



Rampion 2 Offshore Wind Farm  
Nationally Significant Infrastructure Project  
EN010117

## **Local Impact Report**

### **Mid Sussex District Council**

Interested Party Reference number: 20045303

28<sup>th</sup> February 2024

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## **1. Terms of Reference**

### **Introduction**

**1.1** Rampion Extension Development Ltd has submitted an application for a Development Consent Order (DCO) for a new offshore windfarm with up to 90 wind turbine generators, offshore and onshore substations and electricity transmission infrastructure.

**1.2** This report constitutes the Local Impact Report (LIR) for Mid Sussex District Council.

**1.3** Section 104 of the Planning Act 2008 requires the Secretary of State to have regard to LIRs in deciding applications. The Act defines an LIR 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).”*

**1.4** Section 105 of the Planning Act 2008 identifies considerations that the decision maker must take into account where no national policy statement has effect. Under section 105(2) these considerations are:

- a). Local Impact Reports;
  - b). Matters prescribed in relation to development of the description to which the application relates;
- and
- c). Any other matters which the Secretary of State thinks are both important and relevant to their decision.

**1.5** As long as the LIR fits within this definition, its structure and content is a matter for the Local Authority. However, guidance is provided in the Planning Inspectorate’s Advice Note One: LIRs (version 2, April 2012). This note states that the LIR should set out the local authority’s view of likely positive, neutral and negative local impacts, and give its view on the relative importance of different social, environment or economic issues and the impact of the Project upon them.

**1.6** This LIR has therefore been prepared in accordance with s60(3) of the Planning Act 2008 (as amended) and having regard to the guidance in the Planning Inspectorate’s Advice Note. Accordingly, it seeks to assist the Planning Inspectorate by presenting Mid Sussex District Council’s assessment of the likely impacts of the Project, based on local information, expert judgement and evidence.

## **Scope**

**1.7** The LIR only relates to the onshore impacts of the development as it affects the administrative area of Mid Sussex District Council.

**1.8** Specifically, the LIR focuses on the impact of Work No.s 9, 10, 11, 12, 13, 14, 15, 19 and 20 as described in Part 1 of Schedule 1 of the Draft Development Consent Order, August 2023 Rev A (APP 019).

**1.9** The LIR does not describe the proposed development any further, with this being comprehensively set out in Volume 2, Chapter 4: The Proposed Development of the Environmental Statement (APP-045).

**1.10** Section 2 of the LIR only provides a brief description of the development area, with this again being described adequately in the applicant's Environmental Statement submissions.

**1.11** Other than the original Rampion proposal, there is no directly relevant historical applications in the development area itself. There are however two current planning applications, at the time of writing currently pending consideration with Mid Sussex District Council, that include land that is included within the proposed development area:

DM/23/0769 - Land Adjacent To Bolney Substation, Bob Lane, Twineham for the "*Construction and operation of a battery energy storage system together with all associated equipment, ancillary infrastructure and landscaping.*" This is proposed on land that is also shown within the proposed development area for Work No.s 13, 17, 19 and 20

DM/24/0136 - Land At Bob Lane And Wineham Lane, Twineham for a "*Battery Energy Storage System with associated infrastructure*". This is proposed on land that is also shown within the proposed development area for Work No.s 17, 19 and 20.

Full plans for the applications can be found here: <https://pa.midsussex.gov.uk/online-applications/>

### **Purpose and Structure of the LIR**

**1.12** The primary purpose of this LIR is to identify relevant policies from the Development Plan and demonstrate to what extent the proposed development accords with them or not. Commentary will be provided on whether the submitted documents adequately address the key issues identified by the Council with any particularly important requirements and obligations highlighted.

**1.13** The LIR first discusses the principle of the proposed development. It then presents the local impacts Mid Sussex District Council wishes to be brought to the attention of the ExA by topic, which primarily relate to the topics as presented in the applicant's Environmental Statement. Comments are only made on those topics from the Environmental Statement which Mid Sussex considers to be particularly pertinent in respect of the impacts of the proposed development on land within the Council's jurisdiction. So if a topic is not explicitly addressed, no comments wish to be made on it.

**1.14** Comments are also provided on the adequacy of the Design Principles and the wording of the Draft Development Consent Order.

## **2. Description of the area**

**2.1** There are two separate parts of the proposed development area that are both within the jurisdiction area of Mid Sussex District Council.

