

Rampion 2 Wind Farm Category 8: Examination Documents Applicant's Mid Examination Progress Tracker

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1. Introduction

1.1 Overview

- 1.1.1 This Examination Progress Tracker has been prepared to support an application by Rampion Extension Development Limited (“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 160km. A detailed description of the Proposed Development is set out in Chapter 4: The Proposed Development, Volume 2 of the Environmental Statement (ES), submitted with the DCO Application.

1.2 Purpose of this Document

- 1.2.1 This document has been produced in response to the Examining Authority’s (ExA) Rule 8 letter **[PD-007]** requesting an Examination Progress Tracker, in the form of a table, reporting on what it considers are the principal, and other notable issues in the Examination. The Applicant notes further advice provided by the ExA at Section 5, Annex B of the letter requiring further detail.
- 1.2.2 This document is intended to be a live document and the tables will be updated to provide a mid-Examination version at Deadline 2 (this version), with a final Tracker submitted at Deadline 6, Thursday 1 August 2024.
- 1.2.3 Table 2.1, below, sets out the principal issues, logs the Interested Parties that have raised them, summarises the concern(s)/objection(s) and the progress being made and sets out any progress to resolution. For ease of reference the table has used a “traffic-lighting” system to guide the reader to the likelihood of resolving the issues as follows:
- **Green:** The issue has been resolved and a mechanism for delivering this solution has been captured in a document submitted to the Examination;
 - **Amber:** The issue is capable of resolution. The Applicant will look to progress this issue with relevant Interested Parties with a view to agreeing a resolution;
 - **Red:** The issue is not capable of resolution.
- 1.2.4 The Applicant has identified the principal and notable issues in the Examination, based on the Relevant Representations and the Examining Authority’s Initial Assessment of Principal Issues contained in the Rule 6 Letter **[PD-006]**.
- 1.2.5 The summary of the issues and the assessment of likely process are based upon the Written and Relevant Representation and Local Impact Reports that have been submitted to the Pre-Exam Procedural Deadline and at Deadline 1. They also reflect the ongoing discussions between the Applicant and other interested parties.

2. Examination Progress Tracker

Table 2-1: Examination Progress Tracker

| Ref | Topic | Interested Party | Summary of Issues | Likely Progress |
|-----|--------------------------------|--|---|---|
| 1 | Alternatives | Arun District Council (ADC) | Whether alternatives to the Proposed Development were adequately considered including the avoidance of the Climping Beach Site of Scientific Special Interest (SSSI). | Amber: The Applicant has stated the site of the Climping compound is primarily driven by its proximity to the landfall location and highway access to support landfall and cable construction in the area. An alternative compound location to the west of Church Lane was considered but was discounted prior to the first statutory consultation due to presence of an approved Outline Application CM/1/17/OUT for the erection of up to 300 dwellings and ancillary development. Discussions are ongoing and this matter is still to be agreed with ADC. |
| | | South Downs National Park Authority (SDNPA) | Whether alternatives to the Proposed Development adequately considered the route choice including its incursion into the South Downs National Park. | Amber: The Applicant considers that a sufficient assessment and demonstration has provided in the Planning Statement [APP-036] which shows the proposed route would align with in line with the requirements of 5.9.10 of National Policy Statement (NPS) EN-1 (Department of Energy and Climate Change (DECC), 2011). This point is still to be agreed with SNDPA and discussions are ongoing. |
| | | West Sussex County Council | Whether alternatives to the Proposed Development have adequately considered the choice of the onshore substation location. | Amber: The Applicant considers that Section 3.6 of ES Chapter 3: Alternatives, Volume 2 [APP-044] provides the information on the onshore substation site selection process. This includes the site selection process and the reasons for other sites being discounted based on the multi-disciplinary factors identified. The selection of Oakendene is clearly stated as favourable for engineering, cost and landowner considerations in paragraphs 3.6.23 to 3.6.25 of Chapter 3: Alternatives, Volume 2 of the ES [APP-044] . The matter is still being discussed with WSCC. |
| 2 | Aviation | NATS Shoreham Airport | The potential effect of the wind turbine generators (WTGs) to effect civilian and defence radar systems. | Amber: Based on recent communication from NATS confirming the availability of a Radar Mitigation Scheme for Rampion 2, the Applicant is seeking into enter commercial agreements with NATS to implement mitigation measures to reduce impacts on radar systems. The Applicant has completed an initial assessment of the updates required to the Shoreham Airport Instrument Flight Procedure and is undertaking additional work to determine how updates to the Instrument Flight Procedure can be approved and implemented in a timescale which is advantageous to both Shoreham Airport and the Proposed Development. |
| 3 | Commitments Register and Plans | SDNPA | Commitments Register is not definitive about the actions that will be taken in respect of mitigation, using vague and non-committed language. | Amber: The Applicant provided an update to the Commitments Register at Deadline 1 which included further detail of how the mitigation will be secured: e.g. the full reference to DCO requirements and addition of the location of further information within the Application documents. Discussions with SDNPA over the wording of the updated Commitment Register are ongoing. |

| Ref | Topic | Interested Party | Summary of Issues | Likely Progress |
|-----|----------------------|------------------------------------|--|---|
| | | Arun District Council | Concerns regarding the lack of commitment and securing mechanism of mitigation, monitoring and compensation. | <p>Amber: The Applicant provided an update to the Commitments Register at Deadline 1 which included further detail e.g. the full reference to DCO requirements and addition of the location of further information within the Application documents.</p> <p>The Applicant understands that ADC is happy with the proposed solution and will look to resolve concerns over securing mechanisms through further discussion.</p> |
| | | Horsham District Council | Commitments Register firmness and securing mechanisms and HDC Compensation request. | |
| 4 | Construction Effects | Mid Sussex District Council | <p>The Applicant has set out in their submissions (Outline Code of Construction Practice) that they intend to operate within the following core working hours:</p> <ul style="list-style-type: none"> • 07:00 to 19:00 hours Monday to Friday; and • 08:00 to 13:00 hours on Saturday. <p>The concern centres around the impact these working hours, and specifically a 07:00 start time on weekdays and 08:00 on Saturdays, will have on the residential amenity of neighbouring residents who live in close proximity to the construction areas.</p> | <p>Amber: Mid Sussex District Council have concerns related to the early morning hour and their impact on neighbours.</p> <p>The Applicant provided a response in the Applicant's Responses to Relevant Representations submitted at Deadline 1 [REP1-017] (see Table 2-2, row 2.2.4)</p> <p>Discussions with Mid Sussex District Council are ongoing, and should agreement be reached this will be captured in an updated Statement of Common Ground submitted to the Examination.</p> |
| | | National Highways | <p>The construction, operation or maintenance of a site (construction/ compound/ permanent) associated with the project adjacent to or in close proximity to the Strategic Road network (SRN and the implications for the SRN).</p> | <p>Amber: The Applicant is sharing further details of the works on and under the SRN with National Highways and are confident that detailed designs for the construction, operation or maintenance of a site compound can be agreed.</p> <p>Mitigation measures are considered in the Outline Construction Traffic Management Plan [APP-228] in the event that negative impacts on the SRN cannot be eliminated or reduced to an appropriate and agreeable level.</p> <p>The Applicant's Engineering Team currently dealing with query raised by National Highways following SoCG draft review.</p> |
| | | | <p>APP-224 7.2 Outline Code of Construction Practice.</p> <p>APP-228 7.6 Outline Construction Traffic Management Plan.</p> <p>APP-229 7.7 Outline Construction Workforce Travel Plan.</p> | <p>Green: The Applicant considers that there is no disagreement regarding these documents.</p> |

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| | | | <p>The Applicant proposes via the Book of Reference and elsewhere activities, works or consequential provisions that may affect the safety, operation, management of the Strategic Road Network (SRN) and/or the roles and responsibilities of National Highways as the Strategic Highway Authority, asset owner and/or statutory consultee. The Applicant needs to fully explain the implications of their proposals in these contexts to ensure that they comply with national planning and transport policy, the National Highways Operating Licence and do not usurp or unreasonably fetter National highways.</p> | <p>Amber: The Applicant is sharing further details of the works on and under the SRN with National Highways and are confident that detailed designs can be agreed between the two parties.</p> |
| | | | <p>APP-064 6.2.23 Environmental Statement- Volume 2 Chapter 23 Transport (plus AAP107-APP110 comprising appendices thereto).</p> <p>APP-173 6.4.19.1 Environmental Statement- Volume 4 Appendix 19.1 Full results of construction road traffic modelling.</p> <p>APP-173 6.4.19 .2 Environmental Statement- Volume 4 Appendix 19.2 Full results of construction plant modelling.</p> <p>APP-196 6.4.23.1 Environmental Statement- Volume 4 Appendix 23.1 Abnormal Indivisible Loads Assessment.</p> <p>APP-197 6.4.23.2 Environmental Statement- Volume 4 Appendix 23.2 Traffic Generation Technical Note.</p> | <p>Green: The Applicant notes that there is no disagreement regarding these documents.</p> |
| | | <p>Horsham District Council</p> | <p>Lack of a standalone Air Quality Plan for the construction phase of the development.</p> <p>The concern is that air quality improvements in the Cowfold Air Quality Management Area (AQMA) do not stall and that the improvements are continuous and maintained into the future.</p> <p>The Air quality and emissions mitigation guidance for Sussex (2021) draws on Defra's methodology for the appraisal of impacts produced by a project. It requires that each application (major and/or in relevant proximity of an AQMA) is supported by an air quality mitigation plan detailing measures to mitigate and/or offset the impacts and setting out itemised costing for each proposed measure.</p> | <p>Amber: The Applicant provided a response to Horsham District Council regarding this matter in Applicant's Responses to Relevant Representations submitted at Deadline 1 [REP1-017] (see Table 2-5, row 2.5.7).</p> <p>However, recognising Horsham District Council's concerns, the Applicant is preparing an Air Quality Mitigation Plan in accordance with the Sussex Guidance.</p> |
| | | | <p>Proposals for construction noise monitoring are inadequate for a project of this scale and duration.</p> <p>Insufficient sanctions or penalties proposed in the DCO to deal with non-compliance.</p> | <p>Amber: The Outline CoCP [PEPD-033] provides the relevant planning authority the opportunity to request that construction noise monitoring is undertaken during specific activities or at specific receptors as outlined in Paragraph. 5.4.15. The requirement for noise monitoring will be identified by the Contractor(s) based on the confirmed list of plant and equipment and construction programme and a monitoring framework will be provided in the stage specific Noise Management Plan. The monitoring proposals are</p> |

