within the local area, see Chapter 22 Terrestrial Ecology APP-063). However, bat activity surveys, hazel dormouse surveys and reptile surveys were not conducted within the red line boundary of the Oakendene West Construction compound or on any immediately adjacent habitats, and the scoping out of this area for further survey for these species is not clear.

9.10 According to the survey results along the AT09 manual transect (version 1), there was high bat activity around the Taintfield Wood area, including *Myotis* species, which is very close and has commuting habitat linking to the proposed site. Furthermore, according to the habitat suitability index (HSI) assessment, waterbody ID's 199 and 195 have excellent suitability to support great crested newt (see Figure 22.7.5n of Appendix 22.7 Great Crested Newt Environmental DNA Survey Report 2021-2023 APP-185). However, no eDNA surveys were carried out on these waterbodies. Waterbody 195 is approximately 200m from the red line boundary, with suitable connecting habitat for commuting. Breeding bird surveys found chaffinch using the eastern boundary of the site (see Figure 22.13.4zj of Appendix 22.13 Breeding Bird Survey APP-191) and evidence of otter spraint was found at the nearby fishing pond (see Figure 22.11.7 of Appendix 22.11 Badger, otter and water vole survey report APP-190).

Washington Construction Compound

9.11 The proposed site for the Washington Construction Compound is located within the Central Downs Arun to Adur Biodiversity Opportunity Area (BOA), and in areas identified as having very high biodiversity potential within the Wilder Horsham District Nature Recovery Network. Bordering the east of the red line boundary of the Washington Construction Compound is lowland deciduous woodland (priority habitat, as identified on MAGIC), and the periphery of the site comprises hedgerow, both of which have potential to support protected species, including bats. However, bat activity surveys were not conducted within the red line boundary or on immediately adjacent habitats, and the reason for this is not clear.

9.12 Breeding bird surveys found wren, robin, song thrush, great tit, and blackbird utilising the hedgerows of the site (see Figure 22.13.4t of Appendix 22.13 APP-191). Waterbody IDs 43 and 47 have been classified as having excellent suitability for great crested newt, as per the results of the HSI assessment (see Figure 22.7.5h of Appendix 22.7 APP-185), however were not surveyed further for eDNA. The waterbodies are approximately 135m away from the red line boundary, with there being particularly good commuting habitat between waterbody 47 and the compound site.

9.13 The proposed areas for the Oakendene West and Washington construction compounds are 5ha and 3.91ha, respectively (Table 18-24 in Chapter 18 Landscape and Visual Impact APP-059) and are estimated to be operational for up to 3.5 years (Para 18.4.7 of Chapter 18), therefore having a greater temporal impact than that of the cable route.

HDC does not oppose the location of the temporary construction compound sites, however, these sites border ecologically sensitive and important habitats and have potential to support protected species., It is therefore requested that the proposed layout and works of the construction compounds are provided in advance of the works commencing, and the layout design is informed by updated ecology surveys, reduced in size where possible and away from these habitats to further mitigate any adverse impacts of chemical, dust, noise, and light pollution on biodiversity. A distance greater than 10m from watercourses as per Commitment 8 should be implemented. It is also requested that an Ecological Clerk of Works is present during vegetation and soil stripping and approved by HDC.

The Wider Project

9.14 Owing to the terrestrial ecology on or within proximity to the Project, the key ecological impacts relate to construction activities and once operational, these being loss of integrity of the Arun Valley Sites by way of not demonstrating the Project is water neutral; risk to protected species such as hazel dormouse and commuting/foraging bats from habitat fragmentation and disturbance from noise, vibration and lighting, and lack of biodiversity net gain and habitat enhancement secured within the district.

9.15 This is particularly relevant at the Oakendene substation site.

9.16 No red listed or UK BAP bird species were identified on the Oakendene substation site during the breeding bird surveys (Appendix 22.13 APP-191), however nightingale (red-listed), song thrush, dunnock (both UK BAP) and skylark (red-listed and UK BAP) were identified along the cable route within the local area (Cowfold). Legally protected species such as bats, breeding birds, hazel dormouse, and common reptiles were identified as present on site. As a result of the protected species surveys done on the site, including (but not limited to) bats and hazel dormice, the loss of hedgerow habitat is being compensated for onsite, with temporary loss of other hedgerows are to be reinstated, either via removal, stored, and returned, or replacement planting to the same condition, and connectivity between the north and the south of the site being retained and strengthened with additional planting, however HDC is of the view that more is needed as explained below.

9.17 It is positive to see that the retained hedgerows are to be strengthened, and connectivity between the north and south enhanced with additional advance planting of scrub,

comprising favourable flora species for hazel dormouse (Figure 1, Outline LEMP APP-232). However, there currently remains a gap to the south-west of the site, where presumably access for machinery to the adjacent field was previously necessary. Given that the remaining wet woodland planting on site is sub-optimal habitat for hazel dormouse, HDC request that the connectivity is fully restored with further scrub planting in the gap identified to ensure mitigation is robust. Furthermore, with proposed mitigation, the difference in noise compared to background levels during the operational phase at the Oakendene substation at night-time (23:00 – 07:00) are +4 dB at two receptor sites, and +5 dB at one receptor site (Table 21-39. Chapter 21 APP-062). Given that the habitat creation on-site is proposed mitigation for hazel dormouse, commuting/foraging bats, and breeding birds, noise impacts on these species within the vicinity of the on-site habitats should be considered. Bat and dormice foraging hours and the dawn chorus during the spring and summer months, with male nightingales singing during day and night from April to early June to defend their territories, overlap with the increase in noise during night-time hours. Therefore, any adverse noise impacts on these species' behaviours may affect the viability of the mitigation proposals and further measures may be required.

HDD Operations

9.18 HDD operations are being considered for use at several locations within the district and whilst the use of Horizontal Directional Drilling (HDD) in principle, as an alternative to open-cut trenches is supported, if this method is not viable, the application documents are not clear on what other options remain. Furthermore, information relating to mitigation measures within the Outline Construction Method Statement are limited, and therefore the pollution risk on ecologically sensitive receptors is difficult to ascertain.

Appropriate Assessments

9.19 Likely significant effects on the integrity of the habitats sites listed below as a result of the development cannot be excluded, and in accordance with the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations) an Appropriate Assessment (AA) is required:

- the 12km conservation zone defined around The Mens and Ebernone Common Special Area of Conservation (SACs), identified as being in use by Barbastelle bats where

minimisation of disturbance and maintenance of habitat connectivity (hedgerows) is important; and

- the Sussex North Water Supply Zone, in relation to which an existing adverse effect on the Arun Valley SAC, Special Protection Area and Ramsar site was identified by Natural England in 2021 due to water abstraction.

Arun Valley Sites and Water Neutrality

9.20 Designation of the Arun Valley Special Protection Area (SPA), Special Area Conservation (SAC) and Ramsar Site relates to aspects of the underlying wetland habitat. Conservation objectives seek to maintain or restore integrity, including that of qualifying features.

9.21 In its 2021 Position Statement Natural England set out that it cannot be concluded with certainty that existing abstraction within the Sussex North Water Supply Zone, which draws its water supply from groundwater abstraction at Hardham, is not having an adverse impact on the integrity of the Arun Valley sites, and advises that projects will be required to demonstrate, with sufficient certainty, that they will not contribute to this existing adverse impact. If water demand cannot be met without mains supply, a method endorsed by Natural England to achieving this is to demonstrate and robustly evidence 'water neutrality', defined as 'the use of water in the supply area before the development is the same or lower after the development is in place'. Having reviewed the Report to Inform Appropriate Assessment (RIAA, APP-038), HDC welcomes efforts to demonstrate water neutrality, however there is limited detail on how this will be achieved. HDC notes Natural England advice that it would be appropriate to conduct a screening exercise, to determine whether increased water use during the construction phase is likely to have a significant effect.

9.22 Regarding operational phase water use (noting the substation is not a permanently staffed, i.e., welfare facilities used only during periods of maintenance or repair, and sprinklers only in emergency), HDC acknowledges this has been screened in for consideration at Stage Two (Appropriate Assessment) and mitigation proposed to rule out adverse effects to the Arun Valley Sites. Water efficient fittings and grey water recycling is proposed, with a financial contribution (based on predicted water usage) to the strategic offsetting scheme being formulated by HDC, WSCC and SDNPA (following endorsement by Natural England). If this strategic solution is not available at the time, then bespoke measures would be put in place, including further water re-use on-site (as

per commitment C-260) via water harvesting and recycling and other measures (such as alternative supply of water via tanker) (Document Reference 6.2.26 APP-067).

9.23 HDC advice is the following:

- Tankering water is unenforceable (it cannot be practically required that a tanker arrives, with a prescribed quantity of water) and at odds with FAQs agreed by Natural England and HDC which have been applied consistency across other projects, including many housing schemes of similar build out and completion timescales.

- HDC has confidence the Sussex North Offsetting Water Scheme (SNOWS) will be in place by the time of commissioning of the substation. SNOWS will include an element of capacity set aside for infrastructure, and as critical infrastructure will be a high priority. However, as the extent of the water needed from this Project is not yet known, it is questioned whether relying on a strategic mitigation solution not yet secured and operational, would meet the levels of certainty required at Appropriate Assessment stage. This is currently the case for other local planning applications, which cannot benefit from reliance on the scheme as mitigation at Appropriate Assessment.

- HDC needs the Applicant to set out what mains water use they will roughly use for construction and operational works and how long this will go on for. HDC is mindful construction use on other development is screened out as HDC considers it falls within the baseline construction activity that previously took place in the district pre-position statement. It is an argument could extent to the Project also, depending on how much water the Applicant believes will be needed and what for (i.e. will any be needed in the engineering aspect or is it mainly staff welfare facilities). It is a matter HDC will likely screen out but the evidence of rough quantum and timescale is needed to do this The operational water use appears to be very small so the certainty is there to able to access SNOWS.

9.24 These are reasons why the estimated water use should be calculated and submitted, to reduce risk of over-reliance on a strategic mitigation scheme not yet secured and operational.

9.25 Given that sufficient uncertainty remains, and use of the commitment currently presented in the DCO documentation cannot, as the DCO is currently evidenced, resolve the matter, it cannot be concluded that likely significant adverse effects on the integrity of

the Arun sites would be mitigated, from over abstraction of groundwater from within the Sussex North Water Supply Zone. Therefore, there is conflict with policy 31 of the HDPF.

Compensation and Environmental Enhancement (BNG).

9.26 HDC is supportive of achieving Biodiversity Net Gain for the Project (APP-193) and this is a policy requirement of local planning policy. For the project to deliver, as reported in Chapter 22 of the ES, terrestrial biodiversity net gain of at least 10% to offset land cover change (habitat loss) and fragmentation (reduction of connectivity), there is a great opportunity to feed into the Local Nature Recovery Strategy for West Sussex (to be published by March 2025), but also to link environmental enhancements proposed by the project with the location of areas with potential for enhancing biodiversity identified in the HDC's Green Infrastructure Strategy (2024) and Wilder Horsham District Strategy. HDC welcomes engagement with the Applicant to secure these outcomes but whilst the project in its entirety would deliver biodiversity net gain, this has not been specifically demonstrated at the district level (and the proposals to pay HDC for compensation units direct to HDC, for delivery in the district and details to achieve this (see HDC PAD 16).

9.27 The distinction between compensation and biodiversity net gain, in relation to the Oakendene substation habitat creation plans, and the scale of off-site biodiversity net gain needed to meet the 10% net gain commitment, is not understood. For compensation that may need to be delivered off-site, as stated within the response to HDC PAD 16 (Statement of Commonality for Statements of Common Ground PEPD-039), it is important to note that this can only contribute up to no net loss (0%), and at least 10% should be delivered through other activities for delivering biodiversity net gain.

9.28 The feasibility of creating the proposed wet woodland habitat and the integration with attenuation basins at the Oakendene substation will need to be included within the forthcoming detailed biodiversity net gain proposal (HD PAD 17 PEPD-039). The site's biophysical conditions, such as soil type and nutrient level, hydrology, levels of shade and exposure, and the tolerances of the proposed species mix to the site conditions and likelihood of establishment and long-term survival should be provided. Moreover, the attenuation basin to the North of the site on Figure 1 of the Outline LEMP is immediately adjacent to the retained hedgerow that runs along Kent Street. As this is likely located within the assumed root protection area (RPA) of 15m, and to ensure no adverse impacts to the tree species within this hedgerow as a result of groundworks and changes to water storage levels, we advise that this basin be redesigned to be located outside of the RPA.

9.29 It is welcomed that there will be a progressive reinstatement of habitats, and 70% of the deficit will be secured prior to commencement of construction (Para 5.2.1 of Appendix 22.15 APP-193). As noted in Para 3.1.15 of the Outline LEMP, further details regarding the species mixes, management and monitoring of habitats for biodiversity net gain, and habitat reinstatement, including contingency plans in case they fail, are forthcoming in stage specific LEMPs. However, these details underpin the success of the mitigation, compensation and habitat creation plans and are therefore required in full to make a thorough assessment ideally, prior to conclusion of the DCO examination.

Wilder Horsham District

9.30 HDC is in ongoing exploration with the Applicant to how compensation and biodiversity net gain measures can be secured at district level. HDC is of the view that there is potential to align compensation and gain to secured funding for the Wilder Horsham District (details provided at Appendix A) through a legal agreement accompanying the DCO.

9.31 There are three landowners along the cable route that the Wilder Horsham team have had contact with where potential biodiversity projects have been identified. Two of these would also result in improvements to the river e.g., re-meandering and removal of a sluice gate, as well as wetland creation. For example, river meandering and removal of a sluice gate will provide watercourse units. Looking at the Applicant's submitted BNG report (table 4-5 APP-193), it is only envisaged needing to offset 1 'river' unit - this could be used here, and the Applicant have said they are looking for 'other rivers and streams' habitat to deliver this.

9.32 The Council strongly advocates delivery of BNG within our district and invites contribution (as compensation) towards Wilder Horsham District, to deliver on these schemes. To that end HDC has also shared its BNG 'Green Call for Sites' (Temple Jan 2023)[1] with the application. This forms part of the evidence base to the Council's Local Plan Review, and includes the findings of biodiversity Net Gain Thresholds, Site Assessment Study. Several landowner sites are aligned with the cable route and are also promoted via Wilder Horsham District.