**2.2** There is a relatively small section of proposed development area within Mid Sussex to the east of the new onshore substation (Work No. 16) where Work No 19 will be located as shown on Onshore Works Plans, Sheet 33 (APP-009). This modest area is a field with tree and hedge lined boundaries.

**2.3** The more significant parcel of land within Mid Sussex affected by the proposed development is however the land around Bolney Substation, as shown on the Onshore Works Plans, Sheet 34 (APP-009). Work No.s 10, 13, 15, 17, 19 and 20 are shown here. This area is rural in nature but the presence of the existing electrical infrastructure at and around Bolney substation, which includes the original Rampion substation, is a major feature when describing the immediate area. Beyond the boundaries of the existing electrical infrastructure, this area includes a number of pasture and arable fields with mature trees and woodland to the east with an area of Ancient Woodland to the north.

### **3. The Development Plan**

**3.1** The Development Plan for this part of Mid Sussex consists of the Mid Sussex District Plan 2014-2031, the Site Allocations Development Plan Document (SADPD) and either the Twineham Neighbourhood Plan or the Bolney Neighbourhood Plan.

#### **Mid Sussex District Plan 2014 - 2031**

**3.2** The District Plan was adopted in March 2018. Relevant policies specific to the proposed development are:

DP12 – Protection and Enhancement of Countryside

DP18 – Setting of South Downs National Park

DP21 – Transport

DP22 - Public Rights of Way

DP26 - Character and Design

DP29 - Noise and Light Pollution

DP34 – Listed Buildings and Other Heritage Assets

DP37 - Trees, Woodland, Hedgerows

DP38 - Biodiversity

DP40 – Renewable Energy Schemes

DP41 - Flood Risk and Drainage

DP42 - Water Infrastructure and the Water Environment

<https://www.midsussex.gov.uk/media/3406/mid-sussex-district-plan.pdf>

#### **Site Allocations Development Plan Document**

**3.3** The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031. The only relevant policy specific to the proposed development is:

SA38 – Air Quality

<https://www.midsussex.gov.uk/media/8381/site-allocations-dpd-adopted-2022-reduced.pdf>

#### **Twineham Neighbourhood Plan**

**3.4** The Twineham Neighbourhood Plan was adopted in March 2016. The only relevant policy specific to the proposed development is:

Policy TNP4 - Landscape and Environment

**3.5** The Twineham Neighbourhood Plan Area applies to the area immediately around, and to the north of, Bolney Substation on land to the east of Wineham Lane (see para 2.3).

<https://www.midsussex.gov.uk/media/2840/twineham-neighbourhood-plan.pdf>

### **Bolney Neighbourhood Plan**

**3.6** The Bolney Neighbourhood Plan was adopted in September 2016 . Relevant policies specific to the proposed development are:

BOLBB1 – Built-up Area Boundary

BOLE1 – Protect and Enhance Biodiversity

BOLE2 – Protect and Enhance the Countryside

**3.7** The Bolney Neighbourhood Plan Area applies to the area of cable route to east of the proposed new substation where the proposed development crosses into Mid Sussex from Horsham, before it then goes back into Horsham (see para 2.2)

<https://www.midsussex.gov.uk/planning-building/neighbourhood-plans/>

### **Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)**

**3.8** The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) was published for public consultation on 12th January 2024 for six weeks. At this stage the Local Planning Authority does not know which Policies will be the subject of unresolved objections and therefore only minimal weight can be given to the Plan.

<https://www.midsussex.gov.uk/media/a4rft3j0/district-plan-review-reg-19-web-version-with-hyperlinks.pdf>

### **Other Mid Sussex District Council documents that are material planning considerations**

**3.10** Mid Sussex Design Guide Supplementary Planning Document (SPD): The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was

adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications.

<https://www.midsussex.gov.uk/media/5611/mid-sussex-design-guide-spd.pdf>

#### 4. **Impacts by Issues**

##### **Principle of Development**

**4.1** Policy DP12 of the Mid Sussex District Plan states that the countryside will be protected in recognition of its intrinsic character and beauty. As such the policy states, in part, that development will only be permitted in the countryside provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and is supported by a specific policy reference elsewhere in the Plan. Similarly, Policy BOLBB1 of the Bolney Neighbourhood Plan states in part that outside the Built-up Area Boundary, development will not be permitted unless it is supported by a specific policy elsewhere in the Neighbourhood Plan or the proposal is in accordance with other planning policies applying to the Parish.

