

Rampion 2 Wind Farm Category 8: Examination Documents Applicant's Responses to Mid Sussex District Council's Deadline 1 Submissions Date: March 2024 Rev A

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Contents

1.	Introduction	2
1.1	Project Overview	2
1.2	Purpose of this document	2
1.3	Structure of the Applicant's Responses	2
2.	Applicant's Response to Mid Sussex District Council Local Impact Report and Written Representation	4
3.	References	28

Tables

Table 2-1	Applicant's Response to Mid Sussex District Council Local Impact Report [REP1-046]	4
Table 2-2	Applicant's Response to Mid Sussex District Council Written Representation [REP1-047]	27

Executive Summary

At Deadline 1 of the Examination for Rampion 2 Offshore Wind Farm Project, Interested Parties were invited to submit Local Impact Reports and Written Representations following Issue Specific Hearing 1 (held 07 to 08 February 2024) into the examination. A total of six Local Impact Reports and Written Representations were received from Local Authorities.

Rampion Extension Development Limited (the 'Applicant') has taken the opportunity to review each of the Local Impact Reports and Written Representations received from Local Authorities, this document provides the Applicant's response to Mid Sussex District Council's Local Impact Report and Written Representation and has been submitted for Examination Deadline 2.

1. Introduction

1.1 Project Overview

- 1.1.1 Rampion Extension Development Limited (hereafter referred to as 'RED') (the 'Applicant') is developing the Rampion 2 Offshore Wind Farm Project ('Rampion 2') located adjacent to the existing Rampion Offshore Wind Farm Project ('Rampion 1') in the English Channel.
- 1.1.2 Rampion 2 will be located between 13km and 26km from the Sussex Coast in the English Channel and the offshore array area will occupy an area of approximately 160km². A detailed description of the Proposed Development is set out in **Chapter 4: The Proposed Development, Volume 2** of the Environmental Statement (ES) [APP-045], submitted with the Development Consent Order (DCO) Application.

1.2 Purpose of this document

- 1.2.1 Interested Parties were invited to submit Local Impact Reports, Written Representations, and Post-hearing submissions at Deadline 1 (28 February 2024) following Issue Specific Hearing 1 (held 07 to 08 February 2024) to provide further information and to expand on views provided in Relevant Representations previously submitted in accordance with the Examination timetable in the Rule 8 letter [PD-007]. Please see below for a summary of the submissions received at Deadline 2, as categorised by the Planning Inspectorate:
- 6 submissions from Local Planning Authorities;
 - 5 submissions from parish and towns councils and Members of Parliament;
 - 6 representations from prescribed consultees;
 - 28 representations from and on behalf of Affected Parties;
 - 44 representations from members of the public or businesses; and
 - 8 representations from non-prescribed organisations.
- 1.2.2 The Applicant has taken the opportunity to review each of the Local Impact Reports, Written Representations, and Post-hearing submissions received. This document provides the Applicant's responses to Mid Sussex District Council's Local Impact Report and Written Representation and has been submitted for Examination Deadline 2.

1.3 Structure of the Applicant's Responses

- 1.3.1 For ease of referencing and to facilitate future cross-referencing, the Applicant has included references for the Applicant's responses to the Local Impact Reports, Written Representations, and Post-hearing submissions received from other Interested Parties, as follows:
- Local Authorities (including both host and neighbouring authorities):

- ▶ Arun District Council (**Applicant's Responses to Arun District Council Deadline 1 Submissions (Document Reference: 8.44)**);
- ▶ Brighton and Hove City Council (**Applicant's Responses to Brighton and Hove City Council Deadline 1 Submissions (Document Reference: 8.48)**);
- ▶ Horsham District Council (**Applicant's Responses to Horsham District Council Deadline 1 Submissions (Document Reference: 8.45)**);
- ▶ Mid Sussex District Council (this document: **Applicant's Responses to Arun District Council Deadline 1 Submissions (Document Reference: 8.46)**);
- ▶ South Downs National Park Authority (**Applicant's Responses to South Downs National Park Authority Deadline 1 Submissions (Document Reference: 8.47)**); and
- ▶ West Sussex County Council (**Applicant's Responses to West Sussex County Council Deadline 1 Submissions (Document Reference: 8.43)**).
- Parish Councils and Members of Parliament (**Applicant's Responses to Parish Councils and MP's Written Representations (Document Reference: 8.37)**);
- Prescribed Consultees (as set out in Schedule 1 of the Infrastructure Planning (Application: Prescribed Forms and Procedures) Regulations 2010, noting that Parish Councils are also Prescribed Consultees) (**Applicant's Responses to Prescribed Consultee's Written Representations (Document Reference: 8.49)**);
- Affected Parties (Category 1, 2 and 3 Land Interests as identified in the **Book of Reference [PEPD-014]**) (**Applicant's Responses to Affected Parties' Written Representations (Document Reference: 8.51)**);
- Members of the Public and Businesses (**Applicant's Responses to Members of the Public and Businesses' Written Representations (Document Reference: 8.52)**); and
- Non-Prescribed Consultees (**Applicant's Responses to Non-Prescribed Consultee's Written Representations (Document Reference: 8.53)**).

1.3.2 Each section below includes responses to the submissions received from Mid Sussex District Council. Each response is identified in the relevant table:

- Mid Sussex District Council's Local Impact Report: **Table 2-1**; and
- Mid Sussex District Council's Written Representation: **Table 2-2**.

2. Applicant's Response to Mid Sussex District Council Local Impact Report and Written Representation

Table 2-1 Applicant's Response to Mid Sussex District Council Local Impact Report [REP1-046]

Ref	Local Impact Report Comment	Applicant's Response
1. Introduction		
1.1	<p>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.</p> <p>1.2 This report constitutes the Local Impact Report (LIR) for Mid Sussex District Council</p> <p>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 <i>"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)."</i></p> <p>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:</p> <ul style="list-style-type: none"> 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. <p>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.</p> <p>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</p> <p>Scope</p> <p>1.7 The LIR only relates to the onshore impacts of the development as it affects the administrative area of Mid Sussex District Council.</p>	<p>The Applicant has no further comments on these paragraphs of Mid Sussex District Council's Local Impact Report.</p>

Ref	Local Impact Report Comment	Applicant's Response
	<p>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).</p>	
	<p>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).</p>	
	<p>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.</p>	
1.11	<p>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:</p> <p>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</p> <p>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.</p> <p>Full plans for the applications can be found here: https://pa.midsussex.gov.uk/online-applications/</p>	<p>Application DM/23/0769 was considered in the Applicant's cumulative effects assessment as project ID56, see Volume 2 of the Environmental Statement [APP-058 to APP-070]. Application DM/24/0136 was submitted in January 2024 after the DCO application submission (August 2023) and will be assessed if requested from the Examining Authority.</p> <p>The Applicant is aware of these schemes and is discussing the potential for conflict with the promoters, so that this can be reduced.</p>
1.12	<p>Purpose and Structure of the LIR</p> <p>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.</p> <p>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.</p> <p>1.14 Comments are also provided on the adequacy of the Design Principles and the wording of the Draft Development Consent Order.</p>	<p>The Applicant has no further comments on these paragraphs of Mid Sussex District Council's Local Impact Report.</p>

2. Description of the area

Ref	Local Impact Report Comment	Applicant's Response
2.1	<p>2.1 There are two separate parts of the proposed development area that are both within the jurisdiction area of Mid Sussex District Council.</p> <p>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.</p> <p>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.</p>	<p>The Applicant has no further comments on these paragraphs of Mid Sussex District Council's Local Impact Report.</p>
3. The Development Plan		
3.1	<p>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.</p>	<p>The Applicant agrees that the Development Plan for Mid Sussex is comprised of the documents identified by the Council (with the Neighbourhood Plans only applying to specific areas of the Mid Sussex District Council area). These are referenced in paragraph 3.4.14–3.4.15 of the Planning Statement [APP-036].</p>
3.2	<p>Mid Sussex District Plan 2014 – 2031</p> <p>3.2 The District Plan was adopted in March 2018. Relevant policies specific to the proposed development are:</p> <ul style="list-style-type: none"> 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 <p>https://www.midsussex.gov.uk/media/3406/mid-sussex-district-plan.pdf</p>	<p>These policies are referenced in the planning assessment outlined in Section 4.7 of the Planning Statement [APP-036] and within Appendix B. The assessments set out in the Environmental Statement (ES) have referenced local policy as relevant to the topic. Table 18-4 of Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] sets out the key local planning policies with regards to landscape and visual impacts.</p> <p>Table 25-3 of Chapter 25: Historic environment, Volume 2 of the ES [PEPD-020] sets out the key local planning policies in relation to the assessment of effects on listed buildings and other heritage assets. Table 21-3 of Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018] sets out the key local planning policies in relation to the assessment of noise.</p> <p>Appendix 22.1: Policy and legislation tables, Volume 4 of the ES [APP-179] outlines the local planning policies relevant to the assessment of the terrestrial ecology and nature conservation contained within Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-062].</p> <p>With regards to the assessment in relation to flood risk relevant local policies are identified in Table 2-4 of Appendix 26.2 Flood Risk Assessment Flood risk assessment, Volume 4 of the ES [APP-216].</p>
3.3	<p>Site Allocations Development Plan Document</p> <p>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:</p>	<p>The Mid Sussex Site Allocations Development Plan Document is referenced in paragraph 3.4.14–3.4.15 of the Planning Statement [APP-036] and within Appendix B.</p>