[1] https://www.horsham.gov.uk/__data/assets/pdf_file/0016/121705/Horsham-BNG-Assessment.pdf

Summary Box

Positive	i) Commitment to deliver biodiversity gain and enhancements either on or off the site, with focus on habitat creation around Oakendene substation; buffer strips around protected sites, including ancient woodland and other vulnerable habitats; and maintain, reinstate and enhance wildlife corridors. ii) replanting with native species to ensure ecological networks remain functional and to prevent isolation of trees and woodland in landscape iii) HDD techniques at several environmentally sensitive locations, including river crossings and under woodland to further reduce ecological impacts. iv) Commitment C-115 aims to reduce hedgerow length, which is temporarily lost from cable crossings, through the technique of notching hedgerows, as well as tunnelling v) Stage specific LEMP will be developed to ensure all reinstated habitats are effectively established (C-199 of the Commitments Register).
Neutral	i) Loss of land and hedgerow and tree removal in the construction compound sites and Oakendene substation site to new development and uncertainty to sufficiency of the mitigation proposed ii) Ecological Clerk of Works will work in conjunction with the contractors to ensure compliance with relevant wildlife legislation, agreed mitigation and best practice iii) While HDC welcomes commitments (APP-254) which aim to use best practice Horizontal Directional Drilling HDD techniques and undertake detailed pre-works assessments, there remains uncertainty regarding the feasibility and alternatives (if found not feasible) of this embedded mitigation measure, due to a lack of information of suitability of ground conditions at HDD locations. iv) Works and layout of temporary construction compounds are not provided, and uncertainty of impacts on adjacent ecologically important habitats and protected species potentially using the site.
Negative	i) Increased water abstraction to serve the development resulting in harm to water quality and water levels which can impact habitats and species some distance from the development area. ii) Biodiversity net gain not specifically demonstrated at the district level (and the proposals and details to achieve this) iii) Whilst HDC welcomes additional planting to strengthen the retained vegetation on the Oakendene substation site, more planting is required to close current gaps to ensure connectivity for hazel dormouse is retained. iv) Noise impacts on the viability of mitigation measures at Oakendene substation for hazel dormouse, bats and breeding birds

Adequacy of the DCO Application, Actions and Commitments

9.33 To prevent lost habitat awaiting reinstatement too long and causing severance through fragmentation or severed connectivity, successful and advance reinstatement of habitats, and landscape features, along the cable corridor and at the substation, are mitigation measures which require appropriate management and monitoring, plus timely remedial works, to be embedded in the commitment register and DCO, through the following refinements and amendment:

	Issue	**Recommended Action**
1.	Use of ambiguous wording (such as; where practical, wherever possible, minimal time possible etc) across Commitments and Requirements. Includes C-27, C-103	Applicant to further define aspects of embedded mitigation measures, so the likely parameters are understood and improve confidence in the delivery of these measures that are to be relied upon
2.	Presence of any European protected species will require a licence from Natural England to disturb them or their habitat.	It is in HDC's interest to receive a copy of all licences issued.
3.	Lack of ecological surveys currently undertaken in relation to construction compound sites, to enable consideration to these results and impacts on ecologically sensitive and important habitats	Applicant to explain scoping out of species surveys an amend C-196 within the Commitments Register and control documents (CoCP and LEMP) for timely submission and provision of results from pre-construction species surveys, to inform details of the works and proposed layout for the construction compound sites in advance of stage specific works commencing (explore reduction in size) and amend C-8 for greater distance from watercourse and presence of clerk of works)
4.	Secure Compensation and Biodiversity net gain through appropriate means directly within the district.	Applicant to align its compensation and BNG strategies with delivery of Wilder Horsham projects and/or 'Green Call' for Sites, in accordance with the biodiversity gain hierarchy (where on-site biodiversity gains should be considered first followed by registered offsite biodiversity gains and – as a last resort – biodiversity credits). To include a metric assessment and net gain plan; and a management and monitoring plan

5.	Reduce the chances of double counting, whilst clearly differentiating between the reasons for habitat delivery.	One clear log should be compiled, to clearly list and audit the habitat being delivered for compensation, and habitat being enhanced and delivered for BNG.
6.	Establishment periods for compensation habitat must be considered and built into Works Schedule approaches.	Reinstatement begin as soon as practically possible, i.e. within a year, for the majority of the corridor of habitat lost following construction to prevent large gaps of habitat degradation.
7.	Demonstrate the proposed development is Water Neutral.	Additional details be submitted to how water neutrality could be demonstrated, without overly relying on a strategic mitigation scheme which is yet to become operational. Further consideration of how suitable water neutrality mitigation can be suitably secured, should be provided. An estimated water use should be calculated to inform the evidence base
8.	Greater detail should be provided on the efficacy of embedded mitigation measure as a longer period to achieve ecological functionality may well be required.	HDC seeks advanced planting and a commitment for reinstatement of the temporary habitat loss within the first planting season rather than within two years of the loss.
9.	HDD may not be feasible once informed by site survey	Applicant to provide for contingency measures in the event trenchless crossings are not feasible
10.	Viability of ecology mitigation on substation site	Applicant to amend indicative substation site plan and LEMP to restore connectively in hedging to southwest corner; explore measures to address noise impact from substation; and provide more detail on proposed wet woodland habitat such as soil type and nutrient level, hydrology, levels of shade and exposure, and the tolerances of the proposed species mix to the site conditions. Attenuation basin to north possible redesign so it is outside of Root Protection Areas

10. LANDSCAPE AND VISUAL IMPACT

Local Planning Policy

10.1 HDPF Policy 25 Strategic Policy: *The Natural Environment and Landscape Character* seeks to protect landscape and habitats against inappropriate development. This identifies the protection, conservation and enhancement of the landscape character, taking account landscape importance and individual settlement characteristics. Additionally, it seeks to safeguard existing designate sites and species, ensuring no net loss of wider biodiversity.

10.2 HDPF Policy 26 Strategic Policy: *Countryside Protection* requires proposals to be of a scale appropriate to its character and location where development will only be acceptable where it does not lead, either individually or cumulatively, to a significant increase in overall level of activity in the countryside and protects key features and characteristics of the landscape character area, including the pattern of woodlands, fields, hedgerows, trees, and waterbodies.

10.3 HDPF Policy 30 *Protected Landscapes* supports development in or close to protected landscapes (the High Weald National Landscape and the South Downs National Park) where there will be no adverse impacts to the natural beauty and public enjoyment of these landscapes. In the case of major development, Applicants are required to demonstrate why the proposal is in the public interest and what alternatives to the scheme have been considered. The SDNPA is the Planning Authority for the National Park, and this policy, in common with all others in the HDPF, does not apply to the land within the National Park.

10.4 HDPF Policies 32 and 33 relate to good design and requires all development to be of high quality by having account of the local physical and environmental context, and to satisfy a criterion of Development Principles to, amongst other things, conserve and enhance the natural environment. Of these Principles, development is required, amongst other things, to; 1) prioritise the use of previously developed land; 3) ensure the scale, massing and appearance of the development relates sympathetically with the landscape and routes within and adjoining the site, including any impact on the skyline and important views; 4) respect the character of the surrounding area (including its overall sitting); and 6) relate sympathetically to the local landscape.

10.5 SSWNP Policy 8: *Countryside Protection* requires new development to protect certain views to the surrounding countryside.

10.6 SSWNP Policy 14: *Design* requires, amongst other things, landscape design, layout, and materials of all development proposals to reflect the character and scale of its surroundings.

10.7 SSWNP Policy 15: *Green Infrastructure & Biodiversity* requires development proposals ensure green infrastructure assets of the Parish are protected and maintained, and wherever possible, enhanced. SSWNP Policy 15 supports development proposals where their layout and landscapes schemes have regard to retention of existing hedgerows, trees, banks, ponds, and watercourses for visual reasons. Natural features must be retained where possible. Landscape schemes should provide for the effective screening of new developments.

10.8 WASP Policy 4: *Location and Setting* requires, amongst other things, that development be designed to a high quality which positively responds to the heritage, tranquillity and distinctive rural character, by way of; height, scale, spacing, layout, orientation, design, and materials and sensitively incorporates natural features such as trees, hedges, watercourses, and ponds.

10.9 WASP Policy 5: *Design* requires the design of development proposals be in keeping with the prevailing character of the surrounding area.

10.10 WGNP Policy 4 *Green Infrastructure*: *Existing Trees, Hedgerows, Habitats and Wildlife* seeks to protect and develop Public Rights of Way.

Other Material Planning Considerations

10.11 Emerging Cowfold Neighbourhood Plan Policy 2: *Green Infrastructure* supports development proposals which seek to conserve or enhance existing Green Infrastructure network and supports delivery of a net gain in Green Infrastructure. Development proposals that would result in the loss of existing Green Infrastructure will not be supported unless it can be demonstrated new opportunities are secured that deliver an overall net gain in Green Infrastructure and incorporate provisions to deliver an equivalent carbon sink capability in the short term; and deliver a net gain in Biodiversity.

Local Issues and Impacts

10.12 The rural qualities of Horsham district are highly valued. Whilst the undeveloped nature of rural areas is recognised, it is acknowledged that are circumstances where development is necessary. This includes development required to sustain upgrades to infrastructure, such as renewable energy.

10.13 The Landscape and Visual Impact Assessment (LVIA) [APP-167] demonstrates that, even with mitigation, the construction and operation of the Project would give rise to significant impacts on both landscape and visual receptors. The LVIA relies on several embedded mitigation measures to support its conclusion. There are two key embedded mitigation measures which underpin the assessment in the LVIA: trenchless crossings and the translocation of sections of field boundary hedgerows or replacement planting (commitment C-115). A third key commitment which supports commitment C-115, C-19 is that of a rolling programme of reinstatement to field boundaries. There is a reliance on reinstatement being carried out as soon as possible, which has not been shown to be guaranteed in the current suite of commitments and requirements. This is especially the case for the cable route as phasing/sequencing of works has yet to be determined.

10.14 Within the Oakendene substation, mitigation measures comprise of enhancement planting along boundaries, replacement planting, 'advance planting' and an architectural strategy. Advanced planting is given a wide range of 4 years to be delivered, anytime during the construction period and before the operational stage stages. Types of materiality to be used within the substation building and principles of the architectural strategy are not defined within the current suit of commitments, including the Design and Access Statement. HDC expects to see the content of this tightened at this stage in the DCO process to provide more certainty at detailed design stage.

10.15 The principal concerns and effects relate to both construction and operational activities, as follows: significant negative visual (amenity) effects on residents and settlements; significant negative landscape and character effects; negative effects on landscape elements from the loss and disturbance of vegetation (such as trees, scrub and hedgerows) during and beyond the construction works for a significant duration, until the vegetation thrives and becomes established.

10.16 The project would have an adverse impact on the landscape character and visual resources of the Low Weald NCA. In turn, this would change the character of the

landscape and the perceived sense of place of part of the following Local Character Areas: D1 Amberley to Steyning Farmlands, F1 Pulborough, Chiltington & Thakeham Farmlands, G1 Ashurst & Wiston Wooded Farmlands, O3 Steyning & Henfield Brooks, and J3 Cowfold & Shermanbury Farmlands (the last being where the substation is located as having significant residual effect).

Cable Route:

10.17 The LVIA finds that the onshore cable route will cause short term, temporary harm. HDC accepts the undergrounding of the cabling provides significant mitigation against visual and landscape impacts but there will be joint bays, 4 separate link boxes and fibre optic cable junction boxes at 600m to 1,000m intervals, which will extend along the full length of the route (Commitment C-19).

Above ground project infrastructure:

10.18 Overall, there is a lack of information provided regarding the use and appearance of the construction compounds which is a concern given their location and substantial size, together with the likely nature of the uses within the compound (such as welfare cabins, a concrete batching plant up to 20 metres in height and materials and equipment up to 7 metres high. Lighting will be required during winter working hours and for HDD compounds (where there is a requirement for an onsite presence 24 hours a day).

10.19 In terms of operational phase, the overriding issue is the substation at Oakendene; whether all reasonable endeavours had been made to minimise harms, both through the parameters of the development of the substation compound itself, and whether adequate provisions were being made to secure mitigation. These matters are a concern of residents in this area.

10.20 Above ground project infrastructure would impose alien and discordant features in the localised landscape, notably by way of the scale of the proposed installation and indicative design of the substation, and supporting industrial features such as fencing, CCTV cameras, and tracks, and on visual receptors, including the nearby Public Right of Way network, during the construction period and in the early years whilst the landscape mitigation establishes. It remains that localised landscape character, quality, setting and its wider appreciation in the areas of the above ground project infrastructure will be diminished as a result.

10.21 The Landscape and Visual Impact Assessment recognises that there are significant impacts during construction and some residual significant effects at operational stage around the Oakendene substation. These effects are generally localised and restricted to the site and immediate setting due to the enclosure the existing trees and woodland provide, but also topography. Identified effects are assessed as softening and reducing in significance as planting matures. Although HDC does not dispute these findings, it contends that some receptors (likely to be found to experience significant effects) have not been appropriately assessed.

10.22 Furthermore, HDC challenges the blanket approach of categorizing receptors such as considering the sensitivity of receptors on Kent Street to be the same as the A272, because these are both identified as transport routes.

10.23 And finally, HDC challenges the conclusions and judgement made, that mitigation measures, which in most cases are limited to new planting, would reduce most visual and landscape character effects found to be Major Adverse and Significant, to Negligent and Not Significant at Year 10. This is the case for either a linear hedgerow or a woodland for example.

10.24 **In Appendix B of this LIR, HDC provides a comprehensive critique of the Landscape and Visual Impact Assessment, which identifies these areas of disagreement in more detail. HDC expects the Applicant to respond on these and address its substantive list of identified concerns and issues.**

Summary Box

Positive	i) The site is distant from the High Weald National Landscape such that no significant impacts to this Valued Landscape qualities and setting are anticipated. ii) Residual adverse effects arising from the proposals are localised. ii) Applicants have sought to mitigate negative effects by boundary planting that would of benefit in filtering the development once established; engineering measures used to avoid significant residual visual impacts at all those hedgerows where HDC raised concerns; principles to how removed hedgerows will be effectively restored and maintained. replanted.
Neutral	i) Design and Access Statement (Document Reference: 5.8) includes the parameters for each site and the design principles with which the detailed design shall accord. The principles established will inform the detailed design phase as the finalised layout and size of the substation, access tracks and sustainable drainage solutions (SuDS). ii) Lack of detail concerning construction compounds
Negative	i) Adverse effects on visual amenity, particularly to the receptors users of PROW, notwithstanding mitigation measures. ii) Overall landscape character, quality, setting and its wider appreciation will be diminished. Consequential impacts for landscape character from loss of hedgerows and the associated constraints on replanting. These hedgerows were characterised by substantial trees within them that would be removed and not replaced. iii) Adverse impact on landscape character and qualities of: the Low Weald National Character Area (NCA); the Low Weald; Wiston Low Weald; Upper Adur Valley; Ashurst and Wiston Wooded Farmlands; Steyning and Henfield Brooks; and Farmland and Floodplains Landscape Character Areas (LCAs)

Adequacy of the DCO Application, Actions and Commitments

Design Principles (Design and Access Statement):

10.25 HDC considers the design of the onshore infrastructure has the potential to be adequately controlled through the DCO submission. However, the approach to reserve the detail of substation compound after conclusion of the DCO examination forces a reliance on a robust set of detailed parameters to provide certainty that impacts have been adequately addressed; in the Oakendene substation, there is no such certainty in the DCO parameters, and an overreliance on new hedgerow and tree planting within a radius of the substation to reinforce the character of the land-use and be used to address visual impacts from key views as identified through the ES once the vegetation and landscape elements have re-established.

10.26 HDC believe that without these measures, the residual impacts of the substation would be unacceptable; Design principles of the Oakendene substation identified in the Design and Access Statement (AS-003) need further refinement and engagement with HDC prior to conclusion of the DCO examination, to provide greater certainty over the likely appearance, scale and design of the compound, proposed ground levels and provision of tree and hedgerow losses compensation and screening.

10.27 An example of this is the statement in the Design and Access statement that the ground levels used in the design at this stage is based on a level that does not require material to be exported from or imported to the site. However, it is evident that there will be export of material for the construction of the attenuation basins and SuDs as part of a wider drainage strategy that may require further export or the reverse, with import as site levels are built up (bunds) in response to mitigation of the risk of flooding. The substation itself must be built on a flat profile and therefore given the current slope of the land, there will need to be cuttings of the land, with impact to surface water flow routeing across the site. The Design and Access Statement should offer confidence that flood risk and drainage, design considerations, and ecology have been considered holistically, prior to conclusion of the DCO examination. This is where the value of fixed parameter plans of the developable area and submission of indicative cross sections would enable greater understanding to how site levels would be devised to deliver the necessary mitigations (for example, if the attenuation basins at 1: 3 slopes truly have the capability to be multi-purpose as intended, i.e. planted up with wet woodland habitat without impediment to their function as drainage infrastructure. Given this, there is concern raised with the levels being currently unknown. Proposed cross-sections of the site, the substation, and basins, would assist in understanding and informing existing and proposed site levels, landscape and visual impact, and the viability of habitat mitigation.

