

# **Rampion 2 Wind Farm Category 8: Examination Documents Applicant's Response to Affected Parties' Written Representations**

**Date: March 2024  
Rev A**

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## Document revisions

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# Executive Summary

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At Deadline 1 of the Examination for Rampion 2 Offshore Wind Farm Project, Interested Parties were invited to submit Written Representations and Post-hearing submissions following Issue Specific Hearing 1 (held 07 to 08 February 2024) into the examination. A total of 44 Written Representations were received from Affected Parties.

Rampion Extension Development Limited (the 'Applicant') has taken the opportunity to review each of the Written Representations received from Affected Parties, this document provides the Applicant's responses and has been submitted for Examination Deadline 2.

# 1. Introduction

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## 1.1 Project Overview

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

## 1.2 Purpose of this document

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

## 1.3 Structure of the Applicant's Responses

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

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

1.3.2 Each section below includes responses to the submissions received from Affected Parties. Each response is identified in the relevant table:

- Alan David Lewhellin Griffiths and Janice Elizabeth Griffiths: **Table 2-1**;
- Alec Lauder: **Table 2-2**;
- Ancleggan Ltd (One Planet): **Table 2-3**;
- Andrew Porter: **Table 2-4**;
- AQUIND Limited: **Table 2-5**;
- Country Land and Business Association (CBA): **Table 2-6**;
- Emily Ball: **Table 2-8**;

- Frederick Turok: **Table 2-9**;
- Grahame Rhone Kittle: **Table 2-10**;
- Green Properties (Kent & Sussex) Ltd: **Table 2-11**;
- HJ Burt: **Table 2-12**;
- James Smethurst: **Table 2-13**;
- Meera Smethurst: **Table 2-17**;
- National Grid Electricity Transmission Plc: **Table 2-19**;
- National Trust: **Table 2-20**;
- Paul Lightburn: **Table 2-22**;
- Richard Napier Luce: **Table 2-23**;
- Ronald Alan Leggett: **Table 2-24**;
- Simon Kilham: **Table 2-25**;
- Susie Fischel: **Table 2-26**;
- Thomas Ralph Dickson: **Table 2-27**; and
- Wiston Estate, Richard John Goring, Richard Harry Goring, P Goring, Wiston Estate Partnership, Rock Common Limited: **Table 2-28**.

## 2. Applicant's Response to Affected Parties

**Table 2-1: Applicant's Response to Alan David Lewhellin Griffiths and Janice Elizabeth Griffiths [REP1-063]**

Ref	Comment	Applicant's Response
2.1.1	<p>We submitted representations to you on behalf of the above clients last October (RR003) which set out in outline our clients' deep concerns with this scheme as submitted in the DCO application.</p> <p>We now write with more detailed comments.</p>	<p>The Applicant notes the comments within this Written Representation.</p>
2.1.2	<p><b>1. General comments on the cable route</b></p> <p>In the Open Floor Hearing on 6th February, there was discussion over the route chosen for the onshore cables by RWE, including reference to the cable route used for the Rampion 1 scheme. Choice of route is dictated by choice of connection point into the National Grid, the 3 options mentioned being:-</p> <p>i) at Wineham (as for the Rampion 1 scheme and as for the DCO application as currently shown)</p> <p>ii) at Fawley on Southampton Water</p> <p>iii) on the coast at Dungeness</p>	<p><b>Chapter 3: Alternatives, Volume 2</b> of the Environmental Statement (ES) [APP-044] describes the alternatives studied by the Applicant and a comparison of their environmental effects across the project as a whole. This includes the alternatives considered and consulted on prior to the DCO Application. As described in <b>Chapter 3 Alternatives, Volume 2</b> of the ES [APP-044], the Proposed Development has been developed through a multi-disciplinary design process including environment, engineering, landowner, and cost considerations. The Applicant has sought to avoid, reduce, or minimise the effects through the design process and also by identifying and securing embedded environmental measures. It is acknowledged that some residual effects remain. The Applicant notes that paragraph 4.4.1 NPS EN-1 (2011), against which the Proposed Development is to be assessed, states there is no "<i>general requirement to consider alternatives or to establish whether the proposed project represents the best option</i>". This is reflected in paragraph 4.3.9 of NPS-EN1 (2023), which came into force in January 2024. Some specific policies require consideration of alternatives such as those in relation to development in a National Park as per NPS EN-1 (2011) 5.9.10 and NPS EN-1 5.10.32 which has been considered and included in the <b>Planning Statement [APP-036]</b>.</p> <p>The Applicant has set out the further information on reasons for discounting grid connections at Fawley and Dungeness in the post-hearing submission ISH1 <b>Appendix 1 - Further Information for Action Point 3 – Fawley and Dungeness [REP1-019]</b>.</p> <p>The Applicant considered using the route of the Rampion 1 export cable for its own export cable, which is described in Section 3.4 of <b>Chapter 3: Alternatives, Volume 2</b> of the Environmental Statement (ES) [APP-044]. This found that the route was heavily constrained, and it would not have been possible to place new cables alongside the existing – see paragraph 3.4.18 and Table 3-5.</p> <p>At the time of investment in 2015, there was no immediate prospect of future Crown Estate leasing rounds for this area. The Crown Estate first suggested a round for extension proposals in 2018. The industry regulator requires every project to be designed and invested in an economic and efficient manner, to</p>
2.1.3	<p>Given the substantial impacts of laying onshore cables over any significant distance on:-</p> <ul style="list-style-type: none"> <li>• ecology and biodiversity</li> <li>• the landscape</li> <li>• rural businesses (particularly agricultural)</li> <li>• disturbance to homes and privacy</li> </ul> <p>the applicant must demonstrate that it has considered all other less impactful options and provide evidence that they are not viable. We submit that the applicant has failed to do this.</p>	