Ref	Local Impact Report Comment	Applicant's Response
	SA38 – Air Quality https://www.midsussex.gov.uk/media/8381/site-allocations-dpd-adopted-2022-reduced.pdf	<p>Chapter 19: Air Quality Volume, 2 of the ES [APP-060] and Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] provide an assessment of the potential air quality effects of the Proposed Development. Embedded environmental measures related to air quality are presented in Section 19.7 within Chapter 19: Air Quality Volume, 2 of the ES [APP-060]. These are designed to ensure that there are no significant air quality effects. See response to reference 4.21. The planning assessment outlined in Section 4.7 of the Planning Statement [APP-036] includes assessment of air quality effects within paragraphs 4.7.181-4.7.195. Although the policy is not specifically referenced, Policy DP29 of Mid Sussex District Plan 2014–2031, which includes requirements regarding air quality has been.</p>
3.4	<p>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</p>	<p>The Applicant agrees that the relevant Neighbourhood Plan forms part of the Development Plan (within the relevant, specific Neighbourhood Plan Areas) for the purpose of determining planning applications.</p> <p>As set out in Section 1.1 of the Applicant's Planning Statement [APP-036] the decision making process for NSIPs is different, with the SoS required to determine NSIP applications in accordance with any relevant NPS unless the exceptions at Section 104(4) to (8) apply. These exceptions include '<i>any Local Impact Reports</i>' submitted to the Examination as well as any '<i>important and relevant</i>' matters.</p> <p>To the extent that they are important and relevant matters in the determination of an NSIP application, Twineham Neighbourhood Plan is referenced in paragraph 3.4.14 of the Planning Statement [APP-036] and within Appendix B.</p> <p>Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] provides an assessment of landscape and visual effects. The Design and Access Statement (DAS) [AS-003] provides details of the physical characteristics of the National Grid Bolney substation extension works includes landscape plans (Appendix C National Grid Bolney Substation Extension Indicative Landscape Plan). The DAS has been prepared in conjunction with the Outline Landscape and Ecological Management Plan (LEMP) [APP-232] which provides the proposed approach to the landscape design, habitat creation, and reinstatement for the works associated with the onshore cable corridor.</p> <p>The Outline Landscape and Ecology Management Plan (LEMP) [APP-232] is being updated for submission at Deadline 3 with further details on management, monitoring, and the process for triggering remedial action in case of localised planting failures. Further detail will be provided in the stage specific Landscape and Ecology Management Plans that would be delivered in line with the detailed design process to the relevant authority for agreement that will be produced in accordance with the principles set out in the Design and Access Statement [AS-003]. The delivery of these documents is secured through Requirements 12 and 13 of the Draft Development Consent Order [PEPD-009].</p> <p>The planning assessment outlined in Section 4.7 of the Planning Statement [APP-036] includes assessment of landscape and visual effects in paragraphs 4.7.68-4.7.112.</p>
3.5	<p>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</p>	<p>The Applicant acknowledges the location of the Twineham Neighbourhood Plan Area (within which the Neighbourhood Plan forms part of the Development Plan).</p>

Ref	Local Impact Report Comment	Applicant's Response
3.6	<p>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</p>	<p>The Applicant agrees that the relevant Neighbourhood Plan forms part of the Development Plan (within the relevant, specific Neighbourhood Plan Areas) for the purpose of determining planning applications.</p> <p>As set out in Section 1.1 of the Applicant's Planning Statement [APP-036] the decision making process for NSIPs is different, with the SoS required to determine NSIP applications in accordance with any relevant NPS unless the exceptions at Section 104(4) to (8) apply. These exceptions include 'any Local Impact Reports' submitted to the Examination as well as any 'important and relevant' matters.</p> <p>To the extent that they are important and relevant matters in the determination of an NSIP application, Bolney Neighbourhood Plan is referenced in paragraph 3.4.14 of the Planning Statement [APP-036] and within Appendix B.</p> <p>Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] provides an assessment of landscape and visual effects. The Design and Access Statement (DAS) [AS-003] provides details of the physical characteristics of the existing National Grid Bolney substation extension works and includes landscape plans (Appendix C National Grid Bolney Substation Extension Indicative Landscape Plan). Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-063] assesses the effects on internationally, nationally, and locally designated sites of ecological conservation importance (where relevant), on protected species and on habitats and other species identified as being of importance for the conservation of biodiversity.</p> <p>The DAS has been prepared in conjunction with the Outline Landscape and Ecological Management Plan (LEMP) [APP-232] which provides the proposed approach to the landscape design, habitat creation, and reinstatement for the works associated with the onshore cable corridor.</p> <p>The planning assessment outlined in Section 4.7 of the Planning Statement [APP-036] includes assessment of landscape and visual effects in paragraphs 4.7.68-4.7.112 and biodiversity in paragraphs 4.7.12-4.7.39.</p>
3.7	<p>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/</p>	<p>The Applicant acknowledges the location of the Bolney Neighbourhood Plan Area (within which the Neighbourhood Plan forms part of the Development Plan).</p>
3.8	<p>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.</p>	<p>The Applicant notes the emerging Mid Sussex District Plan in paragraph 3.4.16 of the Planning Statement [APP-036], which at the time of the DCO Application had not reached Submission Draft Regulation 19 stage. The Applicant agrees that, within the context of LPA decision making, limited weight applies at this stage.</p>

Ref	Local Impact Report Comment	Applicant's Response
3.10	<p>https://www.midsussex.gov.uk/media/a4rft3j0/district-plan-review-reg-19-web-version-with-hyperlinks.pdf</p> <p>Other Mid Sussex District Council documents that are material planning considerations</p> <p>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.</p> <p>https://www.midsussex.gov.uk/media/5611/mid-sussex-design-guide-spd.pdf</p>	<p>The Applicant notes that the Mid Sussex Design Guide SPD provides detailed guidance to support the implementation of District Plan Policy DP26 (which is referenced in the planning assessment outlined in Section 4.7 of the Planning Statement [APP-036]) and the SPD is referenced as relevant in Appendix B of the Planning Statement [APP-036].</p>
4. Impacts by Issues		
4.1	<p>Principle of Development</p> <p>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.</p>	<p>The Applicant considers that the Proposed Development accords with National Policy Statements (NPS) which provide policies that apply to the district (including the Neighbourhood Plan area). The principle of development is therefore established. As stated in paragraph 3.4.4 of the Planning Statement [APP-036], Development Plan documents may be both important and relevant considerations to the Secretary of State's decision making as outlined in National Policy Statement EN-1 (paragraph 4.1.5, DECC, 2011a).</p> <p>The Applicant has applied the mitigation hierarchy through the embedded measures incorporated within the design of the Proposed Development (Section 18.7, Table 18-25 in Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059]). Measures being implemented are outlined within the Outline Code of Construction Practice [PEPD-033] and Outline Landscape and Ecology Management Plan [APP-232] which are secured through Requirement 12 and 22 of the Draft DCO [PEPD-009] updated at Deadline 3.</p>
4.2	<p>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:</p> <p><i>“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:</i></p> <ul style="list-style-type: none"> <i>- 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;</i> <i>- Ecology and biodiversity, including protected species, and designated and non-designated wildlife sites;</i> <i>- Residential amenity including visual intrusion, air, dust, noise, odour, traffic generation, recreation and access.</i> <p><i>Assessment of impacts will need to be based on the best available evidence, including landscape capacity studies.”</i></p>	<p>The policy wording of DP40 is noted by the Applicant. See response to reference 4.5 to 4.19 below with regards to landscape and visual impacts, reference 4.34 below with regards to ecology and biodiversity, reference 4.41 to 4.45 below in regard to traffic, recreation and access, references 4.23 to 4.29 below in relation to noise, and reference 4.21 below with regards to air quality.</p>