10.28 Another concern is the absence of triggers in the commitment register and the DCO requirement, to the approval of the Architectural Strategy. Much play is made in the submitted Design and Access Statement (AS-003 Rev A Aug 2023) of this control document as a means of securing necessary visual and landscape mitigations. However, it is proposed to submit this as part of the detailed design not prior to conclusion of the DCO Examination. The absence of precedent images within the Design and Access Statement (including of building palette) and no explicit referencing to qualities drawn out from relevant Landscape Character Area Assessments, only serves to increase reliance on a currently unknown mitigation, which is a real concern.

It has potential to lengthen discharge timescales as details are sought at that late stage, especially as there does not appear to be an embedded opportunity for the discharge authority to request/require samples for approval of external appearance.

10.29 Additionally, whilst it is pleasing to see broad locations of advance planting shown on the indicative site plan for the Oakendene substation, there is currently nothing in the DCO requirement or commitment to secure this. What is absent from current DCO documentation is a timetable of delivery of this advance planting across the substation site (i.e., aligned with identified triggers related to implementation and the progression of completion of the development on site). It is necessary for advanced planting to be implemented in a timely manner where it serves as mitigation for heritage harm, but the Design and Access Statement does not secure this (para 3.4.4).

10.30 Finally, it would help with community reassurance if the Design and Access Statement were to provide more certainty to various design principles of the substation site through a suite of parameter plans, such as the extent of developable area; the location and routeing of access (vehicular and cable); the extent of landscape buffer and mitigation; and the zoning of the maximum heights of infrastructure.

Mitigation, Compensation and Enhancement:

Advance Planting:

10.31 The mechanism to secure meaningful advance planting is unclear, and further consideration needs to be given to maximising advance planting opportunities. Whilst the proposed mitigation measures as set out in the Commitments Register, including Commitment C-115 and associated outline control documents are welcome, there is considerable uncertainty as to extent of mitigation they may realistically provide. Many of the commitments include caveats in relation to implementation, such as ‘where this is best environment solution and is financially and technically feasible’ or ‘where practicable/necessary/possible’.

10.32 Within the Oakendene Substation site, firm commitment that advanced planting is to be proposed fronting the A272, soon after bellmouth and access to the compound area is formed, must be secured as this area is not included within Figure 1 - Indicative Landscape Plan Version 3 (APP-232 Outline LEMP) but is key to assist in the delivery

of screening/visual mitigation of the scheme from year 5 as suggested within the LVIA conclusions.

10.33 Of particular concern for constructed activities along the cable route, is the reliance on the feasibility and efficacy of reinstatement or replacement with new planting being carried out as soon as possible (as failure would have potential for lasting change to the landscape character), and minimising periods of activities/storage of materials (embedded mitigation measures (C-19, C-115, C-235, C-236)). As phasing has yet to be determined (i.e., it is to be dealt with by requirement) this is a considerable area of uncertainty, which will be a key factor in determining the magnitude of landscape and visual impacts. Irrespective of the success of C-115, there will be long-term changes to the structure of the landscape as no trees can be returned/replanted over the cable route.

10.34 Commitment C-19 sets out to reinstate the landscape in '…as short a timeframe as possible' and to complete the cable installation in discrete sections (typically 600m to 1,000m). As currently committed, the planting will be undertaken between years 1 and 10, and therefore the users of the landscape will experience changes to it for at least 10 years, if not longer as the planting in year 10 will need time to establish (again this is long term as set out in the LVIA). In addition, no trees removed for the cable route can be replaced over the route. As a result there will be permanent changes to the structure of field boundaries and thus patterns in the landscape which will continue to provide a visual indicator of the route of the cable for the long term. Effects will extend for at least the medium term (6 to 10 years based on the LVIA methodology) into the operation and maintenance phase, with residual permanent effects lasting longer than 10 years.

Embedded mitigation measures:

10.35 HDD is the most important component of the mitigation programme for the proposed scheme in relation to landscape. The assessment in the LVIA that no residual harm will result from the proposals is predicated upon this mitigation measure. While commitments C-235 and C-236 aim to use best practice HDD techniques and undertake detailed pre-works, there remains uncertainty regarding the technique, as set out in the references to DCO application documents.

10.36 The detailed methodology and design of the trenchless crossing will only be determined following site investigation and confirmed within stage specific Onshore Construction

Method Statements including confirmation that there are no new or materially different environmental effects arising compared to those assessed in the ES. It should be that if HDD proves unsuitable, additional consent would be required to deliver an alternative solution as open cut trenching in areas of Ancient Woodland would leave them irreparably and irrevocably damaged. As site investigation has not been undertaken, it is currently unclear from the DCO documentation if HDD provides unsuitable, the Project will have to stop. This needs to be demonstrated via a commitment or requirement. Ancient Woodland is irreplaceable in planning policy terms.

10.37 It is acknowledged that in C-196 of the Commitments Register that a stage specific Landscape and Ecological Management Plan (LEMP) would be developed. This would be secured through Requirement 12 of the DCO, which would require submission of a stage specific LEMP to, and approval by, the relevant planning authority in advance of that stage commencing. Is therefore important that the programme of works secured through Requirement 10 of the DCO clearly defines the stages, phasing and associated timings of works within the district. Regarding advanced planting and reinstatement, the stages and, thus stage specific LEMP should include covering the construction compounds, the onshore cable corridor and Oakendene substation.

10.38 Commitment C-196 refers to 'attention will also be given to maintaining levels and types of vegetation and landscape patterns', however, HDC seeks that the commitment to the staged reinstatement also includes for enhancement to a higher quality and species diversity, particularly in relation to trees and hedgerows of boundary/field treatments.

10.39 As well as species selection and reinstatement taking account of climate resilience, there should also be a commitment to the selection of species diversity in consideration of emerging threats from pests and diseases, such as Ash die-back which is prevalent in the district.

10.40 HDC is unclear how some of the mitigation measures are to be monitored and actioned including (but not limited to) the reinstatement of hedgerows or advanced planting. These are key, and heavily relied upon, to the success of the project's embedded environmental measures and proposed mitigation measures on LVIA and Heritage conclusions. C-199 (outline LEMP) refers to 'all new planting is established within 10 years of completion and managed and maintained for a further 10 years post planting' HDC requests clarification that 'established' refers to planted and 1 year after the defects

period of the phased completion and that 'post planting' trigger will commence at partial practical completion.

10.41 HDC encourages a phased approach is taken to the restoration to enable land to be reinstated at the earliest possible opportunity. C-103 refers to 'areas of temporary habitat loss will begin reinstatement within 2 years of the loss, other than at the temporary construction compounds, cable joint bays, some haul roads, some construction access roads, landfall and substation location where activities may take longer to complete'. However, HDC request that there is the commitment and an appropriate securing mechanism for reinstatement within the first planting season following completion of the construction works and backfilling within the section, rather than within two years, as currently defined within C-103.

10.42 Amendments are sought to the Draft DCO wording in the interest of clarity as follows:

	Issue	**Recommended Action**
1.	Substantive issues raised by HDC in its critique of Landscape and Visual Impact Assessment, raising concerns and issues on the robustness of mitigation. Set out in detail in Appendix B of this LIR	The Applicant is requested to respond on HDC's comprehensive list of concerns and issues set out in its submission of the Applicant's of the submitted Landscape and Visual Impact Assessment, as detailed in Appendix B. This includes but is not limited to: • Categorising of receptors and likely significant effects • Landscape effects and visual effects on Oakendene substation and visual effects on the onshore cable corridor and cumulative effect • Identification of understated landscape effects • Landscape feature son Oakendene substation not identified, with loss of these features not appropriately reported • Effect on receptors at Washington • Ranking of same sensitivity to Kent Street as transport routes A281 and A272. Not appropriate • Query on absence of buffer between PRoW 1786 and Oakendene substation site southern boundary given residual significant effect, with possible mitigation being additional planting secured by legal agreement as outside of DCO order limit and/or reduction in substation footprint

		• Effects on landscape character and effects of new/enhanced access points along Kent Street, including A59 and A60
2.	Robust measures required to mitigate third party damage to planting, with the DCO order.	Applicant to amend Schedule1, Part 3 Implementation and Maintenance of Landscaping, Para 13, clause (2): the replacement planting must also include removal or damage (such as vandalism) by a third party. If not agreed, please can clarification be provided as to what mechanism should be used by the planning authority enforcement teams, to seek replanting in those circumstances.
3.	Advanced planting is a key mitigation and there is currently some ambiguity in the time period of the implementation and maintenance regime of this planting, within the DCO order.	i) Within Schedule1, Part 3 Implementation and Maintenance of Landscaping, Para 13, clause (2): clarification needs to be added as to when the 'period of 10 years after planting' is triggered. ii) The scheme will be running for a number of years and there will be different 'after planting' stages. HDC requests clarification that the 'after planting' trigger will commence at partial practical completion. A mechanism for the planning authority to access these trigger dates also needs to be incorporated. iii) On Schedule1, Part 3 Detailed Design Approval Onshore Substation (page 54) Para 8, clause (1)(d) should be added after the word: landscaping; which must also include areas identifying 'advance planting' locations and associated delivery timescales. HDC considers the reference made to the DAS, will not give the discharge authority suitable control to the timings of the delivery of important mitigation measures.
4.	Inadequacies in detailing necessary mitigations in the Design and Access Statement	Refinement of the Design And Assess Statement to include but not limited to: i) cross sections to understand how existing and proposed site levels would be devised holistically to address landscape and visual impacts whilst delivering on ecological and heritage mitigations and functional SuDS ii) pictorial presentation of the design principles, including use of precedent images that demonstrates consideration of Architectural Strategy informed by qualities of Local Character Areas; iii) provision of a timetable of delivery of heritage mitigation and a suite of parameter plans to design principles
5.	Widespread use of ambiguous terms in commitments across register	Refinement of wording across a suite of commitments related TO Scheduling of stages of advance planting, associated timings, and reinstatement of landscape features

11. AIR QUALITY

Local Planning Policy

11.1 HDPF Policy 24 Strategic Policy: *Environmental Protection* concerns protection of the high quality of the district's environment. Taking into account any relevant Planning Guidance Documents, developments will be expected to minimise exposure to and the emission of pollutants including noise, odour, air and light pollution and ensure that they contribute to and do not conflict with objectives of implementation of local Air Quality Action Plans, and maintain or reduce the number of people exposed to poor air quality including odour.

Material Planning Considerations

11.2 Emerging Cowfold Neighbourhood Plan Aim 1: *Air Quality Management* supports sustainable development proposals that do not have an adverse effect upon air quality and users within the Parish and supports development proposals that include measures to provide traffic calming and/or gating with the aim of reducing queuing traffic within the Air Quality Management Area.

Local Issues and Impacts

11.3 Within the district beyond the National Park exist two AQMAs within 5km of the onshore cable corridor; Storrington Air Quality Management Area (declared in 2010) and Cowfold Air Quality Management Area (declared in 2011).

Sussex Air Quality Partnership

11.4 HDC is part of the Sussex Air Quality Partnership, which is made up from the Sussex local authorities and Public Health bodies. Since it was established, the Partnership has developed a comprehensive regional monitoring network, which currently (end 2022) has twelve continuous air quality monitoring stations (AQMS) in operation. The network also incorporates data from five national Automatic Urban and Rural Network (AURN).

11.5 Sussex air was successful on Defra's Air Quality Grant and additional particulate monitoring will be installed across Sussex, including Horsham (Cowfold AQMA), to

further enhance the database and provide a more detailed and substantive understanding of particulate concentrations across the region.

11.6 Live air quality data is available on Sussex Air website (https://sussex-air.net/). An overview of air quality and update progress on actions to improve air quality is available on HDC Air quality page (https://www.horsham.gov.uk/environmental-health/air-quality/air-quality-reports-and-assessments)

Cowfold AQMA

11.7 Cowfold is a location where an Air Quality Management Scheme is in operation. The natural restriction created by the staggered A272/A281 junction, combined with the volume of traffic using the A272 as a major link road, results in significant standing traffic during morning and evening peak periods. This is reflected in Air Quality and Pedestrian Safety being raised as key issues by the community.

11.8 Monitoring within Cowfold AQMA in 2022 showed a decrease of 14% when compared to pre-pandemic levels. It is expected that the Cowfold AQMA will be revoked in the coming years as it has demonstrated continued compliance with NO2 annual mean concentrations. But because there is concern about an increase of HGV and LDV from the Project, HDC proposes to maintain the AQMA until there is more data to be reasonably certain that any future exceedances are unlikely, avoiding cycling between declaring, revoking and declaring again.

11.9 HDC is modelling the AQMAs as part of the Action Plan updating process. To understand the contribution of all sources of emissions to exceedances of the air quality objectives within the AQMAs a source apportionment was carried at Cowfold worst-location (Cowfold 7n-DT37). Source Apportionment is the identification of ambient air pollution sources and the quantification of their contribution to pollution levels. A source apportionment considering 2019 traffic data shows that HGVs passing through the AQMA account for 22% of the local sources of NO2. It is understood that even with the reroute of traffic proposed to avoid the AQMA, 25% of HGV will still travel through the AQMA, which could increase traffic queueing and air pollutant emissions aggravating the problem.

11.10 Additional diffusion tubes and remote sensors could be installed alongside the A272 Bolney Road and other identified Lorry routes to monitor annual concentrations of NO2

and particulate matter. The Applicant should support the cost of this additional monitoring work.

11.11 Control of HGV routeing through Cowfold and Storrington AQMAs can be done by ANPR cameras deployed for the duration of the construction phase. Processing of the data collected to identify Rampion traffic and any possible breaches would be done by external support through a traffic survey company.

Summary box

Positive	Environmental measures proposed C-158: proposed HGV routeing during construction phase to individual accesses will avoid AQMA in Cowfold where possible
Neutral	Commitment to Air Quality Mitigation Plan welcomed but the completed assessments do not reference taking account of the Sussex Guidance (2022)
Negative	Dispersion of materials from works areas into neighbouring communities and those associated with the emissions from construction vehicles particularly HGVs and the resulting need for additional emissions monitoring.

Adequacy of the DCO Application, Actions and Commitments

11.12 The DCO provides for an Outline Code of Construction Practice REV B (CoCP) PEPD-034 with some measures to address air quality effects.

11.13 Environmental measure C-158 proposes the proposed heavy goods vehicle (HGV) routeing during the construction phase to individual accesses will avoid the Air Quality management Area (AQMA) in Cowfold where possible. Proposed routeing set out in Outline Construction Traffic Management Plan (CTMP) and enforcement of the outline CTMP is secured through commitment C-158. However, the wording 'where possible' reduces the certainty of the robustness of this commitment, especially over the life of the Project. As such, HDC seeks a firmer commitment or a Requirement to indicate HGV routeing through Cowfold only where strictly necessary.

11.14 An Additional Commitment or Requirement is sought to avoid Storrington AQMA. It is confirmed an Air Quality Management Plan (AQMP) will be produced in accordance with best practice thus delivering the commitment of the ES for such a document. The outline CoCP confirms measures to minimise dust generating activities will be implemented. HDC considers a requirement specific to the production of the AQMP should be included in the DCO.

Construction:

Dust Management plan:

11.15 During site clearance, preparation and construction there is the potential for local residents to experience adverse impacts from noise, dust and construction traffic movements. These should be minimised and controlled by the developer and a construction environmental management (CEMP) plan.

11.16 The Applicant should follow the IAQM guidance and implement all the general measures categorised as Highly Recommended.

11.17 Commitment-24 Best practice air quality management measures will be applied as described in Institute of Air Quality Management (IAQM) (2016) guidance on the Assessment of Dust from Demolition and Construction 2016, version 1.1.