**4.2** Policy DP40 of the Mid Sussex District Plan refers specifically to the development of new renewable energy schemes. The relevant part of the policy for the proposed development states:

*“Proposals for new renewable and low carbon energy projects (other than wind energy development – see below), including community-led schemes, will be permitted provided that any adverse local impacts can be made acceptable, with particular regard to:*

- Landscape and visual impacts, including cumulative impacts, such as on the setting of the South Downs National Park and High Weald Area of Outstanding Natural Beauty, and the appearance of existing buildings;*
- Ecology and biodiversity, including protected species, and designated and non-designated wildlife sites;*
- Residential amenity including visual intrusion, air, dust, noise, odour, traffic generation, recreation and access.*

*Assessment of impacts will need to be based on the best available evidence, including landscape capacity studies.”*



**4.3** There is therefore local policy support, that follows on from national level support, for the principle of the proposed development.

**4.4.** The objective of the Rampion 2 project is to make a significant contribution towards the generation of clean sustainable energy supplies. As such, and based on the Development Plan policies, this Council is supportive of the principle of this nationally significant renewable energy project.

#### **Landscape and Visual Impact**

**4.5** As noted at para 4.1, Policy DP12 of the Mid Sussex District Plan states development will be permitted where it maintains or where possible enhances the quality of the rural and landscape character of the District. In a similar vein, Policy DP26 of the Mid Sussex District Plan refers to the character and design of all new development and states that it will be *“well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:*

- is of high quality design and layout and includes appropriate landscaping and greenspace;*
- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- protects open spaces, trees and gardens that contribute to the character of the area;*
- protects valued townscapes and the separate identity and character of towns and villages;”*

**4.6** Policy DP37 refers specifically to trees, woodland and hedgerows and states in part that: *“the District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.*

*Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted. Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.*

*Trees, woodland and hedgerows will be protected and enhanced by ensuring development:*

- incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- prevents damage to root systems and takes account of expected future growth; and*
- where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- has appropriate protection measures throughout the development process; and*
- takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- does not sever ecological corridors created by these assets.”*

**4.7** Policy DP18 refers to the setting of the South Downs National Park and states that:

*“Development within land that contributes to the setting of the South Downs National Park will only be permitted where it does not detract from, or cause detriment to, the visual and special qualities (including dark skies), tranquillity and essential characteristics of the National Park, and in particular should not adversely affect transitional open green spaces between the site and the boundary of the South Downs National Park, and the views, outlook and aspect, into and out of the National Park by virtue of its location, scale, form or design.*

*Development should be consistent with National Park purposes and must not significantly harm the National Park or its setting. Assessment of such development proposals will also have regard to the South Downs Partnership Management Plan and emerging National Park Local Plan9 and other adopted planning documents and strategies.”*

**4.8** The landscape impact criteria for assessing renewable energy projects as required by Policy DP40 of the Mid Sussex District Plan are set out at para 4.2.

**4.9** At Neighbourhood Plan level, Policy TNP4 of the Twineham Neighbourhood Plan requires that new development:

*“TNP4.1 - Respects local landscape quality ensuring that views and vistas are maintained wherever possible;*

- TNP4.3 - All development schemes submitted must be accompanied by a landscaping scheme which aims to retain amenity and historic trees and hedges. New tree and hedge planting of native species will be encouraged throughout Twineham Parish.”

**4.10** Policy BOLE2 of the Bolney Neighbourhood Plan states that: *“Outside the Built-up Area Boundary, development must demonstrate that it does not have an unacceptable impact on the landscape. In particular, development proposals must demonstrate how they have addressed the requirements of BOLD1 of the Neighbourhood Plan.”*

**4.11** Policy DP29 of the Mid Sussex District Plan applies in respect of light pollution. This states that development will only be permitted where:

*“Light pollution:*

- *The impact on local amenity, intrinsically dark landscapes and nature conservation areas of artificial lighting proposals (including floodlighting) is minimised, in terms of intensity and number of fittings;*
- *The applicant can demonstrate good design including fittings to restrict emissions from proposed lighting schemes;”*

**4.12** The works described in para 2.2, namely a relatively small section of underground cable route, are by their nature consistent with the Development Plan when it comes to the visual effects during the operation and maintenance phase of the proposed development.