Ref	Local Impact Report Comment	Applicant's Response
4.3	4.3 There is therefore local policy support, that follows on from national level support, for the principle of the proposed development.	The Applicant welcomes Mid Sussex District Council's recognition that there is local policy support, that follows on from national level support, for the principle of the proposed development
4.4	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.	<p>The acknowledgement that Proposed Development will contribute to generation of clean sustainable energy supplies is welcomed by the Applicant. The Proposed Development will help meet the urgent need for new renewable energy infrastructure in the UK and supporting the achievement of the UK Government's climate change commitments and carbon reduction objectives. The Proposed Development type is recognised as being a critical national priority in the revised National Policy Statement (NPS) EN-1 (Department for Energy Security and Net Zero (DESNZ), 2023a) and NPS EN-3 (DESNZ, 2023b), which came into force in January 2024 and are considered to be relevant to the determination of the DCO Application.</p> <p>This additional generating capacity will contribute towards meeting the urgent need for new energy infrastructure in the UK, provide enhanced energy security, support the economic priorities of the UK Government and, critically, make an important contribution to decarbonisation of the UK economy.</p> <p>The Proposed Development will contribute materially towards meeting the urgent national need for renewable electricity, significantly reducing carbon emissions from energy. The assessment set out in Chapter 29: Climate change, Volume 2 of the ES [APP-070] concludes the Proposed Development has a lifetime GHG emissions saving of 35,901ktCO₂e. The Proposed Development will continue to offset greenhouse gas (GHG) emissions until 2050, and therefore make a positive contribution the UK Government target to reach net zero emissions in 2050.</p> <p>Section 104 of the Planning Act 2008 outlines that the DCO Application must be decided in accordance with the relevant NPS (in this case: NPS EN-1 (DECC, 2011a), NPS EN-3 (DECC, 2011b) and NPS EN-5 (DECC, 2011c) with NPS EN-1 (DESNZ, 2023a), NPS EN-3 (DESNZ, 2023b) and NPS EN-5 (DESNZ, 2023c), that came into force in 2024, relevant considerations in the decision-making process) unless (inter alia) the adverse impacts of a proposal would outweigh its benefits. Section 5.4 of the Planning Statement [APP-036] summarises the potential environmental, social and economic benefits and the adverse impacts of the Proposed Development drawing on relevant information in line with NPS EN-1 (DECC, 2011a and DESNZ, 2023a). Section 5.5 of the Planning Statement [APP-036] sets out the planning balance where the potential benefits and impacts of the Proposed Development are weighed up. Although, inevitably, there are adverse impacts associated with the scale and type of infrastructure that forms the Proposed Development, the Applicant considers that the planning balance is firmly in favour of the Proposed Development and the benefits outweigh the adverse impacts.</p>
4.5	<p>Landscape and Visual Impact</p> <p>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</p>	The policy wording of DP12 and DP26 is noted by the Applicant. DP12 is outlined as a relevant policy in Table 18-4 of Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] which sets out the local planning policies relevant to the assessment of landscape and visual impacts. DP 12 and DP26 are outlined as relevant policies in Section 4.7 and Appendix B of the Planning Statement [APP-036] which sets out the relevant local planning policies for the Proposed Development.

Ref	Local Impact Report Comment	Applicant's Response
	<p><i>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:</i></p> <ul style="list-style-type: none"> - <i>is of high quality design and layout and includes appropriate landscaping and greenspace;</i> - <i>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;</i> - <i>creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;</i> - <i>protects open spaces, trees and gardens that contribute to the character of the area;</i> - <i>protects valued townscapes and the separate identity and character of towns and villages;</i> 	<p>Effects on the landscape character within Mid Sussex District are assessed in Sections 18.9 to 18.13 of Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] and Appendix 18.3: Landscape assessment, Volume 4 of the ES [APP-169]. Appendix C National Grid Bolney Substation Extension Indicative Landscape Plan and Appendix D Oakendene onshore substation Indicative Landscape Plan within the Design and Access Statement [AS-003] for the onshore substation have been developed together with the Outline Landscape and Ecology Management Plan [APP-232]. Further detail will be provided in the stage specific Landscape and Ecology Management Plans that would be delivered as part of the detailed design process to the relevant authority for agreement that will be produced in accordance with the principles set out in the Design and Access Statement [AS-003]. The delivery of these documents is secured through Requirements 12 and 13 of the Draft Development Consent Order [PEPD-009].</p>
4.6	<p>4.6 Policy DP37 refers specifically to trees, woodland and hedgerows and states in part that: <i>“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.</i></p> <p><i>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.</i></p> <p><i>Trees, woodland and hedgerows will be protected and enhanced by ensuring development:</i></p> <ul style="list-style-type: none"> - <i>incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and</i> - <i>prevents damage to root systems and takes account of expected future growth; and</i> - <i>where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and</i> - <i>has appropriate protection measures throughout the development process; and</i> - <i>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</i> - <i>does not sever ecological corridors created by these assets.”</i> 	<p>The policy wording of Policy DP37 is noted by the Applicant. DP37 is outlined as a relevant policy in Appendix 22.1: Policy and legislation tables, Volume 4 of the ES [APP-179] which sets out the local planning policies relevant to the assessment of the terrestrial ecology and nature conservation contained within Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-062].</p> <p>The design of the Proposed Development outlined in Chapter 4: The Proposed Development, Volume 2 of the ES [APP-045] has avoided land take within any ancient woodland. Potential likely significant effects resulting on ancient woodland close to the construction site and operational infrastructure are assessed in Section 22.9 and Section 22.10 of Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-062]. Embedded environmental measures are detailed in Section 22.7.</p> <p>All veteran trees identified as part of an arboriculture survey in 2021 will be avoided see Commitment C-174 of the Commitments Register [APP-254]. Embedded environmental measures in Section 22.7 of Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-062] provide methods for avoidance. Design elements within the Outline Code of Construction Practice [PEPD-033] will be secured and developed through Requirements 22 of the Draft Development Consent Order [PEPD-009]. Further, the Design principles identified in the Design and Access Statement [AS-003] which are secured through Requirement 8 of the Draft Development Consent Order [PEPD-009] are expanded on in the Outline Landscape and Ecology Management Plan (LEMP) [APP-232] and the design will be developed further as the design process matures in the stage specific LEMP secured through Requirements 12 of the Draft Development Consent Order [PEPD-009].</p>
4.7	<p>4.7 Policy DP18 refers to the setting of the South Downs National Park and states that: <i>“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.</i></p>	<p>The policy wording of Policy DP18 is noted by the Applicant. See response to Reference 4.17 below. DP18 is outlined as a relevant policy in Table 18-4 of Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] which sets out the local planning policies relevant to the assessment of landscape and visual impacts.</p>

Ref	Local Impact Report Comment	Applicant's Response
	<i>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."</i>	
4.8	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.	The policy wording of Policy DP40 contained in paragraph 4.2 of Mid Sussex District Council's Local Impact Report is considered in response to reference 4.2 above.
4.9	4.9 At Neighbourhood Plan level, Policy TNP4 of the Twineham Neighbourhood Plan requires that new development: <i>"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."</i>	The policy wording of Twineham Neighbourhood Plan Policy TNP4 is noted by the Applicant. See response to references 4.15, 4.16 and 4.17 below. TNP4 is outlined as a relevant policy in Section 4.7 and Appendix B of the Planning Statement [APP-036] which sets out the relevant local planning policies for the Proposed Development.
4.10	4.10 Policy BOLE2 of the Bolney Neighbourhood Plan states that: <i>"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."</i>	The policy wording of Bolney Neighbourhood Plan Policy BOLE2 is noted by the Applicant. See response to references 4.15, 4.16 and 4.17 below. BOLE2 is outlined as a relevant policy in Section 4.7 and Appendix B of the Planning Statement [APP-036] which sets out the relevant local planning policies for the Proposed Development.
4.11	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: <i>"Light pollution:</i> <ul style="list-style-type: none"> • <i>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;</i> • <i>The applicant can demonstrate good design including fittings to restrict emissions from proposed lighting schemes;"</i> 	The policy wording of Policy DP29 is noted by the Applicant. See response to reference 4.18 below. DP29 is outlined as a relevant policy in Section 4.7 and Appendix B of the Planning Statement [APP-036] which sets out the relevant local planning policies for the Proposed Development.
4.12	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.	The Applicant agrees with the Mid Sussex District Council's Local Impact Report regarding consistency with the Development Plan with respect to the visual effects during the operation and maintenance phase of the proposed development.
4.13	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.	The Applicant has no further comments on this matter at this time.
4.14 to 4.15	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.	The Applicant acknowledges Mid Sussex District Council's assertion that Chapter 18: Landscape and visual impact, Volume 2 of the Environmental Statement [APP-059] provides a fair conclusion of landscape and visual effects and that there will be no significant effects on landscape character. Paragraph 3.3.12 of the Design and Access Statement [AS-003] includes the design principle that existing vegetation will be protected and retained as indicated on the Indicative Landscape Plan and in accordance with Appendix B- Vegetation Retention Plans of the Outline Code of Construction Practice (CoCP) [PEPD-033] . The compliance with