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| | | | | <p>equivalent to other Nationally Significant Infrastructure Projects of this size and nature.</p> <p>HDC is not satisfied at this stage with the Applicant's response.</p> <p>Meetings will be set up between HDC noise specialist and Applicant's Noise Lead to discuss noise monitoring and a mechanism for enforcement.</p> |
| | | | Insufficient sanctions or penalties proposed in the DCO to deal with non-compliance with the construction noise and vibration targets. | <p>Amber: The Applicant has outlined the measures to control noise and vibration during the construction phase within the Noise and Vibration Management Plan that is to be discharged for each relevant stage, in accordance with Requirement 22 of the draft DCO [PEPD-009]. Measures for noise control during the operational phase will be secured through Requirement 28 of the draft DCO [PEPD-009]. The local planning authority is the enforcing body for compliance with a made DCO, under section 118 of the Planning Act 2008, with sanctions including fines.</p> <p>HDC is not satisfied at this stage with the Applicant's response.</p> <p>Meetings will be set up between HDC noise specialist and Applicant's Noise Lead to discuss noise monitoring and a mechanism for enforcement.</p> |
| | | | Construction Communications Plan should include provision for regular local meetings with representatives for the communities where the construction compounds will be sited. The costs should be met by the developer. | <p>Amber: HDC has requested the Washington Compound, despite being temporary, be included as part of this plan. The Applicant will review this and respond in due course.</p> <p>Discussions are ongoing with HDC on this matter.</p> |
| | | | Concerns regarding the substantial size of the compounds and limited detail to their use and length of time in operational use. | <p>Amber: The outline of the requirement and description of uses for the construction compounds is given in the Statement of Reasons [APP-021] (Paragraph 6.10.5).</p> <p>Relevant commitments, as set out in the Commitments Register [APP-254], regarding effects of construction compounds during and after construction are: C-27 (Reinstatement), C-129 (Aggregate for Surface Protection), C-196 (Landscape Re-instatement), C-204 (BS5837, tree protection), C-282 and C-285 (Arboricultural Method Statement).</p> <p>The Applicant will continue to engage with HDC on these points.</p> |
| | | Arun District Council | Concerns regarding visual effects of the landfall construction compound (Work No.8) and Climping Compound (Work No.10); the latter is substantial in size. | <p>Amber: The Applicant acknowledges that significant landscape and visual effects associated with the presence of the landfall construction compound and the Climping Compound on the local landscape character and views.</p> <p>The Applicant is reviewing ADC's Local Impact Report [REP1-039] and will consider the scope for further mitigation measures.</p> |
| | | | Chapter 21 of the ES states with respect to construction noise effects that determination of the need for Section 61 consent will be determined by contractor at detailed design stage following review of construction noise assessments, if it is determined that there is 'significant deviation' from initial predictions. | <p>Amber: The Applicant is reviewing ADC's Local Impact Report [REP1-039] and will seek to set up a further meeting to discuss.</p> |

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| | | | <p>These values replicate the values set out in Table E.2 of British Standard (BS) 5228 in particular for the 0800 – 1800 time period. Proposed construction hours are stated as 0700 – 1900 hours where for the shoulder hours (0700 – 0800 and 1800 – 1900) Table E.2 suggests a trigger value of 70dB LAeq, T.</p> <p>For some locations that are close to exceeding the 65dB threshold value, the assessment outcome has been increased to reflect potential impact. This has not been done consistently and where there are predicted values that are also close to the threshold value, the outcome has not been increased.</p> | |
| | | | <p>There are insufficient details of the noise modelling inputs for the operation of the construction compound.</p> | <p>Green: The Applicant acknowledges that the plant list table assumed for the operational noise modelling of the construction compounds has not been included in Appendix 21.2: Construction Plant List, Volume 4 of the ES [APP-177]. This will be amended accordingly</p> |
| | | Arun District Council | <p>The spatial extent is greater than Rampion 1 and ADC continues to have significant concerns regarding the scale relative to the proximity to the coastline and the resulting significant visual effects.</p> | <p>Amber: ADC would like the Local Impact Report reviewed and recognised. The Applicant has reviewed and responded to the Local Impact Report at Deadline 2 (Document Reference 8.44).</p> <p>The Applicant and ADC to discuss compensation measures.</p> |
| | | South Downs National Park Authority | <p>The SDNPA considers the impact of the wind turbine array on the National Park to be unacceptable.</p> | <p>Red: The Applicant has reduced the offshore array extent and quantum in the course of the project's development, as explained in sections 3.2 of ES Chapter 3 Alternatives [APP-044]. The array area at Scoping was 315 km², which was progressively reduced in extent from the east and west to 160 km² following Scoping and PEIR consultation feedback. The number of turbines has also been reduced in accordance with consultation feedback, from 116 to a maximum of 90.</p> <p>The Applicant does not consider it necessary to and is not able to reduce the array size further.</p> |
| | | | <p>The SDNPA considers the impact of the onshore export cable on the National Park to be unacceptable.</p> | <p>Red: The Applicant has considered a variety of grid connection points, explained in sections 3.3 and 3.4 of ES Chapter 3 Alternatives [APP-044]. A thorough process has been undertaken, resulting in the selection of the Bolney substation. Compliance with the major development test in relation to the National Park is demonstrated in the Planning Statement [APP-036].</p> <p>The Applicant will explain the cable routeing at the DCO examination and does not consider that there is any scope, nor requirement, to change this routeing.</p> |

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| 6 | Ecology (Offshore and Onshore) | Arun District Council | <p>Significant concerns regarding the cable route passing beneath and near to the Climping SSSI and ecological sensitive areas. Nationally scarce invertebrates have been identified on the sand dunes of Climping beach. We note access would be restricted in the SSSI and no groundbreaking activity.</p> <p>However, there remains the potential for unplanned events and localised degradation of habitat within the SSSI, which is of a concern.</p> | <p>Amber: ADC is happy with clarification provided by the Applicant on concerns. In applicant's response referencing effects on habitats ADC ecology officer disagrees with this and would like more clarity.</p> <p>The Applicant have confirmed that these surveys have been undertaken and the details will be provided to both ADC and to the examination.</p> |
| | | | <p>Biodiversity net gain (BNG) has not been assessed at the district level ADC. We would expect biodiversity net gain to be achieved within the administrative area of Arun.</p> | <p>Amber: ADC is happy with the response provided by the Applicant regarding commitment to BNG. The Applicant clarified that they will be actively looking for terrestrial units in Arun.</p> <p>The Applicant is seeking to organise a further meeting to discuss the BNG Metric Calculation discussion.</p> |
| | | Horsham District Council | <p>Likely adverse effect on the integrity of the Arun Valley Sites due to a failure to demonstrate that the development would be Water Neutral.</p> | <p>Amber: HDC have raised a couple of issues with what's been put forward as a solution by the Applicant.</p> <p>HDC has acknowledged that water usage will be minimal.</p> <p>HDC has stated that tankering for operational use is not acceptable.</p> <p>HDC has stated that construction water usage is normally screened out as it is considered part of the baseline.</p> <p>HDC has requested estimates on expected water usage during the construction and operational phases.</p> <p>HDC has provided more clarity and detail in the Local Impact Report and the Applicant has submitted a response at Deadline 2 (Document Reference 8.45).</p> <p>The Applicant will consider these points further and seek a further meeting between the relevant teams of experts.</p> |
| | | <p>i) Lack of clarity on the distinction between what constitutes essential mitigation and compensation, and BNG.</p> <p>ii) Biodiversity net gain has not been assessed at the district level. HDC would expect biodiversity net gain to be achieved within the administrative area of Horsham district.</p> | <p>Amber: The Applicant will consider the new information on BNG submitted by HDC in email 13/02/24.</p> <p>The Applicant will consider these points further and seek a further meeting between the relevant teams of experts.</p> | |
| | | | <p>Feasibility of habitat creation at Oakendene substation site.</p> | <p>Amber: HDC has requested further details and have suggested an indicative cross-section. Capacity and slope angles in the basins have been flagged by HDC as questionable for accommodating trees.</p> <p>HDC has welcomed the proposal for wet woodland but want clarity through further details before they are happy to sign this issue off as agreed,</p> |

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| | | | | Issue to be double checked with the ecologists and the arboricultural specialists, but the Applicant is confident of viability of plans. |
| | | Environment Agency (EA) | Agreement on assessment Study Area. Agreement on data sources gathered for baseline considered acceptable for assessment. | Green: The Applicant and the EA have reached agreement on these topics. |
| | | | Concerns of cables passing through chalk feature and permanent habitat loss. | Amber: The Applicant considers that it has adopted an appropriate approach to minimising potential impacts to priority habitats and species in the intertidal and subtidal environment, with avoidance through informed design / micro-siting and, where avoidance is not possible, minimisation of impacts through mitigation as set out within the In Principle Sensitive Features Mitigation Plan [APP-239]. The Applicant has based its assessment of cable burial potential on current data, which is considered appropriate at this pre-consent stage; a full Cable Burial Risk Assessment based on the results of the pre-construction surveys will be undertaken when the final cable design parameters are determined post-consent. Discussions are ongoing. |
| | | | Concerns about the release of significant quantities of Bentonite during the drilling process during the offshore construction phase and the potential impacts to the newly establishing kelp beds in proximity. Assurances were given at the last expert topic group meeting that contact had been made with the Sussex Kelp Recovery Project and discussions/consultation were ongoing. The Environment Agency would welcome further clarification on this. | Amber: The Applicant is engaging with Sussex Kelp Recovery Project (SKRP) and SKRP is aware that the Rampion 2 DCO Application has been published on the Planning Inspectorate's website. Whilst the Applicant has not engaged with SKRP on direct impacts on the kelp beds, Chapter 9: Benthic, Subtidal and Intertidal Ecology, Volume 2 [APP-050] has assessed all algae features, including kelp, and has determined there would be no significant effects. It is therefore considered unlikely that construction works, including the potential release of bentonite during drilling activities at landfall, would result in the deterioration of relevant biological quality elements under the Water Framework Directive (WFD) (England and Wales) Regulations 2017, although it is also noted that the Sussex coastal water body is not assessed / classified for macroalgae. |
| | | | Agreement on nature conservation assessment Study Area. Agreement of data gathered for baseline considered acceptable for assessment. Agreement of assessment approach / methodology. The Environment Agency is happy with the quantity of data collected on biodiversity elements and comfortable that concerns the Environment Agency has previously raised are being addressed. Preconstruction surveys will be carried out for water vole and Great Crested Newts where the route intersects suitable habitat. The Environment Agency supports this given the timeframes involved in the proposal. | Green: The Applicant and the EA have reached agreement on these topics. |