Air Quality Plan:

11.18 Air Quality and Emissions Mitigation Guidance for Sussex (2021) takes a low-emission strategies' approach to avoid health impacts of cumulative development, by seeking to mitigate or offset emissions from the additional traffic. Hence, Applicants are required to submit a mitigation plan detailing measures to mitigate and/or offset the impacts and setting out itemised costing for each proposed measure, with the total estimated value of all the measures being equal to the total damage costs.

11.19 It is understood from the Statement of Commonality for Statements of Common Ground (PEPD-039) that an Air quality Plan, including emissions and health damage cost calculation and mitigation plan, for the construction phase of the development will be produced. Within this Air Quality Plan it is requested that the Applicant demonstrate how the overall monetary disbenefits identified will be redressed by the measures proposed. An effective air quality plan would contain the following elements for each proposed measure:

- Costings
- Performance indicators
- Delivery timescales.

11.20 These are the essential mechanisms that enable authorities to work for the benefit of local communities and public health. It is essential that there is confidence that proper monitoring mechanisms and indicators are established at the outset and reviewed as necessary.

11.21 The Mitigation measures for the proposed development should be in line with the Sussex Air latest Air Quality and Emissions Mitigation Guidance for Sussex. Regarding the measures to be put forward in the air quality mitigation plan HDC would request that the Applicant avoids duplication of measures that would normally be required through other regimes. Alternatively, we would support contributions:

- to support and improve air quality monitoring in Cowfold AQMA and Washington.
- to measures included in the Action Plan,
- to Local Energy Efficiency Improvement
- to the set-up of a Cowfold car Club scheme (Leap);
- towards HDC's public building energy performance retrofit programme;
- towards HDC's vehicle replacement programme

Construction Traffic Management Plan REV B (CTMP) PEPD-035a:

11.22 There is a concern that the CTMP does not account for emissions of the on-road and off-road construction traffic. Section 8.4.11 of the CTMP proposes to use Euro V on road vehicles "or better whenever possible". The emission rates for Euro V heavy duty vehicles are circa 50% higher for PM and NOx compared to those of Euro VI vehicles – so it makes a significant difference what emission standard gets adopted.

11.23 There is a commitment C-158 of the Commitment Register which outlines 'The proposed heavy goods vehicle (HGV) routeing during the construction period to individual accesses will avoid the Air Quality Management Area (AQMA) in Cowfold 'where possible.' Even with the rerouteing of HGV traffic, it is estimated that 25% will still go through Cowfold AQMA. The concern is also that the details of the final HGV routes are not known, and whether those mirror the assumptions used to model the impacts.

11.24 Alternatives to routeing vehicles through Cowfold should be considered such as using haul routes to link sites south of Cowfold with the Oakendene construction compound.

11.25 It is not clear how routeing of HGVs to avoid the AQMA's in Storrington and Cowfold is to be managed and controlled. Use of traffic surveying technology such as automatic number plate recognition cameras would offer an appropriate monitoring mechanism.

11.26 To that end, HDC Officers have contacted Obstrada, a company specialised in traffic and transport surveys to explore options on how we can police the traffic passing through Cowfold AQMA. The findings of these are attached as Appendix C.

11.27 In summary, four options are listed, each of them with expected cost range, pros and cons:

- Temporary CCTV Video Analysis
- Temporary ANPR Data Analysis
- Permanent ANPR Data Analysis
- Existing ANPR Data Analysis.

11.28 The prices quoted are indicative as the specification of the Project is not known at this stage but HDC advocates that this detail will begin engagement with the Applicant on possible ways of controlling LDV and HGV so these do not become higher than 25% over the lifetime of the Project.

Modelling:

11.29 HDC has concerns of the modelling results for Cowfold AQMA. Details are therefore required of the model set up:

- For which construction year the model was set up?
- What was the AADT considered? It is understood that even with HGV reroute in place, 25% will still go through Cowfold AQMA. The concern is that the Assessment Scenario includes assumptions on HGV routeing which may not materialise for project implementation.

11.30 It would be helpful to have the receptors labelled on a map. This would provide the local authority with more information on the spatial variation of concentrations.

11.31 HDC monitored NO2 at 10 locations in Cowfold in 2019, but only 3 of these sites were used for model verification. The Applicant has provided justification on the Statement of Commonality for Statements of Common Ground (PEPD-039) for removing diffusion tubes from the verification:

- Monitoring at Cowfold 7n (DT37) has recorded values within 10% of UK objectives in 2019 (36.1 ug/m3) and it represents the worst location in Cowfold, but it was not considered for model verification. Applicant justification for removing the DT from the verification is not acceptable as the tube is not near a bus stop or a post box and it is representative of traffic emissions.
- Monitoring at Cowfold 4 (DT22) was also not considered for model verification. Although traffic data was assumed during model set up, the concentration monitored at this DT is representative of traffic emissions and should have been considered.
- Although Cowfold 1,2 (DT12,20) is subject to stop/start because of traffic lights, it is representative of traffic emissions and should have been considered for model verification.

11.32 Average monitored concentrations of annual mean NO2 in Cowfold roadside locations in 2019 was 27.3ug/m3, with the worst location recording 30.7 ug/m3, which is well above the modelled concentrations at the receptors. As there is a systematic under prediction of modelled concentrations for all sites, it is recommended that the Applicant provides a review of the model provided for Cowfold AQMA.

11.33 The following are recommended actions requested by Horsham District Council, as follows:

	Issue	**Recommended Action**
1.	Air quality plan should be in line with Air Quality and Emissions Mitigation Guidance for Sussex (2021)	Firmer commitment to be explicit that air quality plan to be in line with Air Quality and Emissions Mitigation Guidance for Sussex and demonstrate how monetary disbenefits will be readdressed by measures proposed
2.	Firmer commitment to HGV routeing to avoid Cowfold AQMA	Additional requirement or firmer commitment to C-158 to indicate HGV routeing through Cowfold only where strictly necessary
3.	Requirement to avoid Storrington AQMA	Additional requirement or commitment to avoid Storrington AQMA
4.	Require production of Air Quality Management Plans	Additional requirement specific to production of Air Quality Management Plans, allied to Air Quality Plan
5.	Identification of measures to address impacts	Applicant to explore suggestions put forward by HDC including but not limited to:

	evidenced by applicant to be mitigated and/or compensation for those that cannot be mitigated	• Additional diffusion tubes and remote sensors along A272 and lorry routes. Applicant should support costs of this additional monitoring
6.	Control of HGV routeing through Cowfold AQMA	Applicant to explore suggestions put forward by HDC including but not limited to: • Installation of ANPR cameras for Cowfold (see Appendix C)

12. NOISE AND VIBRATION

Local Planning Policy

12.1 HDPF Policy 24 Strategic Policy: Environmental Protection concerns protection of the high quality of the district's environment. Taking into account any relevant Planning Guidance Documents, developments will be expected to minimise exposure to and the emission of pollutants including noise, odour, air and light pollution and ensure that they contribute to and do not conflict with objectives of implementation of local Air Quality Action Plans, and maintain or reduce the number of people exposed to poor air quality including odour.

12.2 HDPF policy 33 requires consideration of neighbouring amenities when determining planning applications, for such matters as overlooking, light, noise and outlook, whilst HDPF policy 36 also seeks to avoid adverse impact on amenity value.

12.3 WASP Policy 4: Location and Setting requires development not to result in unacceptable levels of light, noise, air, or water pollution.

Local Issues and Impacts

12.4 The construction period is noted to be approximately 3.5 to four years, with construction works delivered in stages. It is noted from Chapter 21 of the ES (REV B PEPD-18) that with respect to HDD there is potential for prolonged exposure of sensitive receptors to noisy drilling and ancillary works, 24 hours per day over consecutive, often multiple days. There are certain points along the onshore cable corridor, in particular trenchless crossings in the village of Washington that are very close to noise sensitive receptors. However, the Applicant does not evidence engagement with the affected communities and how the outcome of those engagements have influenced the Applicant's assumptions used as a basis for the assessment finds and decisions on mitigations measures to reduce these impacts.

Construction Phase Noise and Vibration:

12.5 The project will involve construction works in rural areas where background noise levels will be very low, particularly at night. An accurate assessment of noise and vibration impacts should be based on detailed information on the phasing, sequencing, and

duration of construction activities. There is no information as to when this detailed information will become available or the type of information that will be provided.

12.6 The description of the construction works as temporary does not fully reflect the potential for adverse impacts. The construction compounds will be in operation for at least 3 years. Sites along the cable route will also entail construction of haul roads and may host additional works such as cable jointing which further extends the duration of operations at these sites.

12.7 For construction noise the assessment of impact has been undertaken with regard to Annex E of BS5228-1 and particularly the thresholds of significant effects. Annex E details several methodologies for assessing impacts but for all significant impacts from construction noise are only considered to occur above 65dBLAeqT. As noted above, the works will take part in areas where background noise levels are low and therefore adopting this approach may not fully portray the noise impacts from the construction phase. For longer term construction projects lower noise limits should be considered.

12.8 The adoption of the thresholds quoted in Annex E to BS5228-1 as LOAELs and SOAELs is questioned. BS5228-1 does not reference WHO documents and principally relies on publications regarding protection of site workers from noise. The assessment methodology in Annex E states that other project-specific factors, such as the number of receptors affected and the duration and character of the impact, will also determine if there is a significant effect.

12.9 It is important to ensure the potential noise impacts for the receptors are fully understood beyond the narrow confines of BS5228-1. The Applicant should illustrate the potential magnitude of the noise impacts by comparing the predicted construction noise levels to the existing ambient noise levels at each receptor location.

12.10 The methodology for the identification of receptors is not clearly explained. This is important for establishing if all relevant receptors have been identified and factors such as differences in topography have been included in determining the predicted construction noise levels.

12.11 Noise sensitive receptors for short term works such as cable route construction are not considered. These works may be of limited duration, but this does not mean the noise impacts should not require assessment and mitigation, particularly when mobile plant

such as generators are deployed. The construction of haul roads and cabling works could extend the periods of noisy activity close to sensitive receptors beyond the 10 days presumed for cable route construction.

12.12 Short term works are also excluded from the consideration of cumulative impacts on the grounds these will be of limited duration. Given the uncertainties regarding the potential phasing, duration and impacts of such works this exclusion is not justified.

12.13 Noise impacts from trenchless crossings at night are a concern. Predicted night noise levels have identified receptors significantly above BS5228 threshold screening adopted in the Environmental Statement. It is proposed that screening will be deployed to reduce these impacts. The effectiveness of screening will depend on several factors. These include the height, mass and length of the barrier and the position of noise source relative to the identified receptor. Noise from construction equipment contains particular frequency components and these are not all attenuated to the same degree by a barrier. It should not be assumed the predicted mitigation will be achieved.

12.14 Effective control and management of construction noise will require monitoring to ensure policies and procedures to mitigate noise are being adhered to. Monitoring compliance for a project of this scale and duration is beyond the currently resourced capacity of the local authority officers with expertise in noise and planning who also have other duties to fulfil.

12.15 To address this issue and provide community reassurance, the Applicant should consider providing continuous noise analysers at the construction compounds and all sites where overnight working is taking pace. This would also facilities transparent reporting and accountability for noise impacts arising from the construction activities. To reduce the burden on local authority officers the Applicant should fund an independent consultant (appointment in agreement with the local authority) to audit monitoring data and advice HDC on any identified non-compliance or breach of target noise levels.

Operational Noise:

12.16 HDC has reviewed the revised Volume 2 (Noise and Vibration) PEPD-018, revised Volume 3 (Figures) PEPD-022 and revised Volume 4 (baseline noise monitoring) PEPD-025 and none of these documents refer to or address HDC's previous comments in relation to operational noise from the proposed sub-station, as detailed in its Relevant

Representations submission (RR-148). These comments are extracted and re-presented in this LIR.

12.17 Disappointingly, therefore HDC has no further comments to make on these revised reports in the context of this LIR and has identified this to the Applicant in ongoing negotiations in the Statement of Commonality for Statements of Common Ground (PEPD-039).

12.18 With this mind, it is noted that the Applicant's acoustic consultants have provided comments in the SoCG (revision C) in relation to HDC's PADSS (AS-010). From reviewing these HDC does however remain concerned with the potential noise impacts from the sub-station at the closest noise sensitive receptors, in particular low frequency noise.

12.19 From reviewing Table 21-20 'Relevant noise and vibration embedded environmental measures' HDC note that the following is stated under Commitment C-231 - The detailed substation design will be built and operated such that the Rating levels (noise emissions plus any character correction) do not exceed the following noise levels at the private amenity space associated with the closest residential receptors.

12.20 Given the low background noise levels in this part of our District, in particular during the night time hours, HDC consider that the proposed rated noise levels are too high and are at level where adverse impacts may be expected.

12.21 From reviewing Table 21-38 'Operational noise assessment – Onshore substation Unmitigated' it is apparent that the rated level during the night time hours (2300 – 0700) to be +7 above background at Oakendene Manor, +6 above background at Southlands and +5 above background at Westridge. From reviewing Table 21-39 'Operational noise assessment – Onshore substation Mitigated' it is apparent that even with proposed mitigation the rated levels at Oakendene Manor during the night-time hours are still +5dB above background.

12.22 HDC appreciate that the report states that in accordance with the IEMA Assessment (2014) that the magnitude of change is 'very low'. However, with the above in mind, BS4142 makes it very clear however that the greater the noise level above background the greater the magnitude of impact, and, that a difference of +5dB is likely to be an

indication of an adverse impact. These impacts are likely to be significant where night time background levels are low.

12.23 HDC notes that the following is stated in section 1.3 of BS4142 - The standard is not applicable to the assessment of low frequency noise. Information on the assessment of low frequency noise is given in NANR45. Given the low frequency noise associated with the proposed substation HDC is of the view that an assessment in accordance with NANR45 is required in support of this application.

12.24 This is consistent with the advice given in the Planning Noise Advice Document: Sussex issued in November 2023 and published jointly by all local authorities in East and West Sussex.

12.25 Further to the above HDC notes that the following is stated: Further discussion was undertaken with regard to low frequency noise. It was agreed with HDC that the assessment methodology within BS 4142:2019 (BSI, 2019) was sufficient to assess the effects of low frequency noise at the nearest noise sensitive receptors. HDC commented that BS 4142:2019 is not applicable to assess ground borne low frequency noise. These comments remain valid.

12.26 In summary, mitigated noise impacts at identified receptors are reliant on specific physical mitigation measures to be adopted at the substation including harmonic filter dampening, dampening and enclosures for transformers etc. Whilst it is understood that such mitigation would be secured where necessary to achieve noise specified noise limits, given the low background noise levels in part of our District, as quantified in the background noise monitoring, and given the impact from low frequency noise, as detailed above, HDC is of the view that the noise impacts have not been fully assessed and that noise levels below the levels as detailed in Commitment C-231 could still result in significant noise impact to residential amenity.

Summary Box

Positive	An outline Code of Construction Practice (CoCp) has been provided which confirms that stage specific CoCp will be submitted along with a Noise and Vibration Management Plan The proposed development would be sufficiently distanced from neighbouring residential properties so as to not lead to a direct and harmful loss of amenity, by way of reducing light levels, or creating an adverse loss of outlook.
Neutral	Considering the time-limited construction period, the routes of the temporary construction access in relation to the most private areas of the residential properties, it is acknowledged that some additional disturbance would occur, but not lead to permanent and adverse loss of residential amenities on the occupants
Negative	Stage specific CMS and the OCoCP need to satisfy that overnight drilling mitigates impacts to nearby receptors, regarding noise, vibration and lighting at the construction compounds and drilling sites. Impacts must be kept to a minimum through secured monitoring and mitigation, including detailed plans on phasing of the onshore works to ensure construction timescales are minimised.