**4.13** It is the works described in para 2.3 involving the National Grid Bolney substation extension (Work No. 20) that have greater potential to have landscape and visual impacts.

**4.14** The summary of landscape effects of the extension to the existing National Grid Bolney substation at Table 18-42 of Volume 2, Chapter 18: Landscape and Visual Impact of the Environmental Statement (APP-059) is a fair conclusion of the landscape effects. These findings show there will be no significant effects on landscape character.

**4.15** The summary of visual effects of the extension to the existing National Grid Bolney substation at Table 18-43 of Volume 2, Chapter 18: Landscape and Visual Impact of the Environmental Statement (APP-059) is a fair conclusion of the visual effects. These findings show a ‘major’ level of effect from Public Right of Way 1T(PROW) during construction.

**4.16** it is important that adequate mitigation is provided through the Landscape and Ecological Management Plan, the Arboricultural Method Statement and the Tree Protection Plan that will need approval prior to works commencing. The final, detailed designs should demonstrate a commitment to minimising existing vegetation loss to that which is necessary to facilitate the development, with careful justification expected on any removal of designated 'important hedgerows'.

**4.17** When considering the visual impact in respect of long-distance views and receptors from within the National Park to the south, as well as to the impact on its special qualities (including dark skies), the comments of the South Downs National Park Authority should be given appropriate weight.

**4.18** Section 18.7 of Volume 2, Chapter 18: Landscape and Visual Impact of the Environmental Statement (APP-059) sets out embedded environmental measures to minimise light pollution from construction and operational activities. It is welcomed that the 'Code of Construction Practice', Requirement 22, Part 3, Schedule 1 of the Draft Development Consent Order (APP-019) sets out the need for details for dealing with artificial light emissions.

**4.19** It is noted that Table 18-37 of Volume 2, Chapter 18: Landscape and Visual Impact of the Environmental Statement (APP-059) lists the '*developments considered as part of the landscape and visual impact CEA.*' Whilst this appears to include a fairly comprehensive list of energy related infrastructure in close proximity to the National Grid Bolney substation extension, reference does not appear to be made to a proposed battery storage facility to the south of Bob Lane on land on the eastern side of Wineham Lane (Mid Sussex planning application reference DM/21/2276). This omission is however unlikely to affect the landscape and visual effect conclusions.

**4.20** Subject to the relevant mitigation measures being secured, the proposed development should comply with Policies DP12, DP18, DP26, DP29, D37, DP40, TNP4 and BOLE2

#### **Air Quality**

**4.21** Policy SA38 from the site allocations DPD states in part that: "*The Council will require applicants to demonstrate that there is not unacceptable impact on air quality. The development should minimise any air quality impacts, including cumulative impacts from committed developments, both during the construction process and lifetime of the completed development, either through a*

*redesign of the development proposal or, where this is not possible or sufficient, through appropriate mitigation.”*

**4.22** To ensure compliance with Policy SA38, the applicant should make a commitment to submit a scheme of mitigation measures to improve air quality relating to the development. This requirement should be secured through the Development Consent Order.

### **Noise and Vibration**

**4.23** Policy DP26 of the Mid Sussex District Plan is applicable and this states, where relevant, that:

*“All applicants will be required to demonstrate that development.....does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29).”*

**4.24** Policy DP29 applies in respect of noise pollution. This states that development will only be permitted where:

*“Noise pollution:*

- *It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;*
- *If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;”*

**4.25** The main issues to consider are construction noise and, in respect of the National Grid Bolney substation extension, both construction and operational noise. Regarding the latter, it is noted that the applicant’s submissions state that *“the operational plant of the existing National Grid Bolney substation extension (GIS or AIS) will not be audible outside of the extension site boundary.”*

**4.26** The GIS infrastructure is expected to be minimal as the equipment will be housed within a building. Although not enclosed within a building, the proposed AIS infrastructure does not include the larger noise generating equipment (transformers, shunt reactors or condenser) associated with onshore substation infrastructure and therefore would not be expected to increase noise from Bolney substation at receptor locations.

**4.27** Whether the applicant proceeds with the GIS or AIS option, measures should be put in place to ensure that noise from the substation extension is not increased at the nearest receptors.

Requirement 29 of Part 3 of Schedule 1 to the Draft Development Consent Order, which sets out measures for control of noise during the operational phase of the new onshore substation (Work No.16) should also apply to the National Grid Bolney substation extension (Work No. 20).