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| | | | Agreement of fish and shellfish ecology Study Area and data gathered for the baseline is considered acceptable for assessment. | Amber: The Applicant and the EA have reached agreement on this topic. |
| | | Marine Management Organisation (MMO) | <p>Agreement on assessment study area.</p> <p>Agreement of assessment approach/methodology.</p> <p>Agreement on data sources gathered for baseline considered acceptable for assessment.</p> <p>The MMO agrees with Cefas that the justification to scope out operational EMF, noise and accidental pollution is satisfactory.</p> | Green: The MMO agrees with the Applicant's position on these matters. |
| | | | Concerns of cables passing through chalk feature and permanent habitat loss. | Amber: Continued discussion for suitable mitigation methods. |
| | | | <p>There is information missing from Table 9- 14 and the sensitivity from smothering should be reconsidered. Please see comments in Section 4.3 of our relevant representations.</p> <p>The comments should be reviewed and updated, or further justification provided.</p> | <p>Amber: The MMO is hopeful that the Applicant will update the information required for this to be resolved during Examination.</p> <p>The Applicant responded to this as part of Applicant's Responses to Relevant Representations [REP1-017].</p> |
| | | | <p>Agreement of study area and data gathered for the baseline is considered acceptable for assessment.</p> <p>MMO are satisfied that fisheries would indeed be consulted with, in relation to shellfish landings.</p> <p>MMO agrees the source of literature, data and publications listed in the presentation slides are appropriate of fisheries and fish ecology for the purpose of the EIA.</p> <p>MMO agrees that no new fisheries surveys are required to inform the characterisation. However, as noted, this is caveated by adding that the MMO defers to Natural England and The Seahorse Trust regarding the need for any additional surveys for seahorses.</p> <p>MMO agree that scoping in effects of Electro Magnetic Fields (EMF) on elasmobranch and electro-sensitive fish is appropriate.</p> <p>Agree with seasonal restriction for black seabream during cable installation.</p> | Green: The MMO agrees with the Applicant's position. |
| | | | There is discrepancies between Chapter 8 and Appendix 11.3 on the worst-case duration of monopile and jacket foundation installation. | Amber: The MMO is hopeful that the Applicant will update the discrepancies and provide any additional information required so this will be resolved during Examination. |

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| | | | Discrepancies to be amended with the correct maximum duration of piling per day, so that impacts can be assessed properly and mitigated. | The Applicant responded to this in the Applicant's Responses to Relevant Representations [REP1-017] and discussions are ongoing. |
| | | | <p>Whilst the Applicant has completed a herring potential spawning habitat and Sandeel potential habitat suitability assessment. The Applicant has not followed the recommended MarineSpace (2013a) and (2013b) methodologies.</p> <p>MMO requests that the Applicant revises their habitat suitability assessments by following the MarineSpace (2013a and 2013b) methods and provides 'heat' maps of herring potential spawning habitat, and sandeel potential habitat, for the fish ecology study area as an addendum to the ES and update the conclusion from this information.</p> | <p>Amber: The MMO is hopeful that the Applicant will update the assessments and Maps to accord with the recommended methods so this will be resolved during Examination.</p> <p>The Applicant responded to this point at in the Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 9 Further information for Action Points 38 and 39 – Underwater Noise [REP1-020].</p> |
| | | | MMO does not consider a SELs of 141 dB re 1 mPa ² s used for a 44cm captive seabass to be an appropriate or conservative threshold. MMO understands there was no agreement between MMO, Natural England (NE) and the Applicant on a noise threshold or proxy species for black seabream prior to submission of the Application. If the Applicant wants to pursue a noise threshold route the MMO would expect to see more noise modelling based on the 135 dB threshold. However, even if this is provided the MMO is unlikely to agree a threshold approach for black seabream. Further mitigation may be required. | <p>Amber: The MMO believes this may not be fully resolved during Examination but is hopeful that the Applicant will provide the modelling and further discussions can take place. MMO hopes these concerns will be resolved during Examination, noting they have not been resolved through pre examination.</p> <p>A further call has been scheduled between the teams of experts to discuss further.</p> |
| | | | <p>The Applicant has concluded in paragraph 8.9.195 that, as the UWN contours do not directly overlap with the spawning grounds as indicated by the Coull et al. (1998) shapefile, the magnitude of a behavioural impact to spawning herring from UWN is considered to be negligible. Whilst the Coull et al. (1998) spawning maps are valuable for providing an indication of the location of herring spawning grounds based on historic data, it is more appropriate for the Applicant to draw their conclusions from overlap with areas of higher IHLS larval abundance as this is a more recent, direct measure of herring spawning intensity for this region. Further to this, Figures 8.18, 8.19 and 8.21, which present UWN for sequential pinpiling, sequential mono-piling, and simultaneous pin-piling, all indicate that the likely range of impact of TTS in fish is also anticipated to overlap the herring spawning grounds.</p> <p>Update to the conclusion should be made and further discussion on mitigation should take place.</p> | <p>Amber: The MMO believes this may not be fully resolved during Examination but is hopeful that the Applicant will provide the updates and further discussions can take place. MMO hopes these concerns will be resolved during Examination, noting they have not been resolved through pre examination.</p> <p>A further call has been scheduled between the teams of experts to discuss further.</p> |
| | | | It is not clear why July has been treated separately within the Applicant's proposed mitigation zoning plan. Black | Amber: The MMO believes this may not be fully resolved during Examination but is hopeful that the Applicant will provide the updates and further |

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| | | | <p>seabream are at their most sensitive when undertaking spawning and guarding their nests, and as a result, the conservation objectives of the Kingmere Marine Conservation Zone (MCZ) are of heightened importance during the spawning period. As we have clear evidence that black seabream continues to spawn and maintain their nests into and during July, we must consider that July is part of the spawning period.</p> <p>July should be included in the defined mitigation period for the zoning plan however as above any mitigation must have the correct modelling.</p> | <p>discussions can take place. MMO hopes these concerns will be resolved during Examination, noting they have not been resolved through pre examination.</p> |
| | | | <p>The MMO considers it necessary for a seasonal piling restriction to be implemented in order to prevent disturbance to spawning herring and their eggs and larvae at the Downs spawning ground during the spawning period of 1st November to 31st January (inclusive).</p> <p>This restriction may be subject to refinement, providing the additional UWN modelling (135dB) and further discussions on mitigation. However, at this time, the MMO considers that a seasonal piling restriction be implemented.</p> | <p>Amber: The MMO believes this may not be fully resolved during Examination but is hopeful that the Applicant will provide the updates and further discussions can take place. MMO hopes these concerns will be resolved during Examination, noting they have not been resolved through pre examination.</p> <p>A further call has been scheduled between the teams of experts to discuss further.</p> |
| | | | <p>Pre- and post-construction surveys should be implemented to enhance the baseline data and to validate any predictions made in the ES on nesting habitat recoverability. These surveys should be suitably timed and use appropriate methods.</p> <p>Therefore, MMO recommends that a requirement for pre- and postconstruction monitoring of black bream nesting habitat be included in the DML to ensure that the habitat recovers and continues to support black bream nesting, and that comparisons of nest location and density pre- and post-construction can be made. This should be clearly referred to within conditions 16-18.</p> | <p>Amber: The MMO believes this may not be fully resolved during Examination but is hopeful that the Applicant will provide the updates and further discussions can take place. MMO hopes these concerns will be resolved during Examination, noting they have not been resolved through pre examination.</p> <p>Documentation to be agreed between Natural England and MMO.</p> |
| | | | <p>The MMO agrees that the use of proxy species may be suitable (use of the audiogram for red seabream as a proxy for black seabream in terms of hearing ability), but requires, inter alia, additional evidence for the efficacy of noise abatement measures, further (longer term) evidence for the baseline soundscape at Kingmere MCZ, and seeks clarification on noise spectra.</p> <p>Updates are required to this document.</p> | <p>Amber: The MMO is hopeful that the Applicant will update this document for this to be resolved during Examination.</p> <p>A further call has been scheduled between the teams of experts to discuss further.</p> |
| | | | <p>The MMO agrees that the general approach and methodology for the underwater noise modelling is appropriate and that the basis for noise assessment on marine receptors has drawn upon the most contemporary</p> | <p>Amber: The MMO is hopeful that the Applicant will update this document for this to be resolved during Examination.</p> |

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| | | | <p>and authoritative criteria for marine mammals and fish. However the MMO seeks clarifications on a range of issues relating to noise criteria, propagation loss, and comparability of the data from Rampion 1 data with the proposed Rampion 2 predictions within the Appendix.</p> <p>Updates are required to this document.</p> | <p>MMO have share the document and are hoping Cefas will have reviewed them and that a further discussion can take place.</p> |
| | | | <p>The MMO considers the overall approach to mitigation is somewhat reasonable, however a number of issues still require further discussion. The MMO notes that the basis for the piling mitigation relies on a disturbance threshold of 141dB but that this has not yet been agreed with all Parties. Given the uncertainties regarding behavioural responses and the zoning approach, MMO recommends a conservative approach be taken by the Applicant in relation to underwater noise and recommended noise abatement measures across the entire site rather than zoning. MMO strongly recommends the Applicant commit to using noise abatement technologies which achieve the greatest amount of noise reduction.</p> | <p>Amber: The Applicant will discuss each issue raised by the MMO to progress matters.</p> |
| | | | <p>The MMO supports the seasonal restriction (among other commitments) to ensure Offshore Export Cable Corridor installation activities are undertaken outside the black seabream breeding period (March – July) to avoid any effects from installation works on black seabream nesting within or outside of the Kingmere MCZ (Commitment C-273).</p> | <p>Green: The MMO agrees with the Applicant's position.</p> |
| | | | <p>Agreement of study area and data gathered for the baseline is considered acceptable for assessment.</p> <p>Agreement of assessment methodology.</p> | <p>Green: The MMO agrees with the Applicant's position.</p> |
| | | | <p>In the Environmental Statement, the sensitivity of all cetaceans to PTS-onset is assessed as Low. In the PEIR, all cetaceans were originally assessed as having a 'Medium' sensitivity to PTS.</p> <p>Until and unless empirical evidence can shed light on whether this opinion holds water, the precautionary principle will continue to apply. Therefore, cetaceans should be assessed as having a high sensitivity to PTS.</p> | <p>Amber: The Applicant responded to this at in the Applicant's Responses to Relevant Representations [REP1-017].</p> |
| | | <p>Mid Sussex District Council</p> | <p>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.</p> | <p>Green: MSDC is happy with the Applicant's position.</p> |