Ref	Local Impact Report Comment	Applicant's Response
4.16	<p>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'.</p>	<p>principles in the Design and Access Statement [AS-003] is secured through Requirement 9 of Draft Development Consent Order [PEPD-009]. The Outline CoCP [PEPD-033] is secured through Requirement 22 of the Draft Development Consent Order [PEPD-009].</p> <p>The Outline Landscape and Ecology Management Plan (LEMP) [APP-232] is being updated for submission at Deadline 3 with further details on management, monitoring, and the process for triggering remedial action in case of localised planting failures. Further detail will be provided in the stage specific Landscape and Ecology Management Plans that would be delivered as part of the detailed design process to the relevant authority for agreement that will be produced in accordance with the principles set out in the Design and Access Statement [AS-003]. The delivery of these documents is secured through Requirements 12 and 13 of the draft Development Consent Order [PEPD-009].</p> <p>The associated design principle is that the existing National Grid Bolney substation extension will be screened by existing vegetation and proposed landscape planting.</p> <p>As per Requirements 9, and 22, detailed in the Draft Development Consent Order [PEPD-009], the works must not commence until details of landscaping of the extension to the existing National Grid substation at Bolney have been submitted to and approved in writing by the relevant planning authority, in this case Mid-Sussex District Council. Work must be carried out in accordance with the approved details.</p> <p>An Arboricultural Impact Assessment (AIA) (see Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [APP-194]) and an Outline Landscape and Ecology Management Plan (LEMP) [APP-232] were submitted with the DCO Application.</p> <p>As noted in paragraph 4.7.1 of the Outline Code of Construction Practice (CoCP) [PEPD-033] and commitment C-285, a stage specific Arboricultural Method Statement and Tree Protection Plan will be submitted with the stage specific detailed CoCP. This is reflected in the Draft Development Consent Order [PEPD-009] Requirement 22 (5) (a).</p> <p>As per requirements 12 and 22 of the Draft Development Consent Order [PEPD-009], no stage of the authorised project within the onshore DCO Order Limits are to commence until, for that stage, a written Landscape and Ecology Management Plan and associated work programme (which accords with the relevant provisions of the Outline LEMP [APP-232] and Outline CoCP [PEPD-033]) has been submitted to and approved by the relevant planning authority. The Outline LEMP [APP-232] is secured through Requirement 12 of the Draft Development Consent Order [PEPD-009] and the Outline CoCP [PEPD-033] is secured through Requirement 22 of the Draft Development Consent Order [PEPD-009].</p> <p>The design process has followed the mitigation hierarchy, and the final designs will continue to see to minimise existing vegetation loss.</p> <p>Appendix B – Vegetation Retention Plans of the Outline CoCP [PEPD-033] demonstrates the embedded environmental measures included to minimise the loss of vegetation associated with the Proposed Development.</p>

Ref	Local Impact Report Comment	Applicant's Response
4.17	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.	<p>This is reflected in Table 5-5 of the Outline CoCP [PED-033], commitments C-115 and C-220 that commit to reducing habitat loss and landscape and heritage impacts wherever possible, through the Vegetation Retention Plans. This includes minimising loss to 6m for Important Hedgerows wherever possible.</p> <p>Requirement 22, detailed in the Draft Development Consent Order [PEPD-009], outlines that no stage of any works landward of Mean Low Water Springs (MLWS) is to commence until a detailed CoCP for the stage has been submitted to and approved by the relevant planning authority, MSDC in this instance. This includes Requirement 22 (5) (b) for a Vegetation Retention Plan.</p>
4.18	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.	<p>The South Downs National Park (SDNP) is out with the landscape and visual assessment (LVIA) Study Area for the existing National Grid Bolney substation extension and the related onshore cable corridor in Mid Sussex. Both are also beyond 5km distance as indicated in Figure 18.4c of Chapter 18: Landscape and visual impact assessment – figures (Part 1 of 6), Volume 3 of the ES [APP-098]. Despite this some long-distance views, north from the SDNP have been considered as a precaution. No significant visual effects relating to views from the SDNP have been identified in respect of the existing National Grid Bolney substation extension and the related onshore cable corridor in Mid Sussex.</p> <p>Appendix 18.1: Landscape and visual impact assessment methodology, Volume 4 of the ES [APP-167] defines the Study Area used for the landscape and visual assessment. This Study Area is illustrated in Figure 18.1 (Chapter 18: Landscape and visual impact assessment – figures (Part 1 of 6), Volume 3 of the ES [APP-098]) and extends to a 2km buffer beyond the proposed DCO Order Limits. This Study Area has been supported by a number of elevated, long-distance panoramic viewpoint locations within the wider landscape, beyond 2km, as agreed with consultees, in particular the South Downs National Park to demonstrate any visibility at these distances (see paragraph 1.2.13 of Appendix 18.1: Landscape and visual impact assessment methodology, Volume 4 of the ES [APP-167]).</p> <p>The Applicant acknowledges that Mid Sussex District Council are welcome the need for details relating to artificial lighting as set out in the Outline Code of Construction Practice [PEPD-033] secured via Requirement 22 within the Draft Development Consent Order [PEPD-009] (updated at the Deadline 2 submission).</p>
4.19	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.	<p>The Applicant included application DM/21/2276 within the cumulative effects assessment (see ID49, Appendix 5.4: Cumulative effects assessment shortlisted developments, Volume 4 of the ES [APP-128]). The Applicant notes the exclusion of this project from the landscape and visual impact assessment and will update this within a future erratum, however the Applicant agrees with the statement that this is 'unlikely to affect the landscape and visual effect conclusions'.</p>

Ref	Local Impact Report Comment	Applicant's Response
4.20	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	The Applicant's response to references 4.14 to 4.16 demonstrates where the mitigation measures referred to are secured.
4.21	<p data-bbox="314 390 468 422">Air Quality</p> <p data-bbox="314 459 1546 663">4.21 Policy SA38 from the site allocations DPD states in part that: <i>"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."</i></p>	<p data-bbox="1584 390 2813 527">The Applicant has assessed the impacts on air quality of the Proposed Development, including cumulative impacts from committed development in Chapter 19: Air quality, Volume 2 of the ES [APP-060] and Chapter 32: ES Addendum of the ES [REP1-006]. There are no significant effects identified.</p> <p data-bbox="1584 562 2813 730">The Applicant has included measures relating to air quality in Section 5.3 in the Outline Code of Construction Practice [PEPD-033] secured via Requirement 22 within the Draft Development Consent Order [PEPD-009] (updated at the Deadline 2 submission). The Proposed Development in Mid-Sussex does not have an operational effect and therefore further mitigation is not considered necessary.</p>
4.22	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.	<p data-bbox="1584 768 2813 1146">The requirement in the Air Quality and Emissions Mitigation Guidance for Sussex (Mid Sussex District Council, 2021) for damage cost calculations is not relevant to the majority of the Proposed Development considering its nature and scheduling. It is therefore anticipated, subject to a review of the revised traffic generation and considering the knowledge of the construction schedule, that damage costs will be calculated for the works at the onshore substation at Oakendene where construction is likely to last longest. An Air Quality Mitigation Plan will be produced for the onshore substation at Oakendene in line with the Air Quality and Emissions Mitigation Guidance for Sussex (Mid Sussex District Council, 2021). Following further discussions with Horsham District Council, it is anticipated that the Air Quality Mitigation Plan will be submitted at Deadline 3 and will inform discussions with the stakeholders thereafter.</p>
4.23	<p data-bbox="314 1178 596 1209">Noise and Vibration</p> <p data-bbox="314 1247 1561 1310">4.23 Policy DP26 of the Mid Sussex District Plan is applicable and this states, where relevant, that:</p> <p data-bbox="314 1348 1561 1482"><i>"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)."</i></p>	<p data-bbox="1584 1178 2813 1346">Policy DP26 of the Mid Sussex District Plan is identified as a relevant policy in Table 21-3 within Chapter 21: Noise and vibration, Volume 2 of the Environmental Statement (ES) [PEPD-018]. Section 21.9, Section 21.10, and Section 21.11 within Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018] present the potential noise effects from the Proposed Development.</p>
4.24	<p data-bbox="314 1514 1531 1577">4.24 Policy DP29 applies in respect of noise pollution. This states that development will only be permitted where:</p> <p data-bbox="314 1614 1531 1787"><i>"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;"</i></p>	<p data-bbox="1584 1514 2813 1619">Policy DP29 of the Mid Sussex District Plan is identified as a relevant policy in Table 21-3 within Chapter 21: Noise and vibration, Volume 2 of the Environmental Statement (ES) [PEPD-018].</p> <p data-bbox="1584 1650 2813 1852">Table 21-20 within Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018] outlines the embedded environmental measures considered to minimise noise effects including Commitments C-10, C-22, C-26, C-33, C-160, C-263, and C-231 Commitments Register [REP1-015] and secured via Requirements 22 (Code of Construction Practice) and 24 (Construction Traffic Management Plan) of the Draft Development Consent Order [PEPD-009] (updated at Deadline 2).</p>