**4.28** It is welcomed that the 'Code of Construction Practice', Requirement 22, Part 3, Schedule 1 of the Draft Development Consent Order (APP-019) sets out the need to provide a noise and vibration management plan.

**4.29** Regarding construction noise, the applicant has set out in their submitted Outline Code of Construction Practice Rev B (PEPD-033) that they intend to operate within the following core working hours:

*"07:00 to 19:00 hours Monday to Friday; and  
08:00 to 13:00 hours on Saturday."*

Furthermore, the applicant's submissions indicate that HGV movements and other associated construction traffic could take place an hour before and after the stated working hours.

**4.30** There is no concern raised around the specific activities or circumstances highlighted by the applicant that may occur outside of these hours (para 4.4.2 of the Outline Code of Construction Practice Rev B). There is, however, concern around the impact that these working hours will have on the residential amenity of neighbouring residents who live in close proximity to the construction areas, and specifically, a 07:00 start time proposed on weekdays and 08:00 on Saturdays.

**4.31** In short, it is considered that these times are an hour too early in the day and would result in significant noise and disruption at an unsocial time of the day when local residents would reasonably expect not to be disturbed by such activities associated with construction. The additional HGV movements and other associated construction traffic an hour before would add to the noise and disruption caused to local residents.

**4.32** The strong preference for Mid Sussex District Council would be for the applicant to amend their proposed core construction hours to more closely reflect those that are applied to other developments within the district by the Council which include an 08:00 start on weekdays and 09:00 start on Saturdays. Consideration should therefore be given to the following proposed core construction hours being applied to the development to mitigate the impact of construction noise on residents:

*“08:00 to 19:00 hours Monday to Friday; and  
09:00 to 13:00 hours on Saturday.”*

Furthermore, HGV movements and other construction traffic should not take place an hour before or after the stated working hours unless there is a need associated with the specific activities or circumstances highlighted by the applicant that may occur outside of these hours (para 4.4.2 of the Outline Code of Construction Practice Rev B)

**4.33** If such a change were made to the core construction hours, Mid Sussex District Council would be satisfied that the proposed development, subject to the other identified mitigation measures, would comply with the Development Plan in respect of the noise and vibrations impacts. It is also suggested that the core working hours should be secured explicitly through the Development Consent Order itself.

#### **Terrestrial Ecology and Nature Conservation**

**4.34** Policy DP38 of the Mid Sussex District Plan states in part that *“biodiversity will be protected and enhanced by ensuring development:*

- Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and*
- Minimises habitat and species fragmentation and maximises opportunities to enhance and*

*restore ecological corridors to connect natural habitats and increase coherence and resilience;...”*

**4.35** Policy BOLE1 of the Bolney Neighbourhood Plan states that “development proposals should protect and, where possible, enhance biodiversity” and sets out a number of ways in which this should be achieved.

**4.36** To ensure these policy requirements are met, the detailed arboricultural information required for individual ecological features/impacts must be provided prior to works taking place within the relevant development area, as set out in the Draft Development Consent Order.

**4.37** Similarly, the habitats to be created at the existing National Grid Bolney substation extension include the planting of additional trees and this element of the proposals should be subject to agreement/consultation with the District Council at the appropriate time.

**4.38** The applicant’s commitment to deliver a Biodiversity Net Gain (BNG) of at least 10% for all onshore habitats subject to permanent or temporary losses as a result of the construction and operation of the development is welcomed. If there is any reliance on providing on site biodiversity units it is important that effective monitoring and reporting of progress against the agreed targets is secured within the biodiversity net gain strategy with clear provisions made for rectifying any failures to meet such targets. If any biodiversity net gain units are to be provided on site, rather than through sourcing biodiversity units, then this will require monitoring by the relevant local planning authority. As such the applicant would be expected to enter into a legal agreement with the Council to ensure that the appropriate reporting of progress and the monitoring fees can be secured.

**4.39** The applicant’s Environmental Statement (Volume 2 Chapter 22 Terrestrial ecology and nature conservation – APP-063) includes the measure that “*all Ancient Woodland will be retained with a stand-off of a minimum of 25m from any surface construction works*” and this is an acceptable buffer to this irreplaceable habitat.

**4.40** Subject to these matters being adequately secured, the proposed development should comply with Policies DP38 and BOLE1.