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| | | | <p>Consideration should be given to the inclusion of ecological enhancements (such as the new bat boxes at Oakendene substation) within the Terrestrial Ecology Design Principles for the substation extension.</p> | <p>Amber: Applicant has stated they agree with the ambition set out by MSDC, but the site is under National Grid ownership (whom are statutory undertaker) so the Applicant is restricted with regards to what can be provided. MSDC believe the point still stands.</p> <p>There is a possibility of an agreement being reached and discussions are ongoing.</p> |
| | | Natural England | <p>Natural England has major concerns regarding the feasibility of Horizontal Directional Drilling (HDD) and therefore its likely effectiveness in mitigating impacts.</p> <p>Geotechnical information needs to be provided to understand the feasibility and effectiveness of this approach.</p> | <p>Amber: The Outline Construction Method Statement [APP-255] provides further information regarding the detailed design of the trenchless crossings in Section 3.4 and the further information required to inform this (e.g., ground investigation). The detailed design of a trenchless crossing will be undertaken within the established parameters assessed in the ES as detailed in 4.5.27 of Environmental Statement Chapter 4: The Proposed Development, Volume 2 [APP-045] and secured in Schedule 1 Part 3, requirement 10 of the draft Development Consent Order [PEPD-009].</p> <p>The approach to minimising and effectively managing the risks of trenchless crossings is outlined in the Outline Construction Method Statement [APP-255] and the Outline Code of Construction Practice [PEPD-033].</p> <p>The potential risks of HDD have been considered by the relevant chapters of the ES and are assessed as Low.</p> |
| | | | <p>Agreement on assessment study area.</p> <p>Agreement on data sources gathered for baseline considered acceptable for assessment.</p> <p>Agreement of assessment approach/methodology.</p> | <p>Green: The Applicant welcomes Natural England's agreement of the assessment approach/methodology.</p> |
| | | | <p>Habitats of Principal Importance (including but not limited to <i>Sabellaria spinulosa</i>, chalk, and peat and clay exposures), Annex I habitats (stony reef, bedrock reef) and black seabream nests could be affected. It is currently unclear whether the proposed mitigation will be effective.</p> <p>We advise that geotechnical information is collected to inform a Cable Burial Risk Assessment and is submitted into the Examination.</p> <p>Comprehensive pre-construction surveys will also need to be agreed with Natural England to inform mitigation proposals.</p> | <p>Amber: The Applicant considers that it has adopted an appropriate approach to minimising potential impacts to priority habitats and species in the intertidal and subtidal environment, with avoidance through informed design / micrositing and, where avoidance is not possible, minimisation of impacts through mitigation as set out within the In Principle Sensitive Features Mitigation Plan [REP1-012]. The Applicant has based its assessment of cable burial potential on current data, which is considered appropriate at this pre-consent stage; a full Cable Burial Risk Assessment based on the results of the pre-construction surveys (in accordance with Schedule 12, Condition 16 of the draft Development Consent Order [PEPD-009]) will be undertaken when the final cable design parameters are determined post-consent.</p> |
| | | | <p>Agreement of study area and data gathered for the baseline is considered acceptable for assessment.</p> <p>NE noted that it would defer to MMO/Cefas on whether additional surveys were required to define the baseline for fish and shellfish ecology; Cefas confirmed agreement that adequate information had been provided for the baseline</p> | <p>Amber: The Applicant welcomes Natural England's agreement on the study area and data gathered for the baseline. The study area defined for the assessment is appropriate for the impacts, pathways and receptors considered and the data collated to characterise the baseline environment area, excepting some uncertainties on black seabream nest locations, is appropriate for the purposes of EIA. The sources of literature, data and publications presented are considered appropriate for fish and shellfish ecology for the purpose of the EIA.</p> |

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| | | | <p>characterisation, and that additional beam and otter trawls were not necessary.</p> | |
| | | | <p>Conducting Drop Down Video surveys outside of the bream nesting season means that the survey outcomes will be limited to confirming only the presence of potential remnant nests and cannot be relied upon to determine the presence or absence of bream nesting. NE will therefore not be in a position to agree with any conclusions on absence or extent of nesting black bream based on surveys undertaken between July and August, which will be based on a lack of visible active nests.</p> | <p>Amber: The assessment presented provides an appropriate baseline for the purposes of EIA. Any information gaps associated with the timing of the baseline survey with respect to bream nesting locations will be addressed through collection of pre-construction survey data to inform nesting areas and the consequent mitigation plan measures associated with offshore cable route design, as noted below.</p> <p>To address the potential variability in bream nest locations, the Applicant has committed to the mapping of principal densities and aggregations of black bream nesting through pre-construction survey, as set out within the Offshore In-Principle Monitoring Plan [APP-240].</p> |
| | | | <p>Natural England does not agree with that there will be no significant risk of hindering the achievement of the conservation objectives in relation to Beachy Head West MCZ (TTS and behavioural impacts due to piling).</p> <p>Further evidence is required on the modelling impacts and the efficacy of noise abatement measures.</p> | <p>Amber: The Applicant is undertaking additional work to provide evidence for the efficacy of the noise abatement measures and this will be submitted to the Examination in due course. In addition, the Applicant has conducted an additional background underwater noise survey to provide further evidence on the adequacy of the mitigation measures proposed, this was submitted to the Examination by the procedural deadline of 16th January 2024.</p> |
| | | | <p>NE does not agree with that there will be no significant risk of hindering the achievement of the conservation objectives of Kingmere MCZ due to Temporary Threshold Shift (TTS) and behavioural impacts due to piling noise.</p> <p>Piling activities from 1st March to 31st July inclusive have the potential to hinder the conservation objectives of Kingmere MCZ for black seabream, and therefore a full seasonal restriction is needed.</p> | <p>Amber: The assessment presented in Chapter 8: Fish and Shellfish Ecology [APP-049], and subsequently in the Marine Conservation Zone Assessment [APP-040], provides a precautionary assessment of the potential for noise emissions to disturb nesting black seabream, concluding that no significant effect will arise on the basis of the application of mitigation as set out in the In Principle Sensitive Features Mitigation Plan [APP-239], which facilitates spatial and temporal zoning for piling activities, as well as noise abatement measures, to avoid significant effects on the species. As a result, the piling will not hinder the conservation objectives for the Kingmere MCZ.</p> <p>The Applicant reiterates that a full piling exclusion from March-July inclusive would have significant issues for the practical development of Rampion 2.</p> |
| | | | <p>In relation to black seabream as a feature of Kingmere MCZ, Natural England does not support a behavioural threshold being derived for black seabream from studies using proxy species or research using playback sound or based on captive fish (rather than in the wild).</p> <p>Natural England does not agree with the use of the thresholds proposed by Rampion 2 for black seabream disturbance.</p> | <p>Amber: The development of an appropriate and precautionary noise disturbance threshold has been based on the best available data and evidence, an approach that aligns with that used in other OWF applications and assessments, which therefore complies with current practice when approaching issues such as scientific data gaps and uncertainties, in order for planning decisions to be made. In addition, the Applicant has conducted an additional background underwater noise survey to provide further evidence on the adequacy of the mitigation measures proposed, this was submitted to the Examination by the procedural deadline of 16th January 2024.</p> |
| | | | <p>Natural England considers the efficacy of the measures in the environmental conditions of the Rampion 2 location has not been satisfactorily demonstrated, and insufficient evidence has been presented to provide certainty that these measures can achieve the levels of attenuation</p> | <p>Amber: The noise abatement mitigations proposed in the In Principle Sensitive Features Mitigation Plan [APP-239], appropriately provides a precautionary level of noise attenuation based on empirical data of noise reductions achieved using these techniques, and importantly combinations of these techniques, at other offshore wind farm sites during foundation piling.</p> |

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| | | | proposed within the specific environmental conditions present at the construction site of Rampion 2. | To help resolve this issue, the Applicant is undertaking additional work to provide evidence for the efficacy of the noise abatement measures and this will be submitted to the Examination in due course. |
| | | | Marine Mammals | Green: The Applicant welcomes agreement with Natural England on all topics related to marine mammals. |
| | | | Agreement of study area and data gathered for the baseline is considered acceptable for assessment. Agreement of assessment methodology. Agreement on appropriate and proportionate measures for the compensation for kittiwakes (if required). | Green: The Applicant welcomes agreement with Natural England on the following issues. |
| | | | Natural England does not agree with Applicant's view that the cumulative effects on great black-backed gull are not significant. | Amber: As requested, the Applicant will consider further options to mitigate impacts with respect to great black-backed gull and where required, engage further on potential options with Natural England. |
| | | South Downs National Park Authority | Significant concern that the conclusion 'no significant effects have been identified on terrestrial ecology features' is based on insufficient survey data, ecological assessment and mitigation proposals. SDNPA therefore disagree with this conclusion. | Amber: SDNPA requests habitat surveys to UK Habitat Classification level 4/5 within the entire proposed Order Limits (plus appropriate buffer). The terrestrial ecology surveys commenced in 2020 during a period when Phase 1 habitat survey was still the typical approach to habitat survey for all developments as mandatory BNG for NSIPs had not yet been adopted as part of the Environment Act 2021. Regardless, the supporting technical information for the Biodiversity Metric 4.0 (Natural England and Other Parties, 2023) provides a conversion table for Phase 1 habitat classifications to (largely) Level 4 as is required by Natural England to measure BNG. The make-up of the terrestrial ecology field survey programme was discussed regularly with SDNPA and other stakeholders between 2020 and 2023 at which time views on survey type and survey effort were requested. Over 90% of the proposed Order Limits have been subject to Habitat survey which is in excess of many similar scale linear major infrastructure projects. Therefore, the level of survey information available is considered adequate for assessment purposes in Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-063]. During the detailed design, the information will need to be updated to inform both decisions on micro-siting and ways of working, as well as detailed BNG calculations. An assessment of temporal and spatial connectivity is requested. Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063] provides an assessment of the effects of fragmentation based on an effort to reduce the level of hedgerow and woodland loss across the onshore cable route to a greater extent than comparative offshore wind farm export cable routes. This effort means that across the onshore route there are linkages across the onshore cable corridor due to trenchless crossings (for example horizontal directional drilling (HDD)) preserving hedgerows, tree lines etc. and small gaps that can be navigated at the time of loss. The timing of loss (see Chapter 4: The Proposed Development, Volume 2 of the ES [APP-045] and the timing of reinstatement [see C-103 of the Commitments Register [APP-254] are broadly |