Ref	Local Impact Report Comment	Applicant's Response
4.25 to 4.27	<p>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 <i>"the operational plant of the existing National Grid Bolney substation extension (GIS or AIS) will not be audible outside of the extension site boundary."</i></p> <p>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.</p> <p>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).</p>	<p>Section 21.8 within Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018] provides guidance on how noise has been assessed to identify potential noise effects.</p> <p>The noise effects related to the existing National Grid Bolney substation extension are assessed within Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018].</p> <p>Table 21-19 within Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018] includes the maximum assessment assumption that operational plant of the existing National Grid Bolney substation extension will not be audible outside of the extension site boundary for the operational phase;</p> <p><i>'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.'</i></p> <p>Therefore, no additional measures to control operational noise at the existing National Grid Bolney substation are proposed.</p> <p>Given the above, the Applicant does not consider this additional requirement to be necessary.</p>
4.28	<p>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.</p>	<p>The Applicant acknowledges that Mid Sussex District Council welcome the need to provide a noise and vibration management plan as set out in the Outline Code of Construction Practice [PEPD-033] secured via Requirement 22 within the Draft Development Consent Order [PEPD-009] (updated at Deadline 2).</p>
4.29	<p>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:</p> <p><i>"07:00 to 19:00 hours Monday to Friday; and 08:00 to 13:00 hours on Saturday."</i></p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>Working hours are stated in Section 4 of Chapter 4: The Proposed Development, Volume 2 of the ES [APP-045] and are outlined in Section 4.4 of the Outline Code of Construction Practice [PEPD-033]. Following receipt of Relevant Representations and information shared at Issue Specific Hearing 1, commitment C-22 within the Commitments Register [REP1-015] has been updated at the Deadline 1 submission to the following:</p> <p><i>'Core working hours for construction of the onshore components will be 08:00 to 18:00 Monday to Friday, and 08:00 to 13:00 on Saturdays, apart from specific circumstances that are set out in the Outline COCP, where extended and continuous periods of construction are required.'</i></p> <p><i>Prior to and following the core working hours Monday to Friday, a 'shoulder hour' for mobilisation and shut down will be applied (07:00 to 08:00 and 18:00 to 19:00). The activities permitted during the shoulder hours include staff arrivals and departures, briefings and toolbox talks, deliveries to site and unloading, and activities including site and safety inspections and plant maintenance. Such activities shall not include use of heavy plant or activity resulting in impacts, ground breaking or earthworks.'</i></p>

Ref	Local Impact Report Comment	Applicant's Response
	<p>The additional HGV movements and other associated construction traffic an hour before would add to the noise and disruption caused to local residents.</p> <p>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:</p> <p><i>“08:00 to 19:00 hours Monday to Friday; and 09:00 to 13:00 hours on Saturday.”</i></p> <p>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).</p> <p>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.</p>	<p>This has been updated in the Outline Construction Traffic Management Plan [REP1-010] at Deadline 1 and will be updated in the Outline Code of Construction Practice [PEPD-033] for Deadline 3.</p> <p>As outlined in the Outline Code of Construction Practice [PEPD-033], no activity outside these hours (including Sundays, public holidays, or bank holidays) will take place apart from under the following circumstances:</p> <ul style="list-style-type: none"> • Where continuous periods (up to 24 hours, 7 days per week) of construction work are required for horizontal directional drilling (HDD) (as HDD is a continuous activity that cannot be paused once started); • for other works requiring extended working hours such as concrete pouring which will require the relevant planning authority to be notified at least 72 hours in advance; • or the delivery of abnormal loads to the connection works, which may cause congestion on the local road network, and will require the relevant highway authority to be notified at least 72 hours in advance; or • as otherwise agreed in writing with the relevant planning authority.
4.34	<p>Terrestrial Ecology and Nature Conservation</p> <p>4.34 Policy DP38 of the Mid Sussex District Plan states in part that <i>“biodiversity will be protected and enhanced by ensuring development:</i></p> <ul style="list-style-type: none"> - <i>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</i> - <i>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</i> - <i>Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience;...</i>” 	<p>The policy wording of Policy DP38 is noted by the Applicant. DP38 is outlined as a relevant policy in Appendix 22.1: Policy and legislation tables, Volume 4 of the ES [APP-179] which sets out the local planning policies relevant to the assessment of the terrestrial ecology and nature conservation contained within Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-062].</p> <p>The Applicant has followed the mitigation hierarchy when designing the Proposed Development. The design in the first instance has sought to avoid permanent or temporary loss of the most sensitive habitats, minimise the permanent and temporary loss of sensitive habitats that could not be avoided, provide mitigation aimed at reducing the level of effect and provided a route to the provision of both compensation and Biodiversity Net Gain (BNG). A commitment to delivering BNG of at least 10% has also been made by the Applicant despite it not being mandatory for Development Consent Order projects until April 2025.</p> <p>The Proposed Development will contribute to improve, enhance, manage and restore biodiversity through delivery of BNG. The Biodiversity Net Gain strategy is committed to through C-104 (see Commitments Register [REP1-015]) and secured via Requirement 14 of the Draft Development Consent Order [PEPD-009] (updated at Deadline 2). The delivery of BNG will follow the approach described in Appendix 22.15: Biodiversity Net Gain Information, Volume 2 of the ES [APP-193]. The delivery of BNG will be front-loaded and specific to individual stages of development (e.g. substation delivery, grid connection works, cable installation between points A and B). The location of BNG measures are unknown at this stage but identification of suitable units for sale is based on a series of criteria with the</p>

Ref	Local Impact Report Comment	Applicant's Response
		<p>first being investigating options on land owned by affected parties within the proposed DCO Order Limits or within 2km of it, followed by a search in the same area for opportunities with emphasis on those that may support local strategic objectives. The Applicant has previously requested information on strategic projects where opportunities for delivery of BNG from the Expert Topic Group on terrestrial ecology (see Section 22.3 of Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the Environmental Statement [APP-063]).</p> <p>The Proposed Development will result in the temporary and permanent loss of habitats during the installation of the transmission cables and the construction of the onshore substation and grid connection. As part of the design the degree of habitat loss has been minimised, with the most sensitive habitats avoided wherever possible. All habitats subject to temporary loss will be reinstated as described in the Outline Landscape and Ecology Management Plan [APP-232] secured via Requirement 12 of the Draft Development Consent Order (DCO) [PEPD-009]. This document is to be updated by the Applicant (at Deadline 3) to reflect discussions held with stakeholders, including incorporation of tree replacements described in the Appendix 22.16: Arboricultural Impact Assessment [APP-194] (secured via the Outline Code of Construction Practice [PEPD-033] through Requirement 22 of the Draft DCO [PEPD-009]) into the wider framework of the Outline Landscape and Ecology Management Plan [APP-232]. The reinstatement has been considered within the assessment as the realistic worst case which is the replacement of habitat like for like (i.e. the opportunity for enhancement is not considered). This is because agreements with individual landowners can only be made when a detailed design is understood and a delivery schedule known. Regardless of the reinstatement (and any associated localised enhancements delivered in tandem in practice), it is likely that there will remain a shortfall of units to reach 'no net loss' (i.e. compensation) and subsequently BNG. This shortfall will be delivered through BNG as secured via Requirement 14 of the Draft DCO [PEPD-009].</p> <p>Habitat fragmentation has been minimised by measures to reduce the amount of linking habitats lost either temporarily or permanently. This has been done through avoidance, through minimisation (e.g. use of trenchless crossing techniques) and by mitigation (e.g. notching of hedgerows to reduce losses). Measures to reduce fragmentation are described in the Outline Code of Construction Practice [PEPD-033] secured via requirement 22 of the Draft DCO [PEPD-009].</p>
4.35	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.	Please see reference 4.34 above which outlines measures to directly address Policy BOLE1 of the Bolney Neighbourhood Plan, in line with Policy DP38 of the Mid-Sussex District Plan.
4.36	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.	Additional survey information on a range of terrestrial ecology features (including trees) will be provided to inform detailed design, enable any protected species licensing needs to be met, inform detailed mitigation measures, and inform biodiversity net gain (BNG) calculations. This information will also inform the stage specific Code of Construction Practice documents and the stage specific Landscape and Ecology Management Plans that will be agreed by relevant parties through Requirements 12, 13 and 22 of the Draft Development Consent Order [PEPD-009] .
	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.	