## **Transport**

**4.41** Policy DP21 of the Mid Sussex District Plan states that *“Development will be required to support the objectives of the West Sussex Transport Plan 2011-2026, which are:*

- A high quality transport network that promotes a competitive and prosperous economy;*
- A resilient transport network that complements the built and natural environment whilst reducing carbon emissions over time;*
- Access to services, employment and housing; and*
- A transport network that feels, and is, safer and healthier to use.*

*To meet these objectives, decisions on development proposals will take account of whether:*

- The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);*
- Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up;*
- The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages;*
- The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;*
- Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;*
- The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements;*
- The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- The scheme protects the safety of road users and pedestrians; and*
- The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.”*

**4.42** Policy DP22 of the District Plan states that *“Rights of way, Sustrans national cycle routes and recreational routes will be protected by ensuring development does not result in the loss of or does not adversely affect a right of way or other recreational routes unless a new route is provided which is of at least an equivalent value and which does not sever important routes.*

*Access to the countryside will be encouraged by:*

- Ensuring that (where appropriate) development provides safe and convenient links to rights of way and other recreational routes;*
- Supporting the provision of additional routes within and between settlements that contribute to providing a joined up network of routes where possible;*
- Where appropriate, encouraging making new or existing rights of way multi-functional to allow for benefits for a range of users.”*

**4.43** As set out in its Relevant Representation, Mid Sussex District Council considers that the environmental effects of the construction traffic impact are a key consideration and therefore acknowledges the views of West Sussex County Council, as the local highways authority, will be of fundamental importance.

**4.44** Appropriate mitigation through a detailed Construction Traffic Management Plan, will be essential with this being one of the detailed requirements set out within Part 3 of Schedule 1 of the Draft Development Consent Order.

**4.45** Effective mitigation is needed for the impacts on recreational users of the PROW network, especially during the construction period.

**4.46** Subject to West Sussex County Council being supportive of the mitigation measures, and also being content with the overall transport effects, the proposed development should comply with Policies DP21 and DP22 of the Mid Sussex District Plan.

### **Historic Environment**

**4.47** Policy DP34 of the Mid Sussex District Plan states that development will be required to protect listed buildings and their settings and this will be achieved by, in part, ensuring that special regard is given to protecting the setting of a listed building.

**4.48** There are a number of heritage assets within the vicinity of the National Grid substation at Bolney which include the Grade II listed Twineham Court Farmhouse, Bob Lane and the Grade II listed Coombe House, Cowfold Road. The setting of the grade II Royal Oak Public House, which lies on the western side of Wineham Lane within Horsham District, is not considered to be materially affected by the proposals.

**4.49** Mid Sussex District Council's specialist Conservation Officer considers that the proposed development area for the substation extension at Bolney makes some limited positive contribution to the setting of each of Twineham Court Farmhouse and Coombe House. As such it is considered that the height of the Bolney substation extension will have an impact on the currently positive contribution this part of the site makes to the setting of these heritage assets.

**4.50** The conclusion of the Conservation Officer is that the proposed development will therefore result in a degree of less than substantial harm in respect of the special interest of these heritage assets. This must be given considerable importance and weight in the planning balance and paragraph 208 of the NPPF (December 2023) is engaged.

**4.51** In terms of mitigation, there is potential for further planting around the site, to mitigate any negative impact on views from the public right of way further to the east and Bob Lane to the south. With such mitigation in place the Council considers that the public benefits of the proposal would outweigh the identified '*less than substantial harm*'.

### **Water Environment**

**4.52** Policy DP41 of the District Plan states in part:

*"Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.*

*Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates. Sustainable Drainage Systems (SuDS) should be implemented in all new developments of 10 dwellings or more, or equivalent non-residential or mixed development*

*unless demonstrated to be inappropriate, to avoid any increase in flood risk and protect surface and ground water quality. Arrangements for the long term maintenance and management of SuDS should also be identified.*

*SuDS should be sensitively designed and located to promote improved biodiversity and enhanced landscape and good quality spaces that improve public amenities in the area, where possible.*

*The preferred hierarchy of managing surface water drainage from any development is:*

- 1. Infiltration Measures*
- 2. Attenuation and discharge to watercourses, and if these cannot be met,*
- 3. Discharge to surface water only sewers.”*

**4.53** The site where it is located within Mid Sussex is in flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers). The site is shown to be at very low, low, medium and high surface water flood risk (comparable to flood zones 1, 2, 3a, and 3b).