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| | | | | <p>defined (e.g., losses mainly set to occur during winter periods – due to need to avoid nesting birds) and reinstatement to occur within two years of loss. Further hedgerow specific measures will be defined at detailed design (including construction and reinstatement schedule).</p> <p>The reinstatement, management and monitoring of habitats is described in the Outline Landscape and Ecological Management Plan [APP-232].</p> <p>The Applicant would like to offer SDNPA an Expert-to-Expert meeting to discuss methodology in the hope to alleviate concerns raised.</p> |
| | | | <p>Insufficient evidence has been provided to support the conclusion of no likely significant impact of HDD drilling on chalk streams and chalk grassland habitats, as well as the impact on users of the public rights of way network and open access land.</p> | <p>Amber: HDD is a mitigation that has been used routinely for linear projects (electrical transmission cables and pipelines (e.g., gas, oil and water) for both large infrastructure and smaller scale applications. HDD has been used frequently to cross a range of sensitive ecological features including designated sites, ancient woodland, rivers and other priority habitats. For example, an HDD crossing of 550m through chalk substrate, with a sizeable change in elevation (80 to 90m difference) was successfully completed at Dunstable Downs on the Kensworth to Rugby Pipeline project for CEMEX in 2008 (including crossing part of Dunstable and Whipsnade Downs SSSI). It is also notable that HDD within chalk substrate was carried out successfully on the route of the transmission cable for the Rampion 1 OWF. The approach to minimising and effectively managing the risks of trenchless crossings is outlined in the Outline Construction Method Statement [APP-255] and the Outline Code of Construction Practice [APP-224].</p> <p>An extensive response has been provided to SDPNA for comment and the Applicant will discuss this further with SDNPA.</p> |
| | | | <p>Insufficient evidence provided to demonstrate 25 metre stand-off & HDD 6 metres underneath ancient woodland ground level will not cause the loss or deterioration of this irreplaceable habitat by damaging roots, damaging or compacting soils, increasing levels of air and light pollution, noise and vibration, changing the water table or drainage, damaging functional habitat connections or affecting the function of the woodland edge. Insufficient evidence is provided to support the conclusion of low frac-out risk.</p> | <p>Amber: The 6m rooting depth is based on Forestry Commission (2005) ‘<i>The influence of soils and species on tree root depth</i>’. This states that it is uncommon for roots to penetrate more than 2m and 80-90% of roots are found within the top 60cm of the soil profile. It goes on to state that 90 –99% of a tree’s total root length is within the upper 1m of soil, and that data from wind throws in the October 1987 storm showed no trees with roots below 3m and only 5% had rooting depths greater than 2m. Therefore, the 6m minimum drill depth was chosen to comfortably avoid contact with roots and allow at least 2 to 4m of soil between the roots and path of the drill. The Forestry Commission were directly consulted on this proposed measure and did not object to it during a bilateral meeting with the Applicant.</p> <p>The 25m stand-off is in excess on UK Government guidance on ancient woodland (Natural England and Forestry Commission, 2022) which recommends a minimum buffer of 15m. The additional 10m was added to ensure indirect effects such as run-off and disturbance (noise and light) could be managed. Individual commitments are in place to manage dust, noise, pollutants and light (commitments C-24, C-26, C-76, and C-105 in the Commitments Register [APP-254]). The Applicant considers this a sufficient, and precautionary, distance from ancient woodland in light of the range of commitments to be imposed. It is also worth noting that launch / retrieval of the</p> |

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| | | | | <p>drill on all crossings where ancient woodland or veteran trees are present occur within agricultural fields and therefore compaction and direct effects on a woodland edge ecotone will not occur.</p> <p>The Applicant will ask SDNPA to review and comment on this response.</p> |
| | | | <p>Lack of consideration of effects on Dark Skies in assessment of landscape and visual impact and on sensitive ecological features. Trenchless crossings are in the most vulnerable ecological locations by definition (excepting roads) and are located within a dark skies landscape. As HDD areas will be lit at night during active drilling operations, it is critical that artificial light spill and glare is avoided around sensitive features (woodland/scrub/boundary vegetation/hedges/treelines). A standard construction lighting approach set out in the OCCP is not sufficient.</p> | <p>Amber: Effects of lighting are considered in Appendix 18.2 Viewpoint Analysis, Volume 4 of the ES [APP-168] and Appendix 18.4 Visual Assessment, Volume 4 of the ES [APP-170]. The assessment notes a 'worst case' assessment of the visibility of lights as described in the project description with the assumption that if the landfall site and / or HDD compounds are visible any associated lighting will also be visible regardless of mitigation. A detailed lighting assessment of each trenchless crossing location is not feasible at this stage of the project. This is because the exact location (allowing for limits of deviation) of the trenchless crossing compounds or their size (to some extent determined by the number of circuits) and the type of lighting (many forms of temporary lighting are available and would be specified by the contractors) are not known. Furthermore, time of year and duration of the trenchless crossing (a function of distance, number of circuits and ground conditions etc.) will remain unknown until detailed design. Regardless, commitment C-105 in the Commitments Register [REP1-025] (acknowledging that an updated version of Bat Conservation Trust and Institution of Lighting Professionals guidance (2023) was issued in September 2023)) ensures that suitable steps will be taken during the detailed design phase. Commitment C-200 in the Commitments Register [REP1-015] also advises that where required construction lighting would be limited to directional task lighting positioned to minimise impacts to residents and walkers within the South Downs National Park (SDNP) and informed by BS EN 12464-2:2014 Lighting of outdoor workplaces and guidance provided by the CIBSE Society of Light and Lighting, The Bat Conservation Trust and the Institution of Lighting Professionals. These commitments are secured in the Outline Code of Construction Practice [PEPD-033] Section 4.5 to with which construction lighting design will be developed in accordance. As per paragraph 4.5.5 further detail will be provided in the stage specific CoCP which is for the approval of the relevant planning authority.</p> <p>Within Chapter 22 Terrestrial Ecology and Nature Conservation, Volume 2 [APP-063] potential effects of temporary and localised lighting are assessed for The Arun Valley Ramsar site and Special Protection Area (and constituent Sites of Special Scientific Interest where relevant), The Mens Special Area of Conservation, badger, hazel dormouse, bats, birds (breeding and wintering) and water vole.</p> <p>Further meetings between the relevant teams of experts will be scheduled.</p> |
| | | <p>Sussex Inshore Fisheries and Conservation Authority</p> | <p>Agreement of study area and data gathered for the baseline is considered acceptable for assessment.</p> | <p>Green: Agreement has been reached on all these topics.</p> |

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| | | | <p>No further site-specific fish and shellfish surveys studies required now as consensus has been reached and Sussex IFCA defer to other statutory authorities.</p> <p>Seabass have now been included in the UWN assessment in the Fish and Shellfish ecology ES chapter.</p> | |
| | | | <p>There is a high level of uncertainty regarding the proposed development, due to the extended use of the Rochdale Envelope. This makes it challenging to pass meaningful comments on mitigation measures for installation techniques. Therefore, there is little certainty of the actual environmental impacts of the project and how the developer will mitigate these impacts. Chapter 8: Fish and Shellfish Ecology Through the ETG process, Sussex IFCA stressed that site-specific fish and shellfish surveys were considered more appropriate than solely relying on desk-based studies to inform the baseline assessment. Sussex IFCA remain concerned about the lack of up-to-date site-based survey data and the age of the baseline datasets utilised.</p> | <p>Amber: SxIFCA reiterated that they still remain concerned about the site-specific surveys and desk based data (paragraph 1). Still to be discussed. SxIFCA wish to remain part of the discussions on determining whether the SSS or Desk based studies are more appropriate.</p> <p>SxIFCA request more information from the Applicant on the actual environmental impacts of the project. Applicant states that these are part of Ongoing discussions with Natural England. Applicant will respond with more information once the relevant pre-construction surveys are completed.</p> |
| | | | <p>Sussex IFCA have had serious concerns regarding the likelihood of significant impacts to black seabream during the construction, operation, and maintenance of Rampion 2. The proposed mitigation from sedimentation and noise generation has alleviated some of these concerns however, pre-construction site-specific surveys are needed to inform micro-siting of all elements of construction to minimise the environmental impact. The Authority would also welcome clarity around how the Applicant will be held accountable on any commitments made at this stage in the process.</p> <p>The Authority has concerns about the impact of underwater noise in relation to disturbance of black seabream and would like to see a commitment to noise abatement technology during the nesting season. The threshold for disturbance of breeding black seabream is unknown, therefore we suggest a baseline of background noise occurring during a successful nesting season is used to inform a suitable target for noise abatement mitigation to achieve.</p> | <p>Amber: SxIFCA lack of specific information at this stage on Black Seabream rather than proxy species. Suggested background noise seems to be above the threshold.</p> <p>Applicant still in discussions with Natural England and MMO regarding the method.</p> <p>SxIFCA disagree with general use of proxy species.</p> <p>Noise Disruption to the reproduction cycles for the Black Seabream of particular concern.</p> <p>The Applicant will discuss method of determining noise disruption with Topic Specialists.</p> <p>SxIFCA have requested to be involved in the consultation of the pre-construction surveys. Applicant to look into possible need for separate Marine License.</p> <p>The Applicant to provide clarity after the pre-construction surveys regarding the mitigation methods for potential piling.</p> <p>The Applicant to check how piling noise monitoring is secured for the first 4 piles.</p> |

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| | | | | <p>SxIFCA would like the Applicant to put measures in place for the MMO to ensure that SxIFCA is consulted. This would most likely take part Post Consent. The Applicant will check if there is a mechanism in place.</p> <p>The Applicant will provide clarity where commitments are secured.</p> |
| | | | <p>The impacts from underwater noise to herring is still a serious concern to Sussex IFCA. Herring are deemed highly sensitive, due to a combination of their restricted habitat requirements (they spawn directly onto the seabed) and their sensitivity to underwater sound over large distances. The Authority recommends a seasonal piling restriction to limit disturbance to spawning populations during the spawning season (November-January) or methods such as bubble curtains.</p> <p>The Authority welcomes the opportunity to submit further comments during the examination of the application and wishes to support RWE in determining the scope of the conditional mitigation, the temporal and spatial restrictions together with monitoring requirements of the marine licence. It is important that developments like Rampion 2 should not compromise the Sussex IFCA's ability to maintain and promote sustainable fisheries and protection of the marine environment within the region.</p> | <p>Amber: Applicant is preparing further evidence and will be found in the Applicant's Response to Relevant Representations [REP1-017]. Applicant confirmed that SxIFCA will respond at deadline 2 to any relevant information submitted at Deadline 1.</p> <p>Applicant confirmed that SxIFCA will be able to any relevant information submitted at respond by Deadline 3.</p> |
| | | West Sussex County Council | <p>Ecological impacts of temporary habitat loss and inherent risk of poor reinstatement (failure with tree planting, hedgerow 'notching' and other habitat restoration) are greater than assumed.</p> | <p>Amber: The Outline Landscape and Ecology Management Plan [APP-232] outlines (in Section 5) how habitats will be established, managed and monitored in the long term, with an allowance for adaptive management. The detailed stage specific Landscape and Ecology Management Plans that will be created during the detailed design phase will add further detail and require sign-off by Natural England the relevant planning authorities (which would include WSCC). This information would include a schedule of monitoring and decision-making points that will allow any necessary remedial works to be undertaken in a short timescale. For example, a schedule that monitors a hedgerow in early summer will allow for any failures to be identified, reported and replaced within the following planting season.</p> <p>Appendix 22.15 Biodiversity Net Gain Information, Volume 4 of the ES [APP-193] notes that the first opportunities to deliver new or enhanced habitats will be on the land owned by those that are affected. It is the Applicant's intention to discuss the potential delivery of new or enhanced habitats once detailed design has identified the losses which are expected to be less than those assessed within Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-063].</p> <p>Following discussion with WSCC the Applicant is working to add further detail, clarification and certainty to the Outline Landscape and Ecology Management</p> |