Ref	Local Impact Report Comment	Applicant's Response
4.38	<p>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.</p>	<p>The Applicant acknowledges that Mid Sussex District Council welcome the Applicant's commitment to deliver Biodiversity Net Gain (BNG). The Draft Development Consent Order (DCO) [PEPD-009] includes Requirements 12, 13, 14, and 22 securing mitigation, compensation and BNG. Requirement 12 and 22 of the Draft DCO [PEPD-009] ensures that a Landscape and Ecological Management Plan and a Code of Construction Practice are provided for agreement with the relevant planning authority and Natural England. Requirement 13 of the Draft DCO [PEPD-009] ensures that the Landscape and Ecological Management Plan is delivered as agreed, whilst Requirement 14 of the Draft DCO [PEPD-009] secures the agreement and implementation of a BNG strategy.</p> <p>Both offsite and onsite habitat creation or enhancement may be entered on the BNG Register if deemed significant (as per Defra Guidance (2023)). Other small scale habitat creation or enhancement and reinstatement will be monitored and managed in line with the Outline Landscape and Ecology Management [APP-232]. After ten years this habitat will revert to management by the relevant landowner.</p> <p>Please see reference 4.34 for additional detail.</p>
4.39	<p>4.39 The applicant's Environmental Statement (Volume 2 Chapter 22 Terrestrial ecology and nature conservation – APP-063) includes the measure that “<i>all Ancient Woodland will be retained with a stand-off of a minimum of 25m from any surface construction works</i>” and this is an acceptable buffer to this irreplaceable habitat.</p>	<p>The Applicant welcomes Mid Sussex District Council's agreement that the minimum 25m stand-off of ancient woodland from any surface construction works is an acceptable buffer. Commitment C-216 (Commitments Register [REP1-015]) (updated for Deadline 1) ensures that:</p> <ul style="list-style-type: none"> • all ancient woodland will be retained; • a stand-off of a minimum of 25m from any surface construction works will be maintained in all locations from cable installation works; and • construction traffic may operate within 25m of an ancient woodland on existing tracks, with any track maintenance works being restricted to the current width. Works to provide safe access from the highway are required in three locations within 25m of ancient woodland notably accesses A-42, A-56, and A-57. At these locations specific design measures detailed in the Outline CoCP [PEPD-033] (secured via Requirement 22 within the Draft Development Consent Order (DCO) [PEPD-009]) will manage any potential indirect effects on ancient woodland.
4.40	<p>4.40 Subject to these matters being adequately secured, the proposed development should comply with Policies DP38 and BOLE1.</p>	<p>The Applicant's response to reference 4.34 to 4.39 above demonstrates where the mitigation measures referred to are secured.</p>
4.41	<p>Transport</p> <p>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:</p> <ul style="list-style-type: none"> - <i>A high quality transport network that promotes a competitive and prosperous economy;</i> - <i>A resilient transport network that complements the built and natural environment whilst reducing carbon emissions over time;</i> - <i>Access to services, employment and housing; and</i> - <i>A transport network that feels, and is, safer and healthier to use.</i> <p><i>To meet these objectives, decisions on development proposals will take account of whether:</i></p>	<p>Policy DP21 of the Mid Sussex District Plan is identified as a relevant policy in Table 23-2 within Chapter 23: Transport, Volume 2 of the Environmental Statement (ES) [APP-064]. The requirements outlined in Policy DP21 relevant to transport are accounted for within the scope of the assessment presented in Section 25.4 of Chapter 23: Transport, Volume 2 of the ES [APP-064]. Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the ES [REP1-008] which has been updated at the Deadline 1 submission has been provided in support of the DCO Application.</p> <p>The DCO Application is also supported by the following documents:</p>

Ref	Local Impact Report Comment	Applicant's Response
	<p>- 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);</p> <p>- 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;</p> <p>- The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages;</p> <p>- 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;</p> <p>- 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;</p> <p>- 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;</p> <p>- The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;</p> <p>- The scheme protects the safety of road users and pedestrians; and</p> <p>- 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.”</p>	<ul style="list-style-type: none"> • Outline Construction Traffic Management Plan [REP1-010] secured via Requirement 24 of the Draft Development Consent Order (DCO) [PEPD-009]; • Outline Public Rights of Way Management Plan [APP-230] secured via Requirement 20 of the Draft DCO [PEPD-009]; • Outline Operational Travel Plan [APP-227] secured via Requirement 32 of the Draft DCO [PEPD-009]; • Outline Construction Workforce Travel Plan [APP-229] secured via Requirement 24 of the Draft DCO [PEPD-009]; and • Appendix 23.1: Abnormal Indivisible Loads assessment, Volume 4 of the ES [APP-196].
4.42	<p>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.</p> <p>Access to the countryside will be encouraged by:</p> <ul style="list-style-type: none"> - 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.” 	<p>Policy DP22 of the Mid Sussex District Plan is identified as a relevant policy in Table 23-2 within Chapter 23: Transport, Volume 2 of the Environmental Statement (ES) [APP-064]. The requirements outlined in Policy DP22 relevant to transport are accounted for within the scope of the assessment presented in Section 25.4 of Chapter 23: Transport, Volume 2 of the ES [APP-064]. The protection of Public Rights of Way (PRoW) including recreational route and national trails has been included within the Outline Public Rights of Way Management Plan [APP-230] secured via Requirement 20 of the Draft DCO [PEPD-009].</p>
4.43	<p>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.</p>	<p>The environmental effects of the construction traffic have been assessed in Chapter 23: Transport, Volume 2 of the Environmental Statement (ES) [APP-064] and Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] submitted at Deadline 1. The Applicant has regularly engaged with West Sussex County Council and National Highways during the pre-application stage and will continue to do so during the Examination.</p>
4.44	<p>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.</p>	<p>An Outline Construction Traffic Management Plan (CTMP) [REP1-010] has been produced as part of the Development Consent Order (DCO) Application which includes mitigation measures to limit the impacts of construction traffic associated with the Proposed</p>