Adequacy of the DCO Application, Actions and Commitments

12.27 There should be opportunity to manage noise through a Construction Environment Management Plan referencing the noise control measures and noise targets set out in the statutory code of practice (BS5228:2009 Control of Noise and Vibration on Construction and Open Sites). Under the DCO, there should further detailed design and appropriate insertion of stringent provisions attached to any proposed mitigation (commitment C-26 and C-160 of the Commitments Register). To adequately protect residents, enhanced mitigation will need to be included within a stage specific CoCP, and where appropriate, subject to other regulatory controls (prior consent under Section 61 of the Control Pollution Act 1974). This will need to be addressed in the CoCP along with C-26 of the Commitment Register. It would be reassurance if the Applicant committed to consult the affected parishes on the CEMP for the relevant phase of the works so that the CEMP can be tuned to meet their local concerns.

12.28 The Commitment Register sets out embedded mitigation measures, principally through commitments C-22 (core working hours), C-26 (best practicable means), C-263 (and revision of construction noise assessments at design stage). The adequacy of such measures is unclear until further refinement of the construction noise predictions is undertaken. Commitment C-263 suggests that the adequacy of the construction noise

assessments will be reviewed by contractors to ascertain if there is *'any significant deviation'* from the initial sound level predictions. The competency of the contractor to review sound level predictions is questioned and the term *'significant deviation'* should be quantified.

12.29 An Outline Code of Construction Practice REV B (CoCP) PEPD-033 has been provided which confirms that stage specific CoCP will be submitted along with a Noise and Vibration Management Plan (NVMP). These documents will detail the mitigation measures to be adopted but have yet to be submitted. This results in considerable uncertainty as to the deployment and efficacy of the mitigation measures. Noise levels above the predicted levels will only be addressed retrospectively which would severely limit the ability to resolve such impacts.

12.30 The noise impacts are assessed on the basis that most of the site works will take place in the normal weekday hours (07:00 to 19:00). The need for additional working outside these times should be limited to emergency works only and should not be relied on.

12.31 The proposals for construction noise monitoring are inadequate for a project of this scale and duration. Construction noise monitoring should be undertaken proactively by the developer to ensure that the site works are complying with required target noise limit. Compliance checking should be undertaken regularly at every location where noise sensitive receptors may be impacted by noise arising from construction activities. The absence of proposed noise and vibration monitoring from the Commitment Register is noted and it is anticipated that for the worst-case locations (i.e. close to HDD crossings) that continuous noise and vibration monitoring should be undertaken and secured through the stage specific CoCP. It should not be for the local planning authorities to resource routine compliance checking of the developer's construction noise targets.

12.32 During all operational hours continuous noise and vibration monitors should be deployed at construction sites to ensure compliance with noise and vibration targets. Monitoring system installed and managed by a competent person in accordance with relevant guidance. The monitoring data should be made available to HDC within 24 hours. HDC lacks the resources to monitor a project of this scale and therefore the Applicant should fund an independent expert approved by HDC to be appointed to audit the monitoring data and identify any non-compliance.

12.33 There are no sanctions or penalties proposed in the DCO to deal with non-compliance with the construction noise and vibration targets. The procedure for arbitration set on Schedule 15 of the DCO is unlikely to respond effectively to identified non-compliance with the CoCP or NVMP's. Documented exceedances of working hours, other than for emergencies, that result in service of enforcement or stop notices should be subject to additional financial penalty via a Requirement.

12.34 The Construction Communications Plan should include provision for regular local meetings with representatives for the communities where the construction compounds will be sited. The costs should be met by the developer.

12.35 HDC request the following recommended actions, including that the Outline CoCP is updated to provide for the following:

	Issue	**Recommended Action**
1.	Current CoCp is not informed by a sufficiently robust stage specific assessment of construction noise effects.	Applicant to commit with C-26 to a stage specific CoCP to be informed by an updated assessment of construction noise effects as and when they are available and other regulatory controls where appropriate. To include provide noise modelling inputs for construction compound predictions (including concrete batching plant), revised trigger levels for shoulder hours, corrections for uncertainty.
2.	Further detailed measures and appropriate insertion of stringent provisions required	Suite of commitments (C-22, C-26, C-160, C-263) require further provisions as mitigation measures are currently unclear to effectiveness until further construction noise predictions are provided and sanctions or penalties included to deal with non-compliance.
2.	No commitment that continuous construction noise and vibration monitoring will be included in the stage specific CoCP and would be agreed with HDC.	Applicant to commit that continuous construction noise and vibration monitoring will be included in the stage specific CoCP and would be agreed with HDC; where despite mitigation measures are implemented and residual noise and/or vibration effects are predicted to arise, consideration should be given to the temporary relocation of residents affected by 24-hour drilling as a method of mitigation where HDD (or other noisy working) is scheduled to proceed for 24 hours per day for longer than 48 consecutive hours.
3.	No approval progress for discharge authority included	Applicant to provide commitment that prior to undertaking any essential night-time working, the timing and duration and monitoring of such works will be approved with HDC through an

	in the current CoCP for night-time working.	agreed process to be included in the CoCP i.e. application to HDC for prior approval under Section 61 of the Control of Pollution Act 1974.
4.	No standalone commitment on core working hours, with regard for the Washington construction compound that core working hours	Applicant to commit that core working hours, including HDD drilling, for Washington Compound be restricted to Monday to Friday 08:00 to 19:00 hours and Saturday 09:00 to 13:00 hours due to proximity of sensitive receptors, including two camping and caravanning sites. The nature of these local businesses will be particularly impacted by the proximity of the construction compound.
5.	Construction noise assessment and thresholds of significant effects adopted by Applicant may not fully protect from noise impact	Background levels at rural sites are low and lower thresholds to that of the Applicant's approach should be considered to ensure potential noise impacts for receptors are fully understood and mitigated. BS5228 Annex E details several methodologies for assessing impacts but for all significant impacts from construction noise are only considered to occur above 65dBLAeqT. As noted above, the works will take part in areas where background noise levels are low and therefore adopting this approach may not fully portray the noise impacts from the construction phase.
6.	Noise levels and details in commitment C-231 (operational phase of substation) could still result in significant noise impact	Background levels at rural sites are low and different thresholds to that of the Applicant's approach should be considered to ensure potential noise impacts for receptors are fully understood and mitigated. BS4142 - The standard is not applicable to the assessment of low frequency noise. Information on the assessment of low frequency noise is given in NANR45.
7.	Effective control and management of construction noise all requires monitoring to ensure mitigation procedures are adhered to.	Applicant should consider providing continuous noise analysis at the construction compounds and all sites where overnight working is taking place. Applicant should fund an independent consultant to assist in monitoring data.
8.	No sanctions or penalties proposed in the DCO to deal with non-compliance with the construction noise and vibration targets.	The procedure for arbitration set on Schedule 15 of the DCO is unlikely to respond effectively to identified non-compliance with the CoCP or NVMP's. Documented exceedances of working hours, other than for emergencies, that result in service of enforcement or stop notices should be subject to additional financial penalty via a Requirement.

13. HISTORIC ENVIRONMENT

Local Planning Policies

13.1 HDPF policy 34 seeks to sustain and enhance the wider historic environment, which includes not only the heritage assets themselves, but also their wider setting. Policy 34 requires improvement of the setting of heritage assets, including views, public rights of way, trees and landscape features, features.

13.2 WASP Policy 3: *Heritage Assets* requires that development protect and not adversely affect the Parish's heritage assets or their settings. Development in the area around the Saxon Church of St. Giles (Grade II*), Ewhurst Manor (Grade II with Grade I listed gatehouse and moat) and Shermanbury Place (Grade II), shall not be harmful to the heritage assets or their settings.

Local Issues and Impacts

13.3 Within the district beyond the National Park, there are several Listed Buildings and Locally Listed Buildings on or within proximity to the Project, as well as the Washington Conservation Area; all heritage assets have been identified in the document Category 6: Environmental Statement Volume 4, Appendix 25.1: Gazetteer of onshore heritage assets. The principal concerns and effects are in relation to construction activities, for the reasons explained below.

Below ground Heritage:

13.4 Having reviewed the DCO documentation submitted, HDC broadly agrees with the assessment outcomes and the adequacy of mitigation for the archaeological potential within the district beyond the SDNP. Given this, archaeology is not considered further in this LIR.

Cable Routeing and Construction Compounds:

13.5 The cabling through Horsham District will be buried. There will be impact within the setting of several Listed Buildings as described in Volume 4, Appendix 25.7: Settings assessment scoping report. This impact will last the duration of the construction phase of the project. The impact of trenching, service roads and compounds, lighting, vehicular

movement, other activity and noise will have a harmful impact within the setting of various designated and non-designated assets.

13.6 However, when the construction remediation works and mitigation measures are completed and the Project operational, the Project would be in general compliance with the overall aims of the policies in terms of the impact of the significance of the heritage assets and their setting.

13.7 For example, the Oakendene substation will be clearly visible from the Oakenden Manor, a grade II Listed Building, following completion of the project. The extent of potential visual impact is illustrated in Volume 3, Chapter 25: Historic environment – Figures (Part 4 of 5) APP-066. This, together with the likely nature of the uses within the associated compound (such as welfare cabins, a concrete batching plant up to 20m in height) would impact upon the wider setting of this asset. As a result, the construction works would alter its setting, but not the operational stage, i.e., this will not harm the understanding of its historic and architectural interests. The construction works would introduce what is identified within Chapter 25 of the ES (APP-066). It is acknowledged that these works would be 'temporary' or 'short term' but that for the duration of these works, the effect upon the setting of the heritage assets would be negative. Similarly, it is acknowledged that the negative construction effects would be temporary and, as a result, would not permanently harm the setting of the Washington Conservation Area (short term impact will cease once this phase of the work is complete and the compound removed).

Substation and Oakendene Manor:

13.8 The proposed substation and associated permanent works will be experienced within the setting of Oakendene Manor Listed Building asset, as reported in Chapter 25 of the ES (APP-066). The information contained in Category 6: Environmental Statement. Volume 4, Appendix 25.5: Oakendene parkland: historic landscape assessment (APP-211) describes the history of the house and its parkland. Section 6 describes the significance of the parkland setting in reinforcing the special interest of the listed building. The historic parkland is stated as being of low heritage significance. And makes a moderate contribution to the heritage significance of Oakendene Manor. HDC is satisfied this is an accurate conclusion. The potential impacts of the proposed infrastructure are listed in section 7 (APP-066 and APP-211). Mitigation for these impacts has been included in the indicative landscape planting proposals.

13.9 In the view of HDC, the proposed works will not cause substantial harm as there will be no direct impact to the listed building. It will remain possible to experience Oakendene Manor within its historic domestic curtilage without visual reference to the substation. Harm will arise through opportunity to experience the substation within its setting. The substation will not directly impact views from the house south across the historic parkland to the lake. Oblique views will be possible when experiencing the setting of the house to the south.

13.10 The substation would involve removal of field trees. These trees may have been part of the managed estate in the nineteenth century but this does not mean they contribute to the special interest of the listed building through its managed landscape (parkland) setting. This is the case here. The trees as a group and individually do not contribute to the special interest of the Listed Building through its setting.

13.11 Due to all this, HDC is content that less than substantial harm will arise and this will be within the middle of the scale of harm. Following appropriate mitigation HDC is satisfied the substation and the permanent associated works will continue to cause less than substantial harm. This level of harm will remain in the middle of the scale but less than the amount without mitigation.

Summary Box

Positive	construction remediation works and mitigation measures to the setting of above ground heritage assets (designated and non-designated) are proposed
Neutral	the proposed permanent change to the appearance of the landscape setting of above ground heritage assets (designated and non-designated) would be at the lower end of the 'less than substantial harm' scale
Negative	i) Embedded mitigations cannot fully offset the identified harm to the setting of Oakendene Manor and further mitigations are likely to be limited by the required functionality of the substation. ii) Identified mitigation (landscaping and design) measures are not yet sufficiently secured by design principles. Refinement of the design (roofline, materials, colour scheme, landscaping) should be provided at application stage.

Adequacy of the DCO Application, Actions and Commitments

13.12 The making good of ground and restoration of hedgerows and other landscape features is essential in ensuring there are no long-term impacts once the construction phase is completed. The approach to mitigating construction impact is described in Category 7: Other Documents Outline Code of Construction Practice. In particular section 4.10 states the principles of reinstatement of land. Mitigation for impact is described in Category 7: Other Documents Outline Landscape and Ecology Management Plan (APP-232); specifically, section 2, and Category 5: Reports Design and Access Statement (AS-003); specifically, section 3.4. This approach is agreeable in principle, but HDC does identify the following issues for resolution:

	Issue	**Recommended Action**
1.	Principles and intentions of mitigating any harm within the setting of Oakendene Manor should be ensured	Applicant amend area of Works No. 17 description (see Onshore Works Plans (Document Reference: 2.2.2) to include to implement historic parkland style tree planting
2.	Mitigation should be delivered in a timely manner. Currently confirmed at detailed design stage	i) Delivery of identified mitigation (landscaping and design) measures should be secured by design principles in Requirement 8 in the DCO order ii) prior to conclusion of the DCO examination more refinement in the Design and Access Control document.

14. WATER ENVIRONMENT

Local Planning Policy

14.1 HDPF Policy 38 Strategic Policy: *Flooding* requires development follow the sequential approach to flood risk management and where there is potential to increase flood risk, incorporate the use of SuDs.

14.2 HDPF Policy 24: Environmental Protection expects developments to maintain or improve the environmental quality of any watercourses.

14.3 SSWNP Policy 15: *Green Infrastructure & Biodiversity* supports development proposals in which sustainable urban drainage measures are integrated within the landscape design as part of a multifunctional layout.

14.4 WASP Policy 1: *Flood Risk* requires that new development not increase the risk of run off from flooding either on site or elsewhere.

Other Local Material Planning Considerations

Emerging Cowfold Neighbourhood Plan (CNP)

14.5 CNP Policy 1: *Groundwater and Surface water Flood Risk* supports development proposals that incorporate sustainable drainage techniques to manage surface water and mitigate groundwater flood risks and should be in areas at the lowest risk of flooding.

Local Issues and Impacts

14.6 HDC acknowledges that West Sussex County Council (WSCC), as the Lead Local Flood Authority (LLFA), will be making representation regarding the flood risk and drainage matters pertaining to the project.

14.7 Nonetheless, HDC notes the Sequential Test now applies to all sources of flood risk. It is also relevant to note that a Sequential Test should be applied when any part of a site is at risk of flooding. Whist flood risk mapping is not an exact science, the Applicant has evidenced the Oakendene substation site is mapped with a high surface water flood risk flowpath intersecting the northern boundary of the onshore substation site, which flows

initially south along the indicative proposed access road before turning east, and flowing south via an existing ditch along Kent Street which forms the eastern boundary of the site. There is also high surface wate flood risk shown to intersect the construction compound locations at Washington and Oakendene West.

14.8 Matters such as the layout to ensure that within the site, the most vulnerable development is located in areas of lowest flood risk, can be part of any exception test, which must follow only after the Sequential Test has been complied with. Ultimately, the Sequential Test should still be applied as such sites present greater risk than those within areas outside of the risk of surface water.

Adequacy of the DCO Application, Actions and Commitments

14.9 HDC acknowledges proposals for the substation site includes Sustainable urban Drainage and that the CoCP sets out measures to control possible environmental impacts, including generic pollution control measures. Nonetheless, such matters can be part of any exception test, which must follow only after the Sequential Test has been complied with.

14.10 Concerns have also been detailed earlier in this report regarding Terrestrial Ecology (including but not limited to validity of mitigation to achieve proposed wet woodland) and Landscape and Visual Impact (focused but not exclusive to existing and proposed site levels); successful resolution on these concerns and others identified is dependent upon a SuDs strategy that provides multifunctional benefits (all four pillars - water quantity, water quality, amenity and biodiversity) and delivers on mitigation (landscape, heritage, and ecology) as well as addressing flood risk and drainage in and around the substation site.