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| | | | | Plan [APP-232]. This will be submitted into the examination at a suitable future deadline. |
| | | | Through being delivered off-site, and by a third party, there are concerns that it will not achieve the intended nature conservation benefits, and in the expected timeframe. | <p>Amber: Biodiversity units provided off-site, calculated via the Statutory Biodiversity Metric, will be provided in line with Government (Defra) guidance and be registered with Natural England. In this way, it will be no different to those development projects delivering mandatory BNG via the Environment Act 2021. Ensuring that all steps of the guidance are followed provides comfort that appropriate steps will be taken to ensure suitable habitat creation and enhancement work is backed up by robust management and monitoring to deliver the necessary biodiversity units. It should be noted that when discussing provision of off-site biodiversity units that they could be delivered within the Order Limits should suitable arrangements with landowners be made during the detailed design phase.</p> <p>The types of biodiversity units to be purchased will reflect the needs of the Proposed Development (e.g. ensure that the trading rules within the metric are met) thereby delivering habitats known to be present and functioning within the locality.</p> <p>Further information on BNG is provided in Appendix 22.15: Biodiversity Gain Information, Volume 4 of the ES [APP-193] also provides Natural England and WSCC with the opportunity to review and approve the units purchased.</p> |
| | | | Advance habitat creation, to be implemented before and during the early stages of construction. | <p>Amber: The Applicant has provided an indicative layout of the habitats to be established on-site at the substation location and at the extension of the existing National Grid connection point. The exact nature and scale of these will need to be flexible at this stage as the design will inevitably change to accommodate the agreed number of turbines / turbine capacity / types of transmission cable etc. As the final Landscape and Ecological Management Plan will be agreed with WSCC before being implemented it is considered there is adequate opportunity for WSCC to influence the design post consent.</p> <p>For off-site habitat creation this will not be known until detailed design has highlighted the quantity and type of biodiversity units required. It is noted that Appendix 22.15: Biodiversity Gain Information, Volume 4 of the ES [APP-193] that 70% of the biodiversity units required delivered ahead of the commencement of construction for each stage of the delivery (e.g. based on stage specific detailed design).</p> |
| | | | There is insufficient detail in the OLEMP regarding advance planting, habitat reinstatement, planting specifications and programme, and maintenance and monitoring specifications. | Amber: The Outline Landscape and Ecology Management Plan [APP-232] will be amended and shared with WSCC, and further discussions held. |
| | | | Unknown impact/reasoning on arboricultural features. | Amber: Annex B (Arboricultural Impact Plan) of the Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [APP-194] will be updated to identify temporary and permanent access points and will be published. |

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| | | | | Further meetings between the relevant teams of experts will be scheduled. |
| | | | Loss of significant arboricultural features. | <p>Amber: A calculation rate for the replacement of individual trees to be removed is presented as a function of their current stem size within the Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [APP-194] and secured by Commitment C-286 of the Commitment Register [APP-254]. In this way the amount of replacement planting would respond to the scale of impact and mean that up to 14 new trees would be provided for the loss of a single tree at Oakendene Substation in some instances. The full extent of replacement planting has not yet been designed but will be incorporated into future landscape plans based on a detailed design. Measures to mitigate the loss and disturbance of the features and niche habitats that contribute to the 'approaching veteran status' of several of the trees are also embedded into the scheme. Section 8.6 of the Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [APP-194] describes a hierarchy of options that minimises both the displacement and processing of arisings (cut timber and vegetation). Through the implementation of this hierarchy, features of habitat value on felled trees would be retained intact and would be relocated to the nearest suitable location. It would also be possible to simulate the existing habitat arrangement and conditions in some instances, for example by installing cut timber at the same orientation and/or height as it is currently growing. This information will be presented as part of a set of stage specific Arboricultural Method Statements at the detailed design stage in accordance with Commitment C-282 of the Commitments Register [APP-254] and ensured by the Ecological Clerk of Works under commitment C-207.</p> <p>T1273 would need to be removed if the compound moved to the far south-west of the Limits of Deviation.</p> <p>T1236 would need to be removed if the Alternative Crossing Compound is used and the compound moved to the far south of the Limits of Deviation.</p> <p>A historic landscape assessment of the historic parkland at Oakendene was undertaken in line with WSCC consultation response, which is presented in Appendix 25.5: Oakendene parkland: historic landscape assessment, Volume 4 of the ES [APP-211]. This exercise informed the design process and the assessment of effects presented in Chapter 25: Historic Environment, Volume 2 of the ES [APP-066].</p> <p>The assessment also took account of the measures proposed in Outline Landscape and Ecology Management Statement [APP-232], detailing the indicative landscape plan and design principles, which have been formed with consideration to the setting of Oakendene Manor.</p> <p>Further meetings between the relevant teams of experts will be scheduled.</p> |
| | | | Loss of potential woodland within the County. | <p>Amber: The Applicant is not aware of any land formally allocated for large scale woodland planting. Defra's MAGIC Interactive Map was assessed during the preparation of the Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [APP-194] but no active woodland grant scheme</p> |

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| | | | | <p>applications were identified that would be affected by the Proposed Development along the Oakendene to Bolney substation cable route. Local landowners have noted that they aim to plant trees to the east of Oakendene. In this area the width of the cable corridor has been reduced to minimise land take (noting that a maximum of two cables will be required between the substation and grid connection point).</p> <p>Further meetings between the relevant teams of experts will be scheduled.</p> |
| | | | Removal or damage caused to hedgerows including those determined as 'important'. | <p>Green: The Tree Preservation Order and Hedgerows Plan [APP-013] shows important hedgerows that are identified in Chapter 22: Terrestrial Ecology and Nature Conservation, Volume 2 of the ES [APP-063] and Chapter 25 Historic Environment, Volume 2 of the ES [APP-066]. This has led to some confusion as a consolidated list of important hedgerows was not provided in a single location. The Tree Preservation Order and Hedgerows Plan and Figure 7.2.1 of the Outline Code of Construction Practice [APP-224] have also been reviewed and a small number of discrepancies identified. These have been corrected.</p> |
| | | | Unsuitable methods of notching. Negligent aftercare and commitment to care requirements during movement of hedgerows. Unknow suitability of method for the hedgerows proposed for this technique. | <p>Amber: Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [APP-194] states that '<i>the ability to successfully implement 'notching' will be assessed on a case-by-case basis as part of further survey to support the development of a detailed design. This will include mapping of the individual component trees within hedges and groups to allow tree removal and retention around notches to be shown on the final tree removal plans with a higher resolution than exists in this assessment.</i>' This information will be presented as part of a set of stage specific Arboricultural Method Statements at the detailed design stage in accordance with Commitment C-282. The methodology for notching and any required aftercare for reinstated hedgerows and treelines will be detailed within a Landscape and Ecological Management Plan in accordance with Commitment C-286.</p> <p>The Applicant is preparing clarification on postconstruction monitoring, reporting and remedial actions to also address this concern.</p> <p>The Applicant welcomes that WSCC noted their support for introducing innovation by implementing notching and translocating hedgerows in a bilateral meeting on 13.12.23. WSCC clarified that they are not asking for this to be dropped by the Applicant.</p> |
| | | | Essential planting rates stated not being secured as a requirement within the DCO. Further Comments: WSCC generally support the tree protection measures and essential replacement planting strategy set out within the environmental mitigation section of the arboricultural impact assessment (AIA). Stage-specific landscape and ecological management plans (LEMP) will require the delivery of arboricultural method statements, tree protection plans and landscaping plans; however, WSCC request the outline landscape and | <p>Green: The Outline Landscape and Ecology Management Plan [APP-232] will be amended to incorporate the replacement planting rates stated within the AIA and better define a planting strategy. This will be published in advance of the examination.</p> <p>The Applicant welcomes that WSCC noted their support the tree planting methodology itself in a bilateral meeting on 13.12.23.</p> |

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| | | | ecological management plan and outline code of construction practice are amended to secure the delivery of the LEMP (and relevant contents mentioned above) in accordance with the submitted AIA. | |
| | | | Enhancement of existing features were expected as mitigation. | Amber: The ability to deliver enhancement planting is dependent on landowner agreement. Without a detailed design, agreeing to any enhancements with any given landowner would be difficult. The Appendix 22.15: Biodiversity Net Gain Information, Volume 4 of the ES [APP-193] allows for discussion with landowners in the first instance to deliver enhancements, compensation and gain (through the calculation of BNG using the Biodiversity Metric 4.0 (Natural England and Other Parties, 2023)) which will involve tree and hedgerow planting. It is the Applicants intention to discuss the potential delivery of new or enhanced habitats once detailed design has identified the losses which are expected to be less than those assessed within the Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [APP-194]. |
| 7 | Historic Environment | West Sussex County Council | The level of effect upon the settings of above-ground heritage assets particularly, but not limited to the setting of Oakendene Manor. | Amber: In accordance with relevant guidance, and the methodology described in Section 25.8 of Chapter 25 Historic Environment, Volume 2 of the ES [APP-066]. It was not possible to secure landowner access for a photograph viewpoint directly from Oakendene Manor, but a viewpoint was obtained from a public right of way, with a view of the substation site and the manor (Figure 18.12 Volume 3 of the ES [APP-099]). This informed the assessment, along with baseline information on the Oakendene historic parkland and the topography of the site. The assessment also took account of the measures proposed in Outline Landscape and Ecology Management Statement [APP-232], detailing the indicative landscape plan and design principles, which have been formed with consideration to the setting of Oakendene Manor. West Sussex County Council strongly feels that further assessment is justified and required, as it would quantify the likelihood and severity of potential harm to nationally significant heritage assets of archaeological interests. This would allow PINS to more fully and accurately assess the impacts of the Project upon the historic environment. Further discussion with the Applicant will be required. |
| | | | Lack of archaeological field evaluation. | Amber: Geophysical survey results for LACR-01d were not available at the time of the PEIR FSIR consultation and therefore the lack of prior trial trench evaluation appears to have been a decision based more upon timing than upon a demonstrable lack of archaeological potential. possibly prehistoric) date. The absence of geoarchaeological investigations means the depth of overburden within dry valleys remains unknown and the accuracy of the geophysical survey results is therefore unconfirmed. This is still to be agreed with West Sussex County Council and further discussions to be scheduled. |
| | | Mid Sussex District Council | The proposed extension to the existing substation will have a degree of less than substantial harm in respect of the special interest of identified heritage assets. Consideration should be given to further planting around the site to mitigate | Amber: A minor adverse, not significant effect assessed, considered less than substation harm. Mid Sussex District Council has stated that they agree with that interpretation of the Applicant's position. |