**4.54** This flooding appears to be linked to existing field boundary ditches/watercourses associated with agricultural land use. Though some areas within the Bolney substation site may be at an elevated risk of surface water flooding.

**4.55** Mid Sussex District Council’s records do not contain records of the site flooding. The records also contain no records of flooding within the area immediately surrounding the site. However, Mid Sussex District Council’s records are not complete, and flooding may have occurred which is not recorded. A site having never flooded in the past does not mean it won’t flood in the future.

**4.56** Any above ground structures that create an impermeable area will require some drainage so as not to create or exacerbate flood risk. Any surface water drainage will need to be designed to meet the latest national and local drainage policies. The drainage system will need to consider climate change, the allowances for which should be based on the latest climate change guidance from the Environment Agency.

**4.57** The BGS infiltration potential map shows the site to be in an area with low infiltration potential. Therefore, the use of infiltration drainage such as permeable paving or soakaways is unlikely to be possible on site. To ensure the drainage hierarchy is followed this will need to be confirmed through infiltration testing on site as part of detailed drainage design.

**4.58** The final surface water drainage design will need to meet with the latest design requirements to accord with Development Plan policy but the Council is satisfied this matter can be addressed through Requirement 18 of Part 3 of Schedule 1 to the Draft Development Consent Order. The applicant is however encouraged to discuss with the Council the design parameters required in relation to climate change etc prior to undertaking detailed design.

## **5. Design Principles (from Design and Access Statement Rev A AS-003)**

**5.1** The applicant states (para 3.3.11) that one of the key design principles is the intention that the substation extension will be screened by existing vegetation and proposed landscape planting. Mid Sussex District Council supports this key design principle, and it is important that the aims of it are appropriately secured in the Draft Development Consent Order as a result.

**5.2** Under the Historic Environment Design Principles, a recognition should be made at para 3.4.5 of the contribution the site makes to the setting of Coombe House, Cowfold Road and not just Twineham Court Farmhouse, Bob Lane so that appropriate landscaping will be forthcoming through the Development Consent Order requirements.

**5.3** The applicant should also commit to the inclusion of ecological enhancements (such as the new bat boxes proposed at Oakendene substation) within the Terrestrial Ecology Design Principles for the substation extension and included at para 3.5.7.

## **6. Draft Development Consent Order (APP-019)**

**6.1** It is pleasing to note that the applicant has responded positively in Rev B (PEPD-010) to the request made in the Relevant Representations to include reference to the existing ground levels within Requirement 9 of Part 3 of Schedule 1 to the Draft Development Consent Order (Detailed design approval – extension to National Grid substation).

**6.2** Requirement 14 of Part 3 of Schedule 1 to the Draft Development Consent Order (Biodiversity Net Gain) has been amended to make reference to “*the relevant planning authority*” approving a biodiversity net gain strategy for a stage. As is made clear at para 4.38, if any biodiversity net gain units are to be provided on site, then the applicant would be expected to enter into a legal

agreement with the Council to ensure that the appropriate reporting of progress and the relevant monitoring fees can be secured. Given the importance of monitoring Biodiversity Net Gain, Requirement 14 could be more robust by making reference to “monitoring where it is required” as part of the biodiversity net gain strategy.

**6.3** It is also suggested that the core working hours should be secured through the Development Consent Order itself within Requirement 22 of Part 3 of Schedule 1, rather than through a Code of Construction Practice that would need to be submitted and approved. This would provide greater transparency but most importantly more certainty to local residents who will be directly affected by the construction hours. There is some concern that, as drafted, the Draft Development Consent Order appears to have limited scope to change the hours from the draft code of construction practice given that 22(5) states that “*the code of construction practice must accord with the outline code of construction practice.....*”. The construction hours should therefore be a separate, explicit, requirement.

**6.4** Regarding Requirement 29 of Part 3 of Schedule 1 to the Draft Development Consent Order, which sets out measures for control of noise during the operational phase of the new onshore substation (Work No.16), Mid Sussex District Council considers this should also apply to the National Grid Bolney substation extension (Work No. 20).

**6.5** The applicant has responded positively in Rev B (PEPD-010) to the request made in the Relevant Representations to include wording that will ensure the Operational Travel Plan is implemented at the time the project becomes operational and retained for the operational lifetime of the project. This ensures that Requirement 32 of Part 3 of Schedule 1 to the Draft Development Consent Order is more robust than originally drafted.