15. SUMMARY OF MITIGATION, COMPENSATION AND REQUIREMENTS

15.1 Whilst Horsham District Council welcomes the submission of some revised DCO documentation since the submission of its RR, and continuing dialogue with the Applicant on PADSS (AS-010) and Statement of Common Ground, the Council continues to identify some concerns regarding the lack of commitment and certainty to delivery on mitigation, monitoring and compensation measures, together with the mechanisms for securing. An overarching concern is that the wording of some mitigation measures in the Commitment Register is not definite or certain to the efficacy of measures to mitigate or compensate negative effects. Firmer commitment is therefore sought to delivering these mitigation measures, including the Community Benefits Fund.

15.2 As described above, HDC is of the opinion that the affected areas and local communities in its district will experience disruption and negative effects, some of which are unlikely to be mitigated. Where mitigation is not possible, HDC believes strongly that communities feel they are positively benefitting from host electricity transmission network infrastructure that is to support the delivery of national objectives.

15.3 As advised by the ExA at the Hearing, HDC has set out in this LIR proposed compensation measures which it seeks to address residual harms that have been evidenced by the applicant cannot be mitigated, and to which HDC is in current negotiations with the Applicant to secure via legal agreement:

- on air quality and socioeconomic disruption, with contributions sought for purchase of practitioner equipment to be used by the Council in monitoring affected AQMAs (as detailed in Chapter 11 paras. 11.10 -11.11 and 11.26 – 11.28 and Appendix C of this LIR), and
- on terrestrial ecology and landscape and visual impacts, with contributions sought toward funding of up to three landscape-led nature recovery interventions by Wilder Horsham District in the vicinity of the Project (as detailed in Chapter 9 paras. 9.30 – 9.32 and Appendix A of this LIR); and
- on cost recovery, with funding of an appointed independent qualified noise practitioner to monitor and audit report to the Council during the construction phase of the Project (as detailed in Chapter 12 paras. 12.14 - 12.15 of this LIR).

15.4 In the Council's view, these have been demonstrated to meet the planning tests that they are necessary to make the development acceptable in planning terms, directly related to

the development by addressing residual harms evidence not to be mitigated; and fairly and reasonably related in scale and kind to the development.

15.5 Cost Recovery is a very important concern for HDC given the resourcing implications of the scale and duration of the Project, and the inherent reliance on a suite of monitoring regimes to ensure the effectiveness of mitigation going forward. As such, HDC would welcome further discussions with the Applicant on establishing similar funding arrangements currently under discussion with regard to noise, for other mitigations, such as advanced planting and habitat reinstatement.

15.6 Additionally, there are a wide variety of community benefits that can be delivered, but broadly they can cover finance for local projects, outreach initiatives or direct benefits to individuals in a local area. Community benefits can enhance the economy, society and/or environment in a local area. They can also be used to deliver investment and growth in the local area, especially when used to invest in local infrastructure, supply chain and skills.

15.7 In November 2023, Government published its response to consultation on community benefits, setting out its commitment to developing voluntary guidance for community wide benefits which will be published in 2024, as well further information on the overall community benefits policy including options for developing a mandatory approach, community benefits register and a bill discount scheme in 2024. Government recommended, alongside an electricity bill discount for properties located closest to transmission network infrastructure, a wider benefit for the local community of around: £40,000/km (~£60,000/mile) for underground cables and £200,000 per substation.

15.8 HDC recognises within this consultation Government reconfirmed their position that proposals on a mandatory scheme will remain separate to the planning process (and not a material consideration in planning decisions, and not secured through those decisions). However, it is entirely within the gift of the Applicant to propose benefits for identified harms that cannot be mitigated within this DCO submission.

Commitments Register and DCO and Requirements

15.9 There are concerns referenced in this LIR and accompanying Written and Relevant Representations (RR-148). HDC wishes to make the following observations on the draft Commitments Register.

15.10 There are concerns referenced in this LIR and accompanying Written and Relevant Representations (RR-148). HDC wishes to make the following observations on the draft Development Consent Order Rev B Jan 2024 (PEPD-009).

15.11 Owing to the additional expenditure to HDC in relation to the discharging relevant Requirements and S61 applications, HDC seeks to recover the associated costs. HDC would welcome discussions with the Applicant on the recovery of costs.

Commitments Register

Commitment	**Issue/ Recommended Action**
C-1, C-7, C-12, C-19, C-27, C-67, C-75, C-78, C-115, C-117 and C-128.	**Issue:** numerous commitments include flexible wording such as 'where practical, as far as reasonably practical, as far as reasonably possible, practicable minimum, as practical, or are not practical, wherever possible, minimal time possible, shortest practical timeframe'. Such wording reduces the confidence of the delivery of the commitments, which also make up embedded mitigation measures to be relied upon for the project.
	Recommended Action: Applicant to further define, to improve confidence in the delivery of these measures; in particular, in the expectation for reinstatement, to state that will be reinstated to pre-existing condition.
C-5	**Issue:** Wording is ambiguous and should be removed or amended to be precise.
	Recommended Action: Applicant to commit to Main rivers, watercourses, railways and roads that form part of the Strategic Highways Network will be crossed by Horizontal Directional Drill (HDD) or other trenchless technology where this represents the best environment solution and is financially and technically feasible (see C-17).
C-6	**Issue:** Wording is ambiguous and should be removed or amended to be precise.
	Recommended Action: Applicant to commit to Where practical, sensitive sites will be avoided by the temporary and permanent onshore project footprint including SSSIs, Local Nature Reserves, Local Wildlife Sites, ancient woodland, areas of consented development, areas of historical and authorised landfills and other known areas of potential contamination, National Trust Land, Listed Buildings, Scheduled monuments, and mineral resources (including existing mineral sites, minerals sites allocated in development plans and mineral safeguarding areas).
C-8	**Issue:** Greater distance than 10m from watercourse be implemented and ecological clerk of works to be present during vegetation clearance and soil stripping

	Recommended Action: Applicant to commit to Greater distance than 10m from watercourse be implemented and ecological clerk of works to be present during vegetation clearance and soil stripping
C-9	**Issue:** access for route checking and maintenance via joint bays for local green space in SWWNP (Work No. 9)
	Recommended Action: Amend commitment so access for routine checking and maintenance via joint bays only, for all local green space indemnified in SWWNP
C-17	**Issue:** Wording is ambiguous and should be removed or amended to be precise.
	Recommended Action: Should refer to Code of Construction Practice. Where trenchless techniques are not required or are not practical, watercourses may be crossed by open cut techniques. Appropriate environmental permits or land drainage consents will be applied for works from the Environment Agency (e.g. for Main Rivers, works on or near sea defences/flood defence structures or in a flood plain) or from the Lead Local Flood Authority (LLFA) (for Ordinary Watercourse crossings) (see C-5)
C-19	**Issue:** access for route checking and maintenance via joint bays for local green space in SWWNP (Work No. 9). Reinstatement 'as short a time frame as practicable' ambiguous
	Recommended Action: Amend commitment so i) access for routine checking and maintenance via joint bays only, for all local green space indemnified in SWWNP ii) reinstatement carried as soon as possible
C-22	**Issue:** Mitigation effectiveness unclear until further refinement of construction noise predications
	Recommended Action: Insertion of detailed design and appropriate measures of protection, including : • commitment to stage specific Code of Constructions to each individual construction compound, informed by updated assessment of construction effects and other regulatory controls where appropriate; and • Further detailed design and appropriate insertion of stringent provisions
C-26	**Issue:** i) Wording is ambiguous and should be amended to insert detailed design and appropriate measures of protection. ii) Mitigation effectiveness unclear until further refinement of construction noise predications
	Recommended Action: Insertion of detailed design and appropriate measures of protection, including :

	• commitment to stage specific Code of Constructions to each individual construction compound, informed by updated assessment of construction effects and other regulatory controls where appropriate; and • Further detailed design and appropriate insertion of stringent provisions
C-27	**Issue:** The wording is ambiguous and should be removed or amended to be precise.
	Recommended Action: Following construction, construction compounds will be returned to previous conditions as far as reasonably possible.
C-34	**Issue:** Strengthen supply chain plan commitment within control document
	Recommended Action: Firmer commitment to developing a Supply Chain Plan with the OSES, as exploring opportunities for companies to access the supply chain
C-35	**Issue:** HDC to be consultee such as that the Community Benefits Package provides for benefits specific to the local communities in our district.
	Recommended Action: Add HDC as consultee of formation of Community Benefits package and its funding criteria and scoping
C-103	**Issue:** Greater commitment to advanced tree/habitat planting
	Recommended Action: i) Greater commitment to advanced tree/habitat planting, particularly along boundary/field treatments, and for the staged reinstatement of habitats within the first planting season following completion of the construction works and backfilling within the section, rather than within two years, as currently defined ii) Reinstatement within the first planting season following completion of the construction works and backfilling with the section
C-115	**Issue:** Clarity required from LEMP what stage monitoring and remedial action will be 'taken rapidly' – uncertain if this means at each stage specific LEMP**.**
	Recommended Action: i) Clarify stages and associated timings of works and to commit to remediation carried out as soon as possible within those constraints
C-158	**Issue:** 'Where possible' lacks robustness and undermines certainty to commitment
	Recommended Action: Firmer wording (or an additional requirement) to indicate HGV routeing through Cowfold only where strictly necessary.
C-160	**Issue:** i) Insertion of detailed design and appropriate measures of protection as part of detailed design and stage specific control docs. ii) Mitigation effectiveness unclear until further refinement of construction noise predications.
	Recommended Action:

	I) Insertion of detailed design and appropriate measures of protection as part of detailed design and stage specific control docs. ii) Applicant commits to stage specific Code of Construction Practice informed by updated assessment of construction noise effects and other regulatory controls where appropriate ii) further detailed design and appropriate insertion of stringent provisions
C-174	**Issue:** Add free of construction activity and ground penetration.
	Recommended Action:. Ground works within a buffer zone of 15 times the diameter of the tree or 5m from the edge of the tree's canopy will be avoided. Should transmission cables go under a veteran tree via a trenchless crossing a depth of at least 6m below ground within the buffer zone will be maintained to avoid root damage.
C-196	**Issue:** Should include enhancements of higher quality and species diversity
	Recommended Action: Should include enhancements of higher quality and species diversity
C-199	**Issue:** i) Clarification that 'established' refers to planted and 1 year after the defects period of the phased competition and that 'post planting' trigger will commence at partial practical completion ii) Absence of pre-construction species surveys in relation to construction compounds to inform stage specific LEMPs
	Recommended Action: i) Clarification that 'established' refers to planted and 1 year after the defects period of the phased competition and that 'post planting' trigger will commence at partial practical completion ii) Provide survey data for stage specific LEMPs in relation to construction compounds in advance of works commencing to inform site layouts and works (reduction in size), including addressing noise
C-216	**Issue:** Add free of construction activity and ground penetration.
	Recommended Action: Where ancient woodland is crossed via trenchless crossing a depth of at least 6m below ground will be maintained to avoid root damage and drill launch and retrieval pits will be at least 25m from the woodland edge. All ancient woodland will be retained with a stand-off of a minimum of 25m from any surface construction works. Construction traffic may operate within 25m of an ancient woodland on existing tracks should any track maintenance works be restricted to the current width.
C-231	**Issue:** Noise levels and details in Commitment could still result in significant impact

	Recommended Action: Insertion of detailed design and appropriate measures of protection, including : • commitment to stage specific Code of Constructions to each individual construction compound, informed by updated assessment of construction effects and other regulatory controls where appropriate; and • Further detailed design and appropriate insertion of stringent provisions
C-235	**Issue:** Uncertainty to HDD Techniques
	Recommended Action: Committee amend to i) require agreed continuity plans with environment impacts minimised ii) Remediation carried out as soon as possible
C-236	**Issue:** Uncertainty to HDD Techniques
	Recommended Action: amend to i) require agreed continuity plans with environment impacts minimised. ii) Remediation carried out as soon as possible
C-263	**Issue:** Term 'significant deviation' should be quantified. Mitigation effectiveness unclear until further refinement of construction noise predications
	Recommended Action: Term 'significant deviation' should be quantified. Insertion of detailed design and appropriate measures of protection, including : • commitment to stage specific Code of Constructions to each individual construction compound, informed by updated assessment of construction effects and other regulatory controls where appropriate; and • Further detailed design and appropriate insertion of stringent provisions
Additional Commitments sought:	
1.	Updated Outline CoCP to include baseline noise surveys, updated noise assessments, noise and vibration monitoring and core working hours specific to the use of the construction compounds and for the exact positioning of the concrete batching plant and soil/aggregate stockpiles and be placed as far away as possible from residents/other sensitive receptors. Such noise surveys, assessment, mitigation and monitoring should be agreed with HDC
2.	Trenchless crossings investigations should be concluded prior to the commencement of the construction phase to allow for greater scope to avoid potential adverse environmental effects
3.	Delivering biodiversity net gain specifically within Horsham district and for this to be demonstrated through a biodiversity net gain assessment at district level and a

	maintenance and monitoring plan of biodiversity net gain (to be agreed and secured with HDC via appropriate means).
4.	Preparing and submitting to HDC for approval a Construction Communications Plan for the communities of Washington and Cowfold.
5.	Timetable schedule of pre-construction surveys of protected species
6.	Advanced planting at Oakendene Substation site, including landscape and visual mitigation including bellmouth and historic parkland tree planting as mitigation
7.	Prior to undertaking any essential night-time working, the timing and duration and monitoring of such works will be approved with HDC through an agreed process to be included in the CoCP
8.	Applicant to commit that core working hours, including HDD drilling, for Washington Compound be restricted to Monday to Friday 08:00 to 19:00 hours and Saturday 09:00 to 13:00 hours

DCO and Requirements

Section/Article	**Issue/Recommended Action**
Part 1 Citation and 'commencement'	**Issue:** Certain operations outside the definition of material operation (section 155 of 2008 Act) with evidenced impacts are carved out of subsequent 'commencement' trigger of requirements
	Recommended Action: Either amend citation to include carved out operations or amend relevant requirement to include carved out operations
Schedule 1, Part 1 Work No.10	**Issue:** Greater clarity and certainty of the activities proposed.
	Recommended Action: Provide description for temporary construction compounds (comparable detail to other Work No. descriptions) or provide in another document where there is a commitment to comply with the description.
Schedule 1, Part 1 Works No.17 and 20	**Issue:** 'environmental works' not defined. Greater clarity and certainty to what is covered by definition
	Recommended Action: Refine definition and include all necessary mitigation, including implementation of historic parkland tree planting.

Schedule 1 Part 3 Requirement 8	**Issue:** Design principles need greater clarity and refinement
	Recommended Action: Carved out pre-commencement works be included. (a)-(f) principles to be refined as follows; • Request submission and approval of suite of parameter plans of design principles (such as developable area, access routeing, and heights) or reference provision elsewhere in control document; • Applicant's suggestion to contribute to the Council's future Water Neutrality strategic solution should be referenced more explicit; • Delivery timescales for advanced planting for heritage mitigation to be captured or reference provision elsewhere in control document; • Submission and approval of an Architectural Strategy, with opportunity for discharge authority to request material/finish sample
Schedule 1 Part 3 Requirement 10	**Issue:** Needs to clearly define the stages, phasing and associated timings of works within the district and clarity on stages of works relevant to administrative area of each planning authority.
	Recommended Action: i) 'written programme' should identify stages of those works relevant to the administrative area of each relevant planning authority and clarity to when requirements will need to be discharged for the stage specific documents. ii) Regarding advanced planting and reinstatement, the stages and, thus stage specific LEMP should include cover the construction compounds, the onshore cable corridor and Oakendene substation.
Schedule 1 Part 3 Requirement 13	**Issue:** (2) Does not cover removal or damage (such as vandalism) by a third party (2) Clarification to when 10 year starts counting from. Post completion for overall scheme or staggered, based on post-completion certificate to each phase, and so different completion dates. 13.—(1) All landscape works must be carried out in accordance with the landscape and ecology management plan for the relevant stage approved under requirement 12 (provision of landscaping), and in accordance with the relevant recommendations of appropriate British Standards. (2) Any tree or shrub planted as part of an approved landscape and ecology management plan that, within a period of ten years after planting, is removed by the undertaker, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased must be replaced in the first available planting season with a specimen of the same species and size as that originally planted unless otherwise approved in writing by the relevant planning authority.