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| | | | any negative impact on views from the PROW to the east, and Bob Lane to the south. | <p>Amber: The Applicant disagrees with Coombe House's inclusion.</p> <p>Mid Sussex District Council stated that as the proposal affects the approach to Coombe House, there is a low-level impact (lower though than Twineham Court Farmhouse). MSDC have suggested the possibility of mitigation screening to address this historic environmental concern. This concern will be covered in the Local Impact Report. Both parties agree that screening planting as proposed in the LEMP would mitigate impacts.</p> <p>Further meetings between the relevant teams of experts will be scheduled.</p> |
| | | | Mid Sussex District Council consider that the site of the proposed substation extension has some limited positive contribution to the setting of each of these heritage assets. 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. | |
| | | South Downs National Park Authority | The risk to areas of known highly significant archaeology have not been appropriately weighted, investigated and assessed through the selection process for the cable corridor or the final assessment of the proposed development. | <p>Amber: The Outline Onshore Written Scheme of Investigation (WSI) [APP-231] sets out the methodological approach for archaeological investigations which ensures further investigation will be undertaken prior to construction. Engagement will be undertaken with South Downs National Park Authority to provide comment/input to this document which will be updated and finalised during the Examination.</p> |
| | | | Lack of consideration of historic landscape character in assessment. Likely missing effects cannot be considered to inform appropriate mitigation strategy. | <p>Amber: The Local Authorities have been invited to suggest and evidence how s106 funding would mitigate specific identified harms.</p> |
| | | Historic England | Inadequate onshore archaeological baseline assessment and evaluation. | <p>Amber: Taking a landscape approach and considering all available desk-based and geophysical survey data, Chapter 25: Historic Environment, Volume 2 of the ES [APP-066] identifies a high potential for archaeological remains of high heritage significance within the area of the South Downs. The assessment presented in Chapter 25: Historic Environment, Volume 2 of the ES [APP-066] is based on a worst case scenario. The Applicant invites Historic England to provide further comment specific to those commitments which are of concern.</p> |
| | | | Inaccurate assessment of magnitude of impact and significance of effect. | <p>Amber: The Environmental Statement Chapter 25: Historic environment, Volume 2 [APP-066] provides an assessment of effects in the absence of further mitigation. An agreed scheme of archaeological investigation, recording and dissemination, following any mitigation by detailed design, would still result in loss or truncation of archaeological remains but the archaeological interest would be preserved by record before the loss occurs.</p> |
| | | Arun District Council | The impact on Listed buildings at No's 45-47 South Terrace, locally listed buildings at 4, 8-95 South Terrace & 16 Granville Road and South Terrace Area of Character. | <p>Amber: No's 45-47 South Terrace, identified as 6, St Augustine's Road (NHLE 1191074) within Table 5.1, Appendix 25.7: Settings assessment scoping report, Volume 4 of the ES [APP-213], is scoped out of the Environmental Impact Assessment. Arun District Council's historic environment officer has stated that they do not have anything further to add on this at this stage.</p> |
| 8 | Landscape, Visual and Seascape Effects | South Downs National Park Authority | Significant concern that the geographic extent of effects on landscape character is underestimated and therefore effects are downplayed. | <p>Amber: The Applicant does not agree that the geographic extent has been underestimated. Appendix 18.1: Landscape and visual impact assessment methodology, Volume 4 of the ES [APP-167] sets out the methodology for this part of the assessment.</p> |

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| | | | | An Expert to Expert Meetings will be held to address this issue. |
| | | | Limited consideration of perceptual qualities in assessment. This is likely to have resulted in missing effects and therefore has not sufficiently informed an appropriate mitigation strategy. | <p>Amber: The key baseline characteristics of each Landscape Character Assessment including any perceptual qualities such as tranquillity, views, and aesthetics have been recorded and included in the assessment of landscape sensitivity assessment where relevant. The exception to this is in relation to the assessment of effects on the South Downs National Park (SDNP) which provides an assessment of the SDNP Special Qualities. It is not therefore agreed that there are 'missing effects'. Local authorities are invited to suggest and evidence how s106 funding would mitigate specific identified harms.</p> <p>An Expert to Expert Meetings will be held to address this issue.</p> |
| | | | Significant concerns over assessment of construction effects, which are assessed as 'negligible to zero' on South Downs Integrated Landscape Character Area (LCA) I3 Arun to Adur Scarp Down. It is difficult to see how this conclusion has been reached given the construction immediately abuts this LCA above and below scarp, as well as going under. Scarp area is open access land. | <p>Amber: The construction effects on this LCA are assessed as "Negligible to Zero" in Appendix 18.3: Landscape Assessment, Volume 4 of the ES [APP-169]. This is mainly because the project description defines that this section of the onshore cable corridor will be underground during the construction due to the use of trenchless crossing techniques. Therefore, there can be no direct significant effect on this LCA. It is therefore not agreed that Chapter 18: Landscape and visual impacts, Volume 2 [APP-059] / Commitment Register [APP-254] needs amendment in respect of these areas.</p> <p>An Expert to Expert Meetings will be held to address this issue.</p> |
| | | | It is not clear how views have been selected and assessed in respect of the effect on landscape character, including tranquillity. | <p>Amber: The viewpoint selection process is set out on pages 78-79 of Chapter 18: Landscape and visual impacts, Volume 2 [APP-059] and the viewpoint assessment process is described in Appendix 18.1: Landscape and visual impact assessment methodology, Volume 4 of the ES [APP-167]. Attention is also drawn to the 'Limitations of Visualisations' on page 46 of Appendix 18.1: Landscape and visual impact assessment methodology, Volume 4 of the ES [APP-167].</p> <p>An Expert to Expert Meetings will be held to address this issue.</p> |
| | | | <p>At the Third Statutory Consultation Exercise (Further Supplementary Information Report – 2023) the SDNPA advised micro-siting of viewpoints be undertaken in consultation with Stakeholders.</p> <p>This has not taken place and viewpoint locations have not been agreed.</p> | <p>Amber: The Applicant considers that the suite of viewpoints and visualisations related to the SDNP (both within its boundary and from the surrounding area) provide a range of illustrative material to accompany the LVIA depicting a variety of receptors and different LCAs at various distances and directions, including 'worst case' examples. The Applicant maintains that the viewpoints selected are proportionate and appropriate. Should the SDNPA wish to advise on further micro-siting of specific viewpoints, the Applicant will continue to engage with SDNPA to refine the locations where we reach agreement for this to be necessary.</p> <p>An Expert to Expert Meetings will be held to address this issue.</p> |

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| | | | <p>Sequential testing viewpoints do not adequately reflect the continuous views as a visual receptor moves along the South Downs Way available that will be affected by the proposals. The SDNPA therefore considered the impacts on receptors have been underestimated.</p> | <p>Amber: The use of sequential viewpoints along the South Downs Way to support and illustrate the LVIA was set out at PEIR and Scoping and was not disputed. Use of kinetic viewpoints was not raised during consultation. The Applicant does not accept that the visual effects on views from the South Downs Way as experienced by people on this route is underestimated. The assessment has been based on a combination of desk and site-based assessment. The Applicant will continue to engage with SDNPA and explain this part of the assessment in more detail.</p> <p>It is therefore not agreed that additional kinetic viewpoints are needed or that the LVIA presented in Chapter 18: Landscape and Visual Impact, Volume 2 of the ES [APP-059] or the Commitment Register [APP-254] needs amendment.</p> <p>An Expert to Expert Meetings will be held to address this issue.</p> |
| | | | <p>Significant concerns over likely success of proposed hedge notching. The examples cited for use of the technique in the Lake District and Norfolk Broads are not likely to have encountered the challenges of dry, free draining chalk soils. No proven testing undertaken to evidence proposals. If this would not work, the landscape, ecological and visual impact would be significant. Clarity required to explain why 6m width notching technique cannot be used for all hedges regardless of importance.</p> | <p>Amber: The Outline Code of Construction Practice [PEPD-033], commitment C-115 and the assessment in Chapter 22 Terrestrial Ecology and Nature Conservation, Volume 2 of the ES [APP-063] therein describe the approach to hedgerow notching. In response to Relevant Representations the text for C-115 has been amended to ensure it is easier to understand.</p> <p>An Expert to Expert Meetings will be held to address this issue.</p> |
| | | | <p>Despite significant Proposed Whole Development Effects being identified in section 18.2, these appear to be omitted in Chapter 18, therefore we disagree with the conclusions in terms of the effect of the proposed development, both during construction and once operational.</p> | <p>Amber: The Applicant confirms that 'Whole Project' effects are identified and assessed in Appendix 18.2: Viewpoint Analysis, Volume 4 of the ES [APP-168] and they are also assessed in relation to the onshore cable in Appendices 18.3: Landscape Assessment, Volume 4 of the ES [APP-169] and 18.4: Visual Assessment, Volume 4 of the ES [APP-170]. Chapter 18: Landscape and Visual Impact, Volume 2 of the ES [APP-059] refers to 'Whole Project' effects in respect of the Oakendene Substation and the Existing National Grid Bolney Substation Extension and provides a summary in relation to the onshore cable in paragraphs 18.11.31, 41, and 59. The 'Whole Project' effects combine the SLVIA and LVIA and the onshore elements are mitigated. Further mitigation and compensation measures are not considered by the Applicant to be necessary in respect of onshore, although as noted in response to SDA-03, the Applicant will continue to engage with SDNPA on this matter and discuss options for compensatory measures.</p> <p>An Expert to Expert Meetings will be held to address this issue.</p> |
| | | <p>Natural England</p> | <p>The Development will have Significant landscape impacts on SDNP due to onshore cable installation. Natural England advises that due to the substantial lack of credible and detailed evidence in relation to the mitigation proposed, the assessment of effects as set out in the LVIA cannot be relied upon, and that there will be significant residual adverse landscape and visual effects on the</p> | <p>Amber: The LVIA concludes that the short duration, reversibility and limited effect on landscape elements (during operation) would not lead to an effect on the integrity of the SDNP.</p> <p>Mitigation relied upon to reduce the residual landscape and visual effects relates to the use of credible and robust techniques, including trenchless crossing techniques (e.g., HDD) and combinations of retaining and reinstating</p> |

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| | | | <p>SDNP and on its special qualities, setting or integrity. Further information needs to be provided to evidence that the proposed mitigation measures are feasible and effective.</p> | <p>vegetation through construction design, programming, 'notching', and replanting.</p> <p>It is common LVIA practice to rely on landscape mitigation and reinstatement to reduce residual effects of development post construction. The reinstatement of hedges is a credible and robust technique for mitigation.</p> <p>The Applicant will continue to engage with Natural England on these points.</p> |
| | | <p>West Sussex County Council</p> | <p>SLVIA viewpoints, SLVIA worst-case scenario, SLVIA Assessment – PEIR, SLVIA assessment conclusions on significant effects and a lack of night-time view assessment for West Sussex receptors outside of the International Dark Sky Reserve (IDSR).</p> | <p>Green: The Applicant and West Sussex Council have reached agreement on these topics.</p> |
| | | | <p>SLVIA assessment professional judgement - It is recognised that some elements are matters of professional judgement, however, in some cases it is considered that these may have been downplayed, specifically with regards to receptors along the West Sussex coastline.</p> | <p>Amber: General agreement was noted regarding the assessment detail, method, information and impacts assessed in the PEIR. While noting that there are some differences in professional judgement of specific receptor assessments, there was agreement on the concluding findings of the PEIR assessment. The updated assessment of effects of Rampion 2 on seascape, coastal landscapes and views experienced by people (receptors) in West Sussex are assessed in Chapter 15: Seascape, Landscape and Visual Impact, Volume 2 [APP-056] Section 15.10 (O&M effects). The spatial extent of the Rampion 2 array area has been reduced and designed according to a set of SLVIA specific design principles (Chapter 15: Seascape, Landscape and Visual Impact, Volume 2 Section 15.7) which provide embedded environmental measures by reducing the magnitude (scale) of effects and minimising harm on the perceived seascape qualities and views.</p> |
| | | | <p>Confirmation a worse case Maximum Design Scenario has been assessed.</p> <p>The Maximum Design Scenario has balanced the number of turbines between both Zone 6 and the western Extension Area. If the DCO does not secure the location or placement of these, has the worst case been assessed for the receptors of West Sussex.</p> | <p>Amber: The Applicant welcomes WSCC's feedback on the appropriate detail and usefulness of the SLVIA presented in Chapter 15 of the ES. The Applicant has produced and submitted a 'Seascape, Landscape and Visual MDS Clarification Note' which will be submitted at Deadline 1(SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037]) which provides further justification that the MDS, with a balance of turbine numbers between the Zone 6 and western Extension Area, is representative of the worst case in terms of seascape, landscape and visual effects.</p> |
| | | | <p>Concerns about the layout and extent of offshore wind turbines and the securement of a Project with lesser impacts to receptors in West Sussex.</p> | <p>Amber: The spatial extent of the Rampion 2 array area has been reduced and designed according to a set of SLVIA specific design principles (ES Chapter 15, Section 15.7) [APP-056] which provide embedded environmental measures by reducing the magnitude of effects and minimising harm on the perceived seascape qualities and views, focusing particularly on the SDNP. Opportunities to reduce effects through further design principles specific to West Sussex are limited by the technical, economic and functional requirements of the Project to produce renewable energy, as well as other environmental factors. The Applicant submitted a Seascape, Landscape and Visual Design Principles</p> |