Ref	Local Impact Report Comment	Applicant's Response
4.45	4.45 Effective mitigation is needed for the impacts on recreational users of the PROW network, especially during the construction period.	Development. Stage specific CTMPs will be produced following the grant of the DCO and prior to construction of that stage of works which will follow the controls defined within the Outline CTMP [REP1-010] secured through Requirement 24 of the Draft Development Consent Order [PEPD-009] . These will be agreed with the Local Highway Authority (WSCC) in consultation with Mid Sussex District Council within its area or the relevant local planning authority.
4.46	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.	The Outline Public Right of Way Management Plan [APP-230] outlines the management measures for all Public Rights of Way affected during the construction phase of the onshore elements of the Proposed Development.
4.47	<p>Historic Environment</p> <p>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.</p>	The provision of a stage specific Public Rights of Way Management Plan to be submitted to and approved by the highway authority or South Downs National Park Authority (for the National Trail) in consultation with the relevant planning authority is secured via Requirement 20 in the Draft Development Consent Order [PEPD-009] .
4.48	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.	The Applicant agrees with Mid Sussex District Council's (MSDC's) assertion that the Proposed Development should comply with Policies DP21 and DP22 of the Mid Sussex District Plan. The Applicant has entered into discussions with West Sussex County Council (WSCC) with a view of resolving areas of concern prior to the end of the examination.
4.49	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.	Policy DP34 of the Mid Sussex District Plan is identified as a relevant policy in Chapter 25: Historic environment, Volume 2 of the Environmental Statement (ES) [PEPD-020] . The design of the Proposed Development has been an iterative process that has sought to avoid direct impacts on listed buildings and known heritage assets of significance, and to limit the potential for indirect effects, wherever possible. Embedded environmental measures (Table 25-23) are presented in Section 25.7 of Chapter 25: Historic environment, Volume 2 of the ES [PEPD-020] . The requirements outlined in Policy DP34 relevant to the historic environment are accounted for within the scope of the assessment presented in Section 25.4 of Chapter 25: Historic environment, Volume 2 of the ES [PEPD-020] .
4.50	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	The Applicant agrees with Mid Sussex District Council assertion and notes that in Table 5-3 of Appendix 25.7: Settings assessment scoping report, Volume 4 of the Environmental Statement (ES) [APP-213] it was concluded that there would be no change to the setting of the grade II Royal Oak Public House (NHLE 1285777).
		The extension of the existing National Grid Bolney substation is not anticipated to be perceptible from Grade II Listed Twineham Court Farmhouse (NHLE 1025579), though it is noted that the extension contributes to the erosion of the asset's wider agricultural setting through associated land take. As described at paragraph 25.10.21 of Chapter 25: Historic environment, Volume 2 of the Environmental Statement (ES) [PEPD-020] this would entail a very low magnitude of change. Grade II listed Coombe House (NHLE 1025752) was scoped out of the assessment as described in Table 5-3 of the Appendix 25.7: Settings assessment scoping report, Volume 4 of the ES [APP-213] as there would be no change to the setting of this asset.
		The assessment within Chapter 25: Historic environment, Volume 2 of the Environmental Statement (ES) [PEPD-020] identifies a very low magnitude of change to the setting of

Ref	Local Impact Report Comment	Applicant's Response
	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.	<p>Grade II Listed Twineham Court Farmhouse (NHLE 1025579), resulting in a Minor adverse residual effect during the construction and operation and maintenance phases of the onshore cable and extension of the existing National Grid Bolney substation, which would be not significant. This will be at the lower end of less than substantial harm to a designated heritage asset. Effects during the construction phase will be temporary.</p> <p>Paragraph 5.9.30 of NPS EN-1 notes that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefit of a proposal. The Planning Statement [APP-036] states “<i>It is considered that the substantial public benefits of the Proposed Development outweigh the residual harm to the heritage assets outlined in the ES.</i>”</p> <p>The Applicant refers MSDC to response reference 4.49, with respect to Grade II listed Coombe House (NHLE 1025752).</p>
4.51	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 ‘ <i>less than substantial harm</i> ’.	See response above to Landscape representations in references 4.14 to 4.17 and also response in reference 4.50 .
4.52	<p>Water Environment</p> <p>4.52 Policy DP41 of the District Plan states in part: <i>“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.</i></p> <p><i>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.</i></p> <p><i>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.</i></p> <p><i>The preferred hierarchy of managing surface water drainage from any development is:</i></p> <ol style="list-style-type: none"> <i>1. Infiltration Measures</i> <i>2. Attenuation and discharge to watercourses, and if these cannot be met,</i> <i>3. Discharge to surface water only sewers.”</i> 	<p>Policy DP41 of the Mid Sussex District Plan is identified as a relevant policy in Table 26-4 within Chapter 26: Water environment, Volume 2 of the Environmental Statement (ES) [APP-067]. The requirements outlined in Policy DP41 have been addressed as part of embedded environmental measures set out in section 26.7 (Table 26-20) within Chapter 26: Water environment, Volume 2 of the ES [APP-067] and within Appendix 26.2: Flood risk assessment, Volume 4 of the ES [APP-216].</p>
4.53	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).	Surface water flood risk to the existing National Grid Bolney substation extension site area is detailed in Section 5.3.14 of Appendix 26.2: Flood Risk Assessment (FRA), Volume 4 of the ES [APP-216] . The paragraph states that: “ <i>There are no noted surface water flowpaths intersecting the proposed extension works at the existing National Grid Bolney substation.</i> ”

Ref	Local Impact Report Comment	Applicant's Response
	<p>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.</p>	<p><i>An area of mapped isolated flood risk relates to a historic pond that was removed in association with previous extension works. The overall run-on to the extension area is therefore negligible.</i></p> <p>The Environment Agency Risk of Flooding from Surface Water (RoFSW) mapping (Environment Agency, 2023) at this specific location is not based on up-to-date topographic information and is therefore considered to be inaccurate by the Applicant. Based on review of the RoFSW mapped area of elevated risk within the historic pond, this is related to ponded water 'in-situ' rather than any significant surface water flowpath running onto the area. If updated modelling was undertaken based on the latest topographic layout of the National Grid site, it is envisaged that no areas of risk would be mapped across the site.</p> <p>In addition, it was stated in a meeting with West Sussex County Council and Mid Sussex District Council on 01 April 2022 that there was no record of historic flooding at the existing National Grid Bolney substation site. Minutes of this meeting are provided in Appendix A of the Appendix 26.2: FRA, Volume 4 of the ES [APP-216]. On the basis of the above, the Applicant considers there to be a negligible risk of flooding from surface water towards the existing National Grid Bolney substation extension area.</p>
4.55	<p>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.</p>	<p>The Applicant agrees with Mid Sussex District Council's (MSDC) comment with respect to there being no records of site flooding at the existing National Grid Bolney substation site which is consistent with the feedback recorded with MSDC and Horsham District Council (HDC) at a meeting on 01 April 2022. The embedded flood risk management measures presented within the Appendix 26.2: Flood Risk Assessment (FRA), Volume 4 of the ES [APP-216] and Outline Operational Drainage Plan [APP-223] will ensure that the Proposed Development will not be subject to an unacceptable level of flood risk throughout its lifetime (and incorporating the anticipated impacts of climate change), nor will it increase flood risk elsewhere. This is in line with the overall conclusion presented in Section 10.2 of Appendix 26.2: FRA, Volume 4 of the ES [APP-216]. The Operational Drainage Plan will be produced at the post-Development Consent Order (DCO) award stage, and must accord with the Outline Operational Drainage Plan [APP-223] as per Requirement 18 of the Draft DCO [PEPD-009].</p>
4.56	<p>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.</p>	<p>The Applicant acknowledges that the final surface water drainage design will need to meet with the latest design requirements and accord with national and local drainage policies.</p> <p>Climate change allowances are discussed in Section 3.2 of the Outline Operational Drainage Plan [APP-223], which are based on current Environment Agency guidance (Environment Agency, 2022).</p> <p>As set out in the Environment Agency's climate change allowances for flood risk assessments (Environment Agency 2022) and Planning Practice Guidance (Ministry of Housing, Communities and Local Government, 2022), for developments with lifetimes between 2061 and 2100 developments should be designed for the central allowance in the one percent Annual Exceedance Probability (AEP) event so that there is no increase in flooding elsewhere and the development itself should be safe from surface water flooding. The design requirement for attenuation volume storage is therefore deemed to be the one percent AEP plus 25 percent climate change allowance for increase in peak rainfall intensity.</p>