	Clarity on stages of works relevant to administrative area of each planning authority
	Recommended Action: the replacement planting must also include removal or damage (such as vandalism) by a third party. If not agreed, please can clarification be provided as to what mechanism should be used by the planning authority enforcement teams, to seek replanting in those circumstances? Schedule1, Part 3 Implementation and Maintenance of Landscaping, Para 13, clause (2): clarification needs to be added as to when the 'period of 10 years after planting' is triggered. The scheme will be running for a number of years and there will be different 'after planting' stages. HDC requests clarification that the 'after planting' trigger will commence at partial practical completion. A mechanism for the planning authority to access these trigger dates also needs to be incorporated. written programme' should identify stages of those works relevant to the administrative area of each relevant planning authority for clarity to when requirements will need to be discharged for the stage specific documents.
Schedule 1 Part 3 Requirement 14	**Issue:** BNG is not secured at district level with HDC as consultee
	Recommended Action: wording is amended so that the biodiversity net gain strategy for stages that relate to areas within Horsham District is also submitted to and approved by HDC. HDC requires that this is secured by a S.106 agreement, if appropriate
Schedule 1 Part 3 Requirement 22	**Issue:** Clarity on stages of works relevant to administrative area of each planning authority.
	Recommended Action: 'written programme' should identify stages of those works relevant to the administrative area of each relevant planning authority for clarity to when requirements will need to be discharged for the stage specific documents)
Schedule 1 Part 3 Requirement 33	**Issue:** No requirement for HDC to be consultee to OSES. Should be lifetime of development as activities go beyond construction phase.
	Recommended Action: Wording amended to reflect life time of OSES activities and that the skills and employment strategy is 'agreed with and provided to' the relevant planning authority, which will include HDC
Schedule 14	**Issue:** Decision making timescales for discharge authority do not adequately reflect the time necessary to agree details.

	Recommended Action: HDC requests decision period be extended, given the technical complexity of certain details requiring third party consultation, and to allow the Applicant sufficient time to respond to requests for further information, as required for discharging purposes. **D**ischarge of application timescales 13 weeks 91 days with EoT or PPA options are suggested.
Schedule 15	**Issue:** There are no sanctions or penalties proposed in the DCO to deal with non-compliance with the construction noise and vibration targets
	Recommended Action: The procedure for arbitration set on Requirement 15 of the DCO is unlikely to respond effectively to identified non-compliance with the CoCP or NVMP's. Documented exceedances of working hours, other than for emergencies, that result in service of enforcement or stop notices should be subject to additional financial penalty
Additional requirements sought:	
1.	At detailed design stage, submission and approval of tailored stage specific management plan for each construction compound, informed by site-specific mitigation.
2.	Submission and approval of stage specific Air Quality Plan (and allied Air Quality Management Plan) in line with Air Quality and Emissions Mitigation Guidance for Sussex, similarly, worded to Schedule 1 Part 3 Requirements 22,23, and 24
3.	Submission and approval of stage specific Construction Communications plan for construction compounds in Schedule 1 Part 3 Requirements
4.	Requirement (or firmer commitment of C-158) to indicate HGV routeing through Cowfold only where strictly necessary.
5.	Requirement for HGV routeing to avoid Storrington AQMA. Currently no requirement to use strategic road network routeing in Schedule 1 Part 3 Requirements

16. OVERALL SUMMARY

16.1 Horsham District Council has reviewed the DCO application and evaluated the impacts within its authority remit, in the context of the local development plan and other relevant policy.

16.2 The Applicant has identified that the onshore infrastructure associated with Rampion 2, including at the substation site, has the potential to negatively impact on several environmentally sensitive areas and features, and on residential amenity during the lifetime of the Project.

16.3 Therefore, although the Rampion 2 Offshore Wind Farm is supported in principle by HDC (because it would make a significant contribute to the provision of renewable energy), there are several matters of concern that have not been satisfactorily addressed to date by the Applicant. These are:

- Adequacy of mitigation and compensation for the adverse effect on the existing landscape and surrounding local communities from the permanent onshore substation;
- Adequacy of mitigation and compensation for the temporary impacts of construction compounds and cable route construction, without identification of construction phasing and timescales;
- Securing adequate mitigation and compensation for impacts on ecological receptors, and detail to commitment to ecological enhancement (including Biodiversity Net Gain) within the district, to include key species and habitats;
- Securing adequate mitigation and compensation for the adverse effect on socio-economic disruption across the district arising from the Project.

16.4 To that end, it remains of concern that;

- The commitments and mitigation measures to reduce the adverse effects presented are insufficiently secured with the control documents and DCO; and
- the limited scope of mitigation and compensation within the draft section 106 principles presented by the Applicant.

16.5 Should you have any questions regarding this response, please contact, Matthew Porter, Senior Planning Officer, Planning, at [redacted]@horsham.gov.uk in the first instance.

Yours sincerely

Barbara Childs

Director of Place

APPENDIX A

Wilder Horsham District (WHD) is a unique and innovative five-year partnership between Sussex Wildlife Trust and Horsham District Council (it commenced in 2020) that has been established in response to the urgent pressures on biodiversity. Its main objective is to work closely with local communities and landowners to reverse the decline in wildlife by creating and connecting habitats to deliver a Nature Recovery Network (NRN) for the Horsham District.

The Council pays for two full time landowner advisers and one part-time. These are employed by the Trust. The project is overseen by a Steering Group consisting of representation from the Council and the Trust. This monitors progress against performance indicators and Work Area Detail First Considerations. The Steering Group meets quarterly and is chaired by HDC Cabinet Member for Climate Action and Nature Recovery. Also present at each Steering Group meeting is another HDC Cabinet Member, a Director of Wilder Horsham, and a Director from Sussex Wildlife Trust.

The objectives of the project are: - • Help wildlife thrive across the Horsham District. • Create networks of land that are protected and enhanced for wildlife, to allow habitats to expand and for species populations to increase which will ensure that they are resilient to change. • Increase awareness of actions that communities can take to improve their local natural environment and the benefits that wildlife provides. • Maximise the opportunities that protecting and enhancing wildlife brings for climate change mitigation and adaptation.

The project supports bespoke and, largely, in -person advice to landowners and farmers on changes they can make to land management for the benefit of wildlife. A significant number of landowners have already received advice over the last three years. The project also gives advice to community groups, as well as Parish and Neighbourhood Councils on the role they can play in enhancing biodiversity. This can either be on their own land or by working with their local communities, such as creating pollinator highways.

The landowner and community strands are supported by a grant scheme, known as the Nature Recovery Award. This provides grants of up to £5k towards projects that enhance biodiversity and contribute to the delivery of a nature recovery network. Volunteer work parties, run by the project team, can also provide practical support for landowners, such as hedge laying and clearing invasive species. The NRN shows opportunities to work with landowners neighbouring Council land which it could work with to start developing local NRN’s.

APPENDIX B

(APP-059) ES – Volume 2 Chapter 18 Landscape and visual impact

1. Overall, the document is difficult to read as there are too many references to various appendixes and additional documents which makes keeping the tread of thought challenging. Whilst it is appreciated this reflects the complexity of the project and tries to avoid duplication, HDC found it repetitive on the positive aspects of the proposals and by this, HDC means largely focusing the reader on the positives of the scheme such as the embedded environmental measures/ commitments but underplaying and making it difficult to recognise the negatives and adverse effects.

2. The Landscape and Visual Impact Assessment recognises that there are significant impacts during construction and some residual significant effects at operational stage around the Oakendene substation. These effects are generally localised and restricted to the site and immediate setting due to the enclosure the existing trees and woodland provide, but also topography. Identified effects are assessed as softening and reducing in significance as planting matures. Although HDC does not dispute these findings, it contends that some receptors (likely to be found to experience significant effects) have not been appropriately assessed. Furthermore, HDC challenges the blanket approach of categorizing receptors such as considering the sensitivity of receptors on Kent Street to be the same as the A272, because these are both identified as transport routes. And finally, HDC challenges the conclusions and judgement made, that mitigation measures, which in most cases are limited to new planting, would reduce most visual and landscape character effects found to be Major Adverse and Significant, to Negligent and Not Significant at Year 10. This is the case for either a linear hedgerow or a woodland for example. HDC highlights these areas of disagreement in more detail below.

Executive summary

3. Page 8 Embedded environmental measures (table 18-25) re C-115 – proposes that reinstated hedgerows and tree lines will be monitored over a period of 10 years and remedial action swiftly taken. This has followed through into the LEMP but no guidance on procedure as yet. Para 2.6.11 (of the LEMP) says this is to be submitted with the maintenance works but not clear at what stage this is to be submitted. Does it mean with a LEMP for each phase? It is HDC's position that the delivery of mitigation measures

triggers is key to correct implementation as the whole LVIA conclusions are based on the success of these.

4. At Page 9, *likely significant effects* have been identified on:
    - *Landscape effects Oakendene substation* – identifies significant effects on J3 LCA during construction, operation and maintenance and decommissioning phase. This is agreed with. But and in addition, HDC considers that the substation will have a significant effect on some of the onsite existing landscape features (such as the removal of the internal tree and hedgerow boundary and reprofiling of the topography).
    - *Visual effects Oakendene substation* – the assessment identifies significant effects on receptors (prow 1786 and 1788 and road users on A272 and Kent Street) during construction, which is agreed with. It goes onto to say that these effects are likely to reduce to some degree once mitigation measures mature during operation stage but still significant residual effects to users of prow 1786. Whist the residual significant effects to PRoW 1786 are agreed with, HDC contends that there will also be significant residual effects experienced by users along 1787, Kent Street and the A272.

5. At Page 10 the *Visual effects onshore cable corridor* are discussed. Overall conclusions are that there will be No Significant effects on the views and visual amenity of settlements during the construction and operation and maintenance phases. Due to the construction compounds sitting and activity, HDC contends that there are also likely significant effects to users of the Washington recreation ground and PRoW's 2699, 2701, 2089_2, 2703, 2704 and 2705 during the construction phase.

6. Page 11, under the *Cumulative effects* heading, refers to other schemes that may be simultaneously or sequentially experienced during the construction phase. This is then followed by the heading of *Inter-related effects*, which looks at effects of landscape and visual receptors during all stages of the development. No effects have been identified within the Horsham District. However, HDC is now in receipt of two pending planning applications (DC/24/0054 and DC/23/2172) in close proximity to the proposed Oakendene Substation site and considers that Significant cumulative and inter-related effects on a number of receptors are likely to arise as result.

18.4 Scope of the assessment

7. Page 74 - Landscape elements and recreational (and tourist) destinations are identified as receptors in this section but not assessed as likely to result in significant effects during construction, operational and decommissioning stage. HDC is concerned the effects on landscape elements are understated, as the loss of the internal hedgerow and trees, as landscape features, to facilitate the new proposed Oakendene station for example, are Significant and cannot be fully mitigated.

18.6 Baseline conditions

8. Page 101 *Onshore substation at Oakendene – landscape receptors*
   The site's landscape features are not identified. Only discusses the character areas. These need to form part of the assessment as they are also identified as receptors at section 18.4 of this document. Landscape elements (vegetation only) are identified within the tables submitted under (APP-169) Volume 4, Appendix 18.3: Landscape assessment, and in respect to the cable route. Page 5 para 1.1.3 is also clear that the assessment of landscape effects from the onshore substation is provided under (APP-059) Chapter 18: Landscape and Visual Impact, volume 2 of the ES, and is therefore not repeated in (APP-169) Landscape Assessment. HDC therefore contends that the effects of the loss of these features is not appropriately reported as receptors in their own right and considered within the conclusions of the assessment. Due to the likely significant effects, HDC requests the assessment is updated so that appropriate mitigation can be considered.

9. Similar issues can be found with the assessment of effects for receptors at Washington. Page 119, table *18-23 Onshore cable corridor- visual receptors within 2km (south north).* Part 2: SDNP, Washington is included within settlements receptors and makes reference to recreation ground, allotments and village green). This is then not followed during the visual assessment (APP-170, Volume 4, Appendix 18.4 Visual Assessment). HDC therefore contends that the effects of the construction compound in particular, is not appropriately reported on receptors such as users of the village green, allotments and recreation grounds but also for receptors within public rights of way 2699, 2701, 2089_2, 2703, 2704 and 2705. HDC requests the assessment is updated so that any appropriate mitigation measures can be further considered.

18.9 Assessment of effects: Oakendene substation

10. Landscape features at Oakendene substation are not described and assessed within this section, but rather dealt as part of the character area, under the onshore cable corridor assessment. This in our view overlooks the actual likely effects on the landscape features and the site as receptors in their own right. If the Oakendene substation scheme was to come forward as a stand-alone application, the site and immediate setting, the site features, the site in the context of the character areas at a local, regional and country levels, would all be considered relevant receptors. Given the scale of the overall Rampion 2 project, it is recognised that this same approach would not be appropriate to all aspects of the LVIA, namely the effects associated with the cable route which are more temporary in nature. The substation on the other hand, is a longer-term /permanent structure and its impacts on all individual receptors need to be looked at in more detail than what currently provided so that appropriate mitigation can be identified.

11. Adverse and Significant Visual effects are identified for a section along the A272 near the proposed substation during construction. However, these are judged to reduce to Moderate/Minor and therefore not Significant at operational stage including at Year 1, to reduce further to Minor/Negligible to No effect at Years 5 and 10. HDC contends that notwithstanding the proposed planting, mature landscape features are to be removed and the layers to be reintroduced will not be minor or negligible from day 1 compared to the existing views and experience of the receptors without the proposed development. The wide entrance to the site from the A272 and access road alone (much wider than the nearby Oakenden Industrial State) would introduce a high magnitude of change and would give rise to significant residual effects.

12. The LVIA assesses ‘Transport Routes: Kent Street’ as having partially visibility of the substation to the west through small gaps in the trees and hedgerows for approximately 1km of the route due to the layers of interviewing vegetation. To put it in context the approx. overall length of Kent Street is 2.5Km of winding road, which means that 1km is in fact a significant length for adverse effects to be experienced. It is also noted that no reference is made to the effects of using Kent Street during construction and the increase in construction traffic expected within the narrow rural lane, resulting in a significant increase in the level of activity in the countryside location.

13. The assessment gives the same ranking of sensitivity to Kent Street as transport routes A281 and A272. This blank approach is not appropriate and is disagreed with as it is not

reflective of what is experienced in the ground. The sensitivity of Kent Street is much higher than the other two routes and this needs to be recognised as part of professional judgement. Whilst not identified as a scenic or designated tourist route, its narrow in nature, densely vegetated and overall, its intrinsic rural qualities are enjoyed by all of those that live and travel along it including walkers connecting to the public rights of way network within the area. More on Kent Street is discussed below.

14. PRoW 1786 between east of Taintfield Wood and A272 is identified as having a residual Significant effect which is agreed with. HDC therefore queries the absence of a more robust buffer planting between the public right of way and the site's southern boundary? Whilst this area is currently outside of the application's red line boundary, it seems unsatisfactory that significant effects are left unmitigated. Failing the feasibility of this, reducing the footprint of the substation to allow for a wider buffer to be planted within the confines of the red line must be explored.