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| | | | | Clarification Note' at Deadline 1 (SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037]), which provides further commentary on these SLVIA specific design principles. |
| | | | The Application downplays the potential visual and landscape impacts of construction activities, with too strong a reliance on it being short term, and reinstatement being phased/carried out as soon as possible (with reference to Commitments C7 and C19). | Amber: The LVIA has assessed the maximum or 'worst case' related to the onshore cable construction works (active haul road with cable trenching / laying) and that level of effect is recorded for the assessment. In describing the nature of the effect, the LVIA recognises that the onshore development will be subject to phases of development and progressive restoration – so the effects would reduce during the construction period according to the phasing. Therefore, significant effects are not 'downplayed'. |
| | | | Viewpoint locations (and associated visualisations) at Oakendene substation, cable route and compounds are lacking, and/or not representative of worst-case impacts. | Amber: The Applicant does not accept that the locations are lacking or that they are not representative of the realistic worse-case impacts. The Applicant does not accept that there is "too strong a reliance on specific selected viewpoint locations". There is a practical difficulty in positioning viewpoints too close to a development to the extent that they cannot be viewed in their landscape context and the whole of the image would be taken up by a close-range image of development which cannot be modelled at a detailed level and would extend beyond the confines of the image. Receptors this close to development obviously have a high magnitude of change and that is reported in the LVIA where this occurs. Viewpoints at further distance are considered more useful in that they help to define the outer geographical extent of significant effects. |
| | | | There is a need to provide a full assessment/quantification of all landscape visual receptors impacted which will be wide ranging as indicated by Zones of Theoretical Visibility (ZTVs), and to recognise that selected viewpoints are only indicative of impacts for a limited proportion of receptors affected. | Amber: The LVIA in Chapter 18: Landscape and visual assessment, Volume 2 [APP-059] provides a full assessment of landscape and visual receptors if read as a whole with all of the Appendices (Appendix 18.1 Landscape and visual impact assessment methodology, Volume 4 [APP-167] to Appendix 18.6: Viewpoint directory, Volume 4 [APP-172]). This is regardless of whether there is a viewpoint to illustrate this or not, i.e., the Applicant has not limited the LVIA to only those receptors at the viewpoints. |
| | | | The RVAA is not fit for purpose, with an unclear methodology and conclusions drawn which lack objectivity. Recognises that it is possible that other residential properties not included in the RVAA may be significantly affected but has only considered those 'most affected' – Contrary to that suggested this is not consideration of a 'worst case' scenario. Concern about lack of views from upper floors, and not clear how conclusions of RVAA (in terms of the magnitude of visual impacts) has been factored into the LVIA. Impacts on visual receptors underplayed. | Amber: The methodology for RVAA accords with the advice in the Landscape Institute's Residential Visual Amenity Assessment Technical Note 2/19, 15 March 2019. The Applicant will set up a specific engagement session with WSCC on this point as per the stakeholder's request. |
| | | | Lack of detail/clarity in the Design and Access Statement. At present design principles (which it is assumed will be tied to detailed design and 'requirements') are not presented in a clear manner relevant to each topic, or confusingly overlap. No engagement on these principles | Amber: The Indicative Landscape Design for the Oakendene Substation and its design principles are set out in the DAS [AS-03] and further expanded on in the Outline LEMP [APP-232]. The landscape design work was undertaken by chartered landscape architects in conjunction with the wider EIA Team. Opportunity for further design review will emerge through the DCO process. |

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| | | | has been undertaken or clarity on any independent design review. Design elements within the outline landscape plan need securing and further developing. | Notwithstanding the above it is agreed that a consolidated table of design principles can be provided to draw all of this into one place – it could be ordered by topic or phase etc. |
| | | | WSSC has a significant concern about option LACR-01d taken forward by the Applicant. The archaeological sensitivity of this section of the route is exceptionally high. | Amber: Paragraphs 3.4.55 to 3.4.67 of Environmental Statement - Volume 2 Chapter 3 Alternatives [APP-044] provides a detailed description of the justification for the route selection in this location. This includes comparison of alternatives to selected route. As presented in Environmental Statement - Volume 2 Chapter 3 Alternatives [APP-044] paragraphs 3.4.63 and 3.4.66 and the bullet points that follow these, each of the alternative routes presented pass through Archaeological Notification Areas (ANAs) with potential or known archaeological remains of high heritage significance. The high potential for archaeological remains of high heritage significance in the SDNP was given substantial weight (based on their potential and known archaeological significance) in the decision-making process, in accordance with the protection afforded by policy in NPS EN-1 (2011). Based on the available historic environment evidence, when comparing the environmental effects or policy outcomes during the decision-making process, there was no material difference for each route for archaeology. |
| | | Mid Sussex District Council | Queries were raised regarding the National Grid Bolney Substation Extension Landscape Mitigation Management Plan and reducing the loss of vegetation. | Green: Mid Sussex District Council is happy with the Applicant's position on all landscape issues. |
| | | Horsham District Council | Outline Landscape and Ecology Management Plan (LEMP) and the Landscape and Visual Impact Assessment methodology. | Amber: HDC will issue the comments on the LEMP and will progress on the back of the LVIA Expert meetings. |
| | | | Concerns regarding the substantial size of the compounds and limited detail to their use and length of time in operational use. | Amber: The Applicant proposes to amend Commitment C-68 of the Commitments Register [APP-254] subject to agreement with HDC. Horsham District Council to review and confirm this is agreed by 22 February 2024. Still an ongoing point of discussion |
| | Arun District Council | The spatial extent is greater than Rampion 1 and ADC continues to have significant concerns regarding the scale relative to the proximity to the coastline and the resulting significant visual effects. | Amber: The Applicant considers that the visual impacts of the proposed development are outweighed by the significant scheme benefits, expressed in the Planning Statement [APP-036], and thus compensation is not required to make the proposal acceptable in planning terms. ADC have noted the comment- ADC would like the Local Impact report reviewed and recognised. ADC have now issued the Local Impact Report). The Applicant and ADC to discuss compensation measures. | |
| 9 | Traffic and Access | West Sussex County Council | Concern about the number temporary accesses particularly onto rural roads and the A283. | Amber: Temporary construction accesses will be designed in accordance with Standards for Highways (2023) Design Manual for Roads and Bridges (DMRB) guidance and to meet relevant West Sussex County Council requirements where appropriate. This is an ongoing point of discussion. |

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| | | | Locations are identified as requiring access via single track roads. No mitigation or management measures are detailed. | Amber: Eight temporary passing places are proposed for Michelgrove Lane which would reduce disruption during the construction period for other road users. This is an ongoing point of discussion. |
| | | Horsham District Council | The key concern is that the Construction Traffic Management Plan does not account for emissions of the on-road and off-road construction traffic. | Amber: Air Quality Mitigation plan line will be updated to reflect the updated report. The Applicant has published this at Deadline 1. |
| | | | The amount of temporary accesses, this was an point previously questioned by West Sussex County Council. The Applicant should seek to reduce the number of accesses or justify the need and purpose for those accesses shown. | Amber: Temporary construction accesses will be designed in accordance with Standards for Highways (2023) Design Manual for Roads and Bridges (DMRB) guidance and to meet relevant West Sussex County Council requirements where appropriate. The Applicant have confirmed to HDC that there is no intention to do anything to the existing accesses. Horsham District Council will respond in the coming weeks. |
| | | | Locations are identified as requiring access via single track roads. No mitigation or management measures are detailed. | Amber: The Applicant to address action from the hearing regarding Kent Street. |
| | | Arun District Council | Concerns regarding the potential noise effects of heavy good vehicles (HGV) movements on existing quiet residential road. There is a lack of data provided to support assumptions. | Amber: The Applicant clarified that construction access is not being straight through Benjamin Gray Drive. Arun District Council are to discuss with traffic team. |
| | | Mid Sussex District Council | The environmental effects of the construction traffic impact, Appropriate mitigation through a detailed Construction Traffic Management Plan, the use of the existing access onto Wineham Lane for the construction/operational phases of the substation extension and the principle of Low Carbon Energy Schemes provided that any adverse local impacts, including cumulative impacts, can be made acceptable. | Green: Mid Sussex District Council is happy with the Applicant's position regarding traffic and access topics. |
| | | South Downs National Park Authority | The SDNPA has concerns regarding the impact on the local highway network during construction for both the onshore and offshore aspects of development, and the Public Rights of Way Network within the National Park. | Amber: A detailed assessment of the construction impacts of the Proposed Development on the local high network is provided in Chapter 23: Transport, Volume 2 of the ES [APP-064]. This is still an ongoing point of discussion. The Applicant has confirmed they are working with West Sussex County Council and are happy to have most road safety audits completed post consent. SDNPA has flagged that there are still issues regarding public rights of way which they will expand upon in this SoCG and that their Written reps and Local Impact Report will also focus more on these issues. They have also flagged that the transport assessment chapter doesn't reference the SDNPA local plan at all. SDNPA have stated that they will discuss internally. |

| Ref | Topic | Interested Party | Summary of Issues | Likely Progress |
|-----|-------|-------------------|---|---|
| | | National Highways | Concerns were raised regarding the Proposed Development's Compliance with DfT Policy C1/22. | Green: The main transport effects are temporary and during construction period, National Highways is satisfied that sufficient is being done by the Applicant to ensure compliance with C1/22. |