Ref	Local Impact Report Comment	Applicant's Response
4.57	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.	<p>This is secured via the Outline Operational Drainage Plan [APP-223] as set out in paragraphs 3.2.2 and 3.2.3 and secured via Requirement 18 of the Draft Development Consent Order [PEPD-009].</p> <p>The climate change allowances will be reviewed and confirmed prior to undertaking detailed design.</p>
4.58	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.	<p>The Operational Drainage Plan [APP-223] paragraph 3.2.15 outlines that “<i>Given the presence of clay and the poorly drained soils, discharge of surface water to the ground is not considered feasible. If deemed necessary by the Lead Local Flood Authority (LLFA), soakage testing could be undertaken post-granting of DCO consent to demonstrate this, but this is considered unnecessary if ground investigation undertaken to support the wider detailed design of the existing National Grid Bolney substation extension indicates ground conditions unsuitable for infiltration.</i>” The Outline Operational Drainage Plan [APP-223] is secured via Requirement 18 of the Draft Development Consent Order [PEPD-009].</p> <p>The Applicant acknowledges that the final surface water drainage design will need to meet with the latest design requirements and accord with Development Plan policy. The Applicant welcomes Mid Sussex District Council's (MSDC's) satisfaction that this matter will be addressed through Requirement 18 of Part 3 of Schedule 1 to the Draft Development Consent Order (DCO) [PEPD-009]. All design parameters (including climate change allowances) will be reviewed and confirmed prior to undertaking detailed design. Requirement 18 of Part 3 of Schedule 1 to the Draft DCO [PEPD-009] states: ‘<i>No works to construct the extension of the National Grid substation comprising Work No. 20 are to commence until an operational drainage plan including written details of the surface and (if any) foul water drainage system (including means of pollution control) and its management during the operational life of the authorised development, in accordance with the outline operational drainage plan has, after consultation with the relevant sewerage and drainage authorities and the Environment Agency, been submitted to and approved by the lead local flood authority</i>’.</p> <p>Reference 4.56 (above) outlines relevant climate change allowances for rainfall intensity.</p> <p>The Applicant notes MSDC's offer to review climate change allowances related to surface water drainage design, and the Applicant may take up this informal offer at detailed design stage. However, formal consultation will be with WSCC as the Lead Local Flood Authority (LLFA), as is the correct approach for these matters and as set out in Draft DCO [PEPD-009] Requirements 17 and 18. The Applicant understands that at present West Sussex County Council (WSCC) informally consults MSDC on flood risk and drainage matters, and this would provide MSDC the opportunity to comment via the formal process if the LLFA request its input.</p>
5. Design Principles (from Design and Access Statement Rev A AS-003)		
5.1	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	The retention of existing screening will be secured through design principles, outlined in Section 3.3.3 of the Design and Access Statement [AS-003] secured through Requirement 9 of the Draft Development Consent Order [PEPD-009] and Outline Code of Construction Practice [PEPD-033] – Appendix B – Vegetation Retention Plans: Figure

Ref	Local Impact Report Comment	Applicant's Response
	<p>that the aims of it are appropriately secured in the Draft Development Consent Order as a result.</p> <p>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.</p> <p>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.</p>	<p>7.2.1k, Figure 7.2.2h, Figure 7.2.3k secured through Requirement 22 of the Draft Development Consent Order [PEPD-009] for the existing National Grid Bolney substation. The proposed creation of new habitats and reinstatement of existing vegetation will be secured through the Outline Landscape and Ecology Management Plan [APP-232] as detailed in Section 3.5 secured through Requirement 12 of the Draft Development Consent Order [PEPD-009].</p> <p>The impact on the setting of Coombe House was assessed during the EIA scoping phase and scoped out for further assessment in the Environmental Statement (ES). Table 5-3 in Appendix 25.7: Settings assessment scoping report, Volume 4 of the ES [APP-213] justifies this conclusion. Setting of the asset is defined by the surrounding garden and grounds within which the house and associated garden features are set. No change is anticipated during the construction phase or operation and maintenance phase of Proposed Development due to intervening distance, buildings, topography and planting between the asset and the existing National Grid substation at Bolney.</p> <p>The Applicant acknowledges Mid Sussex District Council's suggestion for consideration of ecological enhancements at the existing National Grid Bolney substation extension works. Any such enhancement would need to be agreed with National Grid Electricity Transmission (NGET) who will continue to be responsible for operation and maintenance of the site. The Applicant will discuss this during engagement with NGET where appropriate and record this in the Statements of Common Ground with NGET and Mid Sussex District Council.</p>
6. Draft Development Consent Order (APP-019)		
6.1	<p>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).</p>	<p>The Applicant acknowledges Mid Sussex District Council's positive response to the addition of 'existing and proposed ground levels' to point (c), Requirements 8 and 9 of Part 3 of Schedule 1 to the Draft Development Consent Order [PEPD-009] submitted at the Pre-Examination Procedural Deadline A on 16 January 2024.</p>
6.2	<p>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 "<i>the relevant planning authority</i>" 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 "<i>monitoring where it is required</i>" as part of the biodiversity net gain strategy.</p>	<p>Please response to reference 4.38 above.</p> <p>The Applicant notes that it is inherent in the delivery of a BNG strategy that monitoring is required and does not consider the suggested change to Requirement 14 is necessary.</p>
6.3	<p>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 "<i>the code of construction practice must accord with the outline code of construction practice.....</i>". The construction hours should therefore be a separate, explicit, requirement.</p>	<p>Construction hours are included in the Outline CoCP [PEPD-033]. Stage specific CoCPs are required to be produced, submitted, and approved pursuant to Requirement 22 of the Draft DCO [PEPD-009], updated at Deadline 2, and they must accord with the Outline CoCP [PEPD-033]; hence they must include hours of working. The approved CoCPs must then be implemented, and failure to comply with the terms will be an offence.</p> <p>There is scope for a stage specific CoCP to include different construction working hours to accommodate particular circumstances if necessary, which would not be possible if hours were specified on the fact of the DCO. It is therefore considered that the inclusion of</p>

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6.4	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).	<p>construction hours in the CoCP is appropriate, and provides adequate protection for the local authorities and communities</p> <p>As reflected in the responses to reference 4.25 to 4.27, Table 21-19 within Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018] includes the maximum assessment assumption that operational plant of the existing National Grid Bolney substation extension will not be audible outside of the extension site boundary for the operational phase;</p> <p><i>'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.'</i></p> <p>Therefore, no additional measures to control operational noise at the existing National Grid Bolney substation are proposed.</p> <p>Given the above, the Applicant does not consider this additional requirement to be necessary.</p>
6.5	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.	<p>The Applicant acknowledges Mid Sussex District Council's positive response to the amended wording with the word 'during' changed to 'throughout' in Requirement 32 of the Draft Development Consent Order [PEPD-009] submitted at the Pre-Examination Procedural Deadline A on 16 January 2024. This change has also been made to Requirements 29, 30, 31 and 33.</p>

Table 2-2 Applicant's Response to Mid Sussex District Council Written Representation [REP1-047]

Ref	Local Impact Report Comment	Applicant's Response
1.1	<p>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.</p> <p>1.2 This Witten Representation confirms the position of Mid Sussex District Council in respect of the proposed development and should be read in conjunction with the Council's Local Impact Report (28th February 2024). The Local Impact Report sets out in more detail the Council's assessment of what it considers to be some of the key issues insofar as they impact upon Mid Sussex.</p> <p>1.3 Overall, Mid Sussex District Council raises no objections to the proposed development and supports the principle of the project which is to make a significant contribution towards the generation of clean sustainable energy supplies. There are however a number of issues raised in the Local Impact Report that need to be satisfactorily addressed.</p>	<p>The Applicant welcomes Mid Sussex District Councils (MSDC's) support for the Proposed Development and acknowledges that MSDC raise no objections. For responses to MSDC's Local Impact Report please see above references 1.1 to 6.5.</p>
1.4	<p>1.4 The main issue identified within the Local Impact Report (paras 4.29 - 4.33) that needs to be addressed by the applicant is the proposed construction working hours. In short, the Council considers that the proposed working hours are an hour too early, with a 07:00 start time proposed on weekdays and 08:00 on Saturdays. Coupled with the additional HGV movements and other associated construction traffic an hour before, noise and disruption caused to local residents at such an unsocial time would be significant. The strong preference for Mid Sussex District Council would therefore 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 an 09:00 start on Saturdays</p>	<p>See response above to reference 4.29 to 4.33.</p>
1.5	<p>1.5 Securing appropriate mitigation in respect of a number of other issues is going to be essential to the successful delivery of the proposed development to ensure that its impacts are minimised. The mitigation measures identified as being particularly important to the Council are outlined in the Local Impact Report. These relate to the landscape and visual impacts, air quality, noise and vibration, ecology, transport, the historic environment and the water environment.</p> <p>1.6 As set out in the Local Impact Report, the appropriate mitigation measures can be secured through either Development Consent Order itself or through amending the supporting documents where applicable.</p>	<p>The Applicant acknowledges Mid Sussex District Council's mitigation measures identified as of particular importance within the Local Impact Report.</p> <p>Responses to these are provided as follows:</p> <ul style="list-style-type: none"> • Landscape and visual impacts please see reference 4.14 to 4.19; • Air quality reference 4.21 to 4.22; • Noise and vibration reference 4.25 to 4.33; • Ecology reference 4.36 to 4.39; • Transport reference 4.43 to 4.46; • Historic environment reference 4.48 to 4.51; and • Water environment reference 4.53 to 4.58.

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