(APP-169) Appendix 18.3: Landscape assessment, Volume 4 of the ES (Document Reference: 6.4.18.3)

15. Table 2-19 Effects on landscape character within the J3: Cowfold & Shermanbury Farmlands (page 102. In here, the landscape elements within landscape character area J3, including those relevant to the Oakendene substation, are discussed and assessed separately, but this does not follow onto the overall conclusions of the core doc.

16. The landscape elements identified as being the most relevant are *the woodland, hedgerows and mature trees within the onshore cable corridor and onshore substation search area.* We contend that within the Oakendene substation site, the undulating topography (landform) and small field pattern (the site) are also relevant character features and should be assessed as separate receptors.

17. Landscape Receptors are defined in the GLVIA3 glossary as being: *'defined aspects of the landscape resource that have the potential to be affected by a proposal.'* Notwithstanding, and although recognised that Landscape is holistic (in that it is a result of the complex interaction of natural, cultural, perceptual and aesthetic components), landscape features to a degree need to be considered separately for the purpose of a transparent assessment. By identifying and recognising the significant effects of the proposed development on the landscape features, the conclusions of the assessment

are likely to recognise that the intrinsic landscape character of the site and immediate setting will be lost and cannot be replicated or fully mitigated.

18. The conclusion on the magnitude of change is considered medium-high and the level of effects is described as Major/Moderate adverse and Significant. This agreed with up to the assessment of Year 10, where the residual effects then become Minor and not significant even though the authors recognise that the replacement hedge planting will be well established although not matching the size of mature trees / woodland. HDC contends that the loss of tree lines and woodland will never be mitigated to a negligible level of effect and residual effects should remain as Moderate and Significant.

19. Whole proposed development effects concludes that the level of effects in this landscape (landscape character area J3) is Major and the combined cumulative effects are Significant. This is agreed with and therefore we contend that further mitigation planting can be introduced, such as implementation of advanced planting along the site's boundary fronting the A272 behind the bellmouth/access route once this is formed and before its use for construction works commences. It is also considered that planting should be added between PRoW 1786 and the site's southern boundary to enhance and reinforce this boundary further and aid with visual mitigation and replication of some extent of existing landscape characteristics.

20. HDC would also like to bring to attention application DC/24/0054 for the installation of battery energy storage system, recently submitted to the Council. The scale and close proximity of this scheme to the proposed cable route and Oakenden substation is considered to have a significant effect on local receptors such as for example users of Prows 1786 and 1787, users of Kent Street but also LCA J3, the site itself and immediate context and on the character of Kent Street, to justify inclusion within the cumulative effects section of the LVIA assessment and ES.

21. Overall, HDC would like to point out that it is common theme that even though Major and Significant effects are identified in many of the assessed receptors in the initial stages of the development (construction, operational year 1 and year 5) at year 10, effects such as loss of woodland are then considered to be negligent. We contend this is deceptive and a tendency to downplay the effects, putting into question the robustness of the conclusions of the LVIA.

(APP-170) Appendix 18.4: Visual assessment, Volume 4 of the ES (Document Reference: 6.4.18.4)

22. Page 39 - *Table 1-7 visual effects of onshore cable corridor on settlements: Washington.* Users of the Washington recreation ground effects are assessed within the settlement receptor rather than a receptor on its own right. This is considered acceptable to simplify the complexity of the LVIA but it is disagreed that the level of effect is considered minor and not significant, mostly justified by the fact that the cabling is underground and view H1 (acknowledges the compound as significantly visible) is not considered as being representative of views from the settlement. Whilst this may be the case from the settlement overall, it is considered that users of the recreation ground, are not being given a proportionate assessment and therefore in this case it makes more sense to include it as a receptor within recreational and tourist destination receptor group. No assessment of the allotments and village green is carried out as indicated at table 18-23 (page 119 in volume 2, Chapter 18 Landscape and Visual Impact Assessment). We contend these receptors are missing from the assessment and its likely effects misrepresented.

23. Several public rights of way receptors (2699, 2701, 2089_2, 2703, 2704 and 2705), likely to be affected by the construction compound at Washington, have not been assessed. HDC therefore contends that the effects of the construction compound, is not appropriately reported and requests the assessment is updated so that any appropriate mitigation measures can be further considered.

24. Page 51, para 1.3.4 summarises Kent Street as experiencing significant visual effects during the construction phase on approximately 250m stretch, south of Oakendene. Kent Street – concerns with the effects on the tranquillity and rural qualities of Kent Street. HGV's are to use A-61 (existing field gate but requires new temporary construction bellmouth) and A-64 (existing farm road/ field access) for construction and operational stages. Most landscape strategies, DAS, summary of the LVIA suggested that all trees and hedgerows along Kent Street would be retained. However, App-170 Visual Assessment page 100, refers to new road surfacing, signage and vegetation management at both these entrances. It concludes the level of effect is Minor/negligible. (APP-228) Outline Construction Traffic Management Plan, also refers to a temporary construction bellmouth being required for A-61. Access 59 (operational access) requires a new bellmouth to be implemented. By cross referencing the tree survey part of G181 is shown as being removed to facilitate A-61 but no reference is made to the removal of

H22 or any vegetation removal needed to facilitate A-59. No reference is made to this access point within the Visual Assessment. Accordingly, works are necessary to three of the four access points along Kent Street. The visual assessment (page 52) only refers to hedge removal that will be visible from the roadside, beyond existing hedges and no reference is made to clearing of vegetation for the creation of bellmouths. This will inevitably change the character and visual rural qualities of Kent Street.

25. Access points A-60 and A-59 are positioned in very close proximity to one another and in turn reduces the rural experience along Kent Street. HDC queries the need for both accesses if one access point could not be used instead? Is this associated with the recent application (DC/24/0054) for the Installation of Battery Energy Storage System which also shows two success points in similar locations, one operational and one emergency? This application, only recently received by HDC (Jan 2024) has not been considered as part of cumulative effects but given the likely impacts on PRoW's, Kent Street and character, we consider this should be revaluated.

26. Overall, the effects of the various new/enhanced accesses along Kent Street are considered by HDC to significantly urbanise what is a rural lane on four separate locations and result in the loss of the rural qualities of Kent Street. With regards to visual receptors, the likely magnitude of change is higher than the assessed (Low in the LVIA) and likely effects on the character of Kent Street should be ranked as Moderate instead of the Minor/negligible as result.

27. The whole proposed development residual effects are concluded as of Major/Moderate significance on views from a short section (1km of 2.5Km length) during construction and Year 1 as result of both substation and corridor. We would argue that the significance of the effect will remain Significant at Year 5 to reduce to Moderate to Minor/Negligible at Year 10. It is unlikely that the enhancement planting will reach 8m in height to be meaningful in softening the development. Visually, it needs to be acknowledged that elements of the substation will always be experienced from Kent Street but also the additional road improvements and widening or creation of access points cannot be mitigated.

Comments on (APP-232 Outline LEMP)

28. Figure 1 - Indicative Landscape Plan Version 3 - Commitment that advanced planting is to be proposed fronting A272 after bellmouth/access is created must be secured. Changes to plan should be secured prior to determination as this area is not included but key to assist in the delivery of screening/visual mitigation of the scheme from year 5 as suggested within the LVIA conclusions. The residual effects of receptors along the A272 and LCA J3 are still Moderate and therefore Significant.

29. Figure 1 - Indicative Landscape Plan Version 3 - The location of the main palisade security fence is not represented on the plan. At this stage and based indicative sections, it is assumed that this is to follow the identified footprint of the substation. Confirmation or clarification is required to understand the relationship with the existing landscape features and to assess the likely landscape and visual effects on the various receptors. The height of the palisade fencing appears to be in the region of 2.8/3m extrapolated from the indicative sections (indicative profiles plan under DAS Rev A). Furthermore, the electric pulse fence location and height also needs to be understood. The information confirms this is to be 1m higher than the perimeter fencing but it's not clear if this is to be erected in the same location and if the 3m would include the electric fence or if the overall height of the fence is 3m +1m.

30. The outline LEMP should identify clear triggers for monitoring and must include a programme schedule for each phase if it is agreed that the 10-year maintenance is to be considered from completion for each phase or clarification otherwise. The submission of planting plans for all aspects of work must be secured and must include proposed new planting and reinstatement works.

31. Overall HDC is unclear how some of the mitigation measures are to be monitored and actioned including (but not limited to) the reinstatement of hedgerows or advanced planting. These are key, and heavily relied upon, to the success of the project's embedded environmental measures and proposed mitigation measures on the LVIA and Heritage conclusions. Tightening of commitments and clarity of assessments and information submitted have been suggested throughout this submission to seek to address the issue.

Comments on AS-002 – Additional Submission 5.8 Design and Access Statement

32. There are no site levels provided at this stage. DAS rev A (design principles page 10) confirms that the levels will be confirmed following detailed surveys. It also confirms that the ground level used will not require import or export of soil, but it does not clarify if it is to be lower or higher than existing ground levels. This is a concern as if ground levels need to be raised (maybe as result of flooding), the visual impacts will be more prominent and above the assessed 'worst case scenario'. The LVIA is silent on this when defining maximum assessment assumptions and refers to the Outline LEMP for information on earthworks and planting. There is no forthcoming information under the current revision of this document Outline LEMP document as far as we can see. Therefore, at this stage, can only be therefore assumed that the levels would be considered as existing/ no earthworks required. No reference is made on the APP-124 proposed development Parameters.

33. A272: One of the design principles identified is that the substation will be screened by existing vegetation and landscape planting from the majorities of the view. For this to be the case and judging the time planting takes to establish, why cannot advance planting be proposed fronting A272 after the bell mouth/access is created to replace the established hedgerow that needs to be removed? Furthermore, the boundary would benefit from tree planting to also be shown within the indicative planting plan. Whilst is appreciated that this can be secured during the detail design negotiations, adding at this stage gives the various stakeholders certainty that these mitigation measures, key to the conclusions of the LVIA, are delivered at the right time. It cannot be said that the rural character of the road will be maintained at operational stage but in time, it is agreed that the adverse effects can be softened with a Moderate (Significant) residual adverse effect still experienced.

34. Cowfold Stream and PRoW 1786 Taintfield Wood (page 18), the design principle is to mitigate effects through the architectural strategy. There is a suggestion that landscape planting is maximised. Whilst it is agreed that within the confines of the red line boundary planting is maximised, HDC queries why cannot additional planting be provided between the PRoW and the site's boundary to enhance and reinforce this boundary further?

35. The conclusion on Para 3.3.4 is disagreed with. Whilst HDC agrees that views of visual receptors can be partly mitigated HDC contend that the residual effects of the proposed development do not retain the existing rural character as suggested.

APPENDIX C

Project Scope:

"We would like to monitor traffic from a developer passing through an Air Quality Management Area. The initial idea was to install an ANPR camera and cross its data with the developer vehicles number plates."

Objective:

Provide various options for services that would meet the requirements set out in the Project Scope. This will enable Horsham District Council (HDC) to decide on a suitable route forward allowing consideration of external factors.

Site Overview:

Option 1: Temporary CCTV Video Analysis. **Project Suitability: 1/5** **Cost Rating: £££**££

By installing temporary short term monitoring cameras around the area for 7-days, it would be possible to identify different types of construction traffic that move through the area. For this, we would be able to provide time-stamped images and a data report outlining vehicle type, time & direction of travel. This approach could be conducted at various intervals throughout the 3-year project.

Pros:

Short term surveys can be deployed quickly with minimal planning and short approval process.

Able to monitor specific times.

Only involves a fee for the individual surveys, not year-round.

Cons:

Chosen survey periods may not be representative of usual traffic flows as will only be providing samples over the 3-year period.

Without being able to match exact vehicles with this method it will be impossible to know if any identified vehicles are associated with a specific list of vehicles.

With this approach you would only be receiving data on vehicles of interest, without looking at ALL traffic we would be able to provide metrics on construction vehicle flow percentages.

Option 2: Temporary ANPR Data Analysis. **Project Suitability: 3/5** **Cost Rating: £££**££

By installing temporary short-term monitoring ANPR cameras around the area for 7-days, it would be possible to identify different types of construction traffic based off a list of vehicle license plates provided. From this report we would be able to provide a range of metrics associated with known and identified construction traffic. This survey type would yield a high accuracy however due to the equipment only being temporarily installed, we would have to make use of available install locations which may limit viewing capacity in some situations.

Pros:

Short term surveys can be deployed quickly with minimal planning and short approval process.

Able to monitor specific times of year.

Only involves a fee for the individual surveys, not year-round.

The use of ANPR will ensure we are looking at vehicles specifically associated with the construction project and analysis accuracy is high.

Cons:

Chosen survey periods may not be representative of usual traffic flows as will only be providing samples over the 3-year period.

As all ANPR data of passing vehicles would be captured we can provide percentages and averages of construction traffic contribution.

Using temporary mounts for cameras on existing infrastructure may mean that the data collection is limited to fixing location availability.

Option 3: Permanent ANPR Analysis. **Project Suitability: 5/5 Cost Rating: ££££**£

By installing Permanent ANPR cameras at a single location, it would be possible to identify different types of construction traffic based off a list of vehicle license plates provided. From this report we would be able to provide a range of metrics associated with known and identified construction traffic. This survey type would yield a high accuracy as a permanent install will allow for higher quality ANPR cameras to be used and for their positioning to be customised for accuracy with the use of brackets. This option would allow for monitoring 365 days a year, for the full duration of the project. Analysis can be made and reported displaying key metrics to the highest possible accuracy on a daily, weekly or monthly basis.

Pros:

365 days a year of data analysis.

Highest possible accuracy of numberplate reads due to professional permanent install, not temporary.

Can run longer reports detailing averages of known construction traffic contribution over months or weeks for comparison.

Low-cost continuous reporting year-round.

Cons:

Initial high equipment install cost.

Call out fee will be required should the cameras require attention throughout the duration of the project.

Option 4: Existing ANPR Data Analysis. **Project Suitability: 5/5 Cost Rating: £**£££

The area in question within Cowfold already has various ANPR cameras in place, by HDC identifying who uses & operates these cameras it me be possible to strike an agreement for a fixed period for the collected data to be shared. By doing this we would be able to use this data to run out the same reports as offered within Option 3, however without the initial equipment & install costs.

Pros:

365 days a year of data analysis.

Highest possible accuracy of numberplate reads due to professional permanent install, not temporary.

Can run longer reports detailing averages of known construction traffic contribution over months or weeks for comparison.

Low-cost continuous reporting year-round.

Cons:

Only able to collect the data at locations where cameras are currently in operation.

Should any of the options outlined above be of interest, as a very initial guide, I have put together some indicative price bands based on the specifications listed below:

Option	Description	Expected Price Range
Option 1: Temporary CCTV Video Analysis	Based on 2x CCTV Cameras deployed for 24hrs for 7x Days. (Maximum of 2x locations) 336x Video hours of analysis. Full excel reporting per camera location.	£2,500 - £3,500 + Vat
Option 2: Temporary ANPR Data Analysis	Based on the use of 2x ANPR deployed for 24hrs for 7x Days. (maximum of 1x Location, 1x Camera per direction of travel) Full Data analysis report including the matching of known plates.	£2,000 - £3,000 + Vat
Option 3: Permanent ANPR Data Analysis	Based on the permanent install of 2x ANPR looking at 1 location (one per direction of travel) for 24hrs, 365 days a year, for 3x Years, including Monthly & Weekly or Daily reporting of key metrics against known list of plates provided. Full option cost spread over 36 months. Not inclusive of any additional call out fees.	£600 - £800per month + Vat for 36 months.
Option 4: Existing ANPR Data Analysis	Excluding the provision of ANPR data, just running out Daily, Weekly & a Monthly Report – matching and highlighting key metrics required for the project. For 1x Month.	£300 - £500 + Vat

*Prices are indicative only and would need to be formally quoted prior to any agreement of works.

Further information can be provided on any of the suggested options. Each one can be tailored to specific requirements and quotations supplied for specific specifications.