Ref	Comment	Applicant's Response
2.1.4	<p>With regard to option i) above, the applicant has not provided a convincing explanation as to why it cannot lay the cables along or close to the Rampion 1 route. We are aware that the Rampion 1 cables themselves have been sold off to a third party provider, as required by the industry rules, but this does not preclude RWE from negotiating both with that provider and the landowners along that route (all of whom are known to RWE from Rampion 1) to obtain the necessary rights for the Rampion 2 cable route. The writer acted for several landowners on the cable route of Rampion 1 and is aware that the ecological and business impacts of that scheme were significantly less than they will be from Rampion 2.</p>	<p>minimise cost to the end consumer, which prevents developers from building speculative/spare capacity. The cables for the original Rampion project were therefore rated at a maximum capacity of 400 MW.</p> <p>The Applicant considered using the route of the Rampion 1 export cable for its own export cable, which is described in Section 3.4 of <a href="#">Chapter 3: Alternatives, Volume 2</a> of the Environmental Statement (ES) <b>[APP-044]</b>. This found that the route was heavily constrained, and it would not have been possible to place new cables alongside the existing – see paragraph 3.4.18 and Table 3-5.</p>
2.1.5	<p>With regard to option ii) above, at the hearing, RWE stated that they had calculated there would be an additional cost of approximately £200 million if an undersea cable route to Fawley was used, and, as raised by the chair of examiners, we question whether this is not a justifiable cost in the context of a £3 billion scheme so as to avoid all the impacts referred to above.</p>	<p>The Applicant provided a response to this matter as part of the Deadline 1 submissions. This information can be found in <a href="#">Applicants post hearing submission – Issue specific hearing 1 – Appendix 1 – Further information for action point 3 – Fawley and Dungeness [REP1-019]</a></p>
2.1.6	<p><b>2. The Farm business and other enterprises</b></p> <p>Attached at appendix 1 is a copy of sheet 27 of the Onshore Works Plans (APP009), showing the extent of our clients' property edged pink, and on which it is clear that the DCO route of the construction corridor passes right across the farm and will occupy a substantial portion of it.</p>	<p><b>Context</b></p> <p>Merrion Farm is impacted by temporary Cable installation works, temporary construction and operational access works over approximately 24 acres.</p> <p>The Cable Installation Works (Works No.9) comprises Plot 27/16 (as shown coloured blue within the <a href="#">Land Plans Onshore [PEPD-003]</a>) which extends to approximately 20 acres. A significant proportion of the landholding to the east of the proposed cable installation area is wholly unaffected by the Rampion 2 proposals.</p> <p><b>Route Amendments</b></p> <p>The route assessed and presented in the Preliminary Environmental Information Report (PEIR) (Rampion Extension Development, 2021) in this location ran through the eastern area of the farm. However, the route was amended following an initial site visit in September 2021 where the Land Interest notified the Applicant that they had planning consent to build a slurry pit in close proximity to the proposed cable route. In addition, the crossing of a Southern Gas Networks pipeline was also identified as an engineering technical constraint for the PEIR cable route proposal due to the angle of the crossing required at this location. The proposed cable route was subsequently amended to avoid the slurry pit (an important piece of dairy farm infrastructure) and to enable an acceptable cable crossing arrangement for the pipeline; taking a route to the west of the farm instead. This route to the west of the farm was therefore incorporated into the cable routing design.</p> <p><b>Construction and Operational Access along the cable construction corridor:</b></p> <p><b>Access A-49</b></p>



Ref	Comment	Applicant's Response
		<p>Access A-49 which connects the B2135 with the cable installation area (Works No.9) via the Merrion Farm track is proposed as a light construction and operational access only (as can be seen on Figure 7.6.4d of the <a href="#">Outline Construction Traffic Management Plan [REP1-010]</a>). Access for Light construction traffic is defined as needed for a small number of light vehicles during construction such as the occasional van for workers to check progress of trenchless crossing (e.g., HDD), there is no requirement to implement visibility splays as these are likely to be rarely used. Post construction the access A-49 will serve as an operational access for light vehicle use only for inspection and maintenance purposes. This access especially relates to land plots 27/25, 27/22, 27/23 and 27/22 as shown on the <a href="#">Land Plans Onshore [PEPD-003]</a>.</p> <p><b>Haul Road Diversion</b></p> <p>The haul road diversion to the northern side of the trenchless crossing under the farm track will be routed via 27/17, 27/18, 27/19, 27/20 and 27/21. Where construction traffic is routed via existing private farm access tracks, traffic management systems will be incorporated to ensure safe access as stated in the <a href="#">Outline Construction Traffic Management Plan [REP1-010]</a>. Private Means of Access (PMA) will be ensured by the general principles as defined in Section 5.7.10 in the <a href="#">Outline Code of Construction Practice [PEPD-033]</a>.</p> <p>The combined area required for the haul road diversion and the light construction and operational access comprises approximately 4 acres (1.62ha) combined.</p> <p><b>Compensation and Mitigation of Agricultural Uses</b></p> <p>The Applicant set out its position with respect to recognising and compensating for business losses and disturbance during construction specifically with reference to the dairy business in a Letter to the Land Interest dated 20 September 2023 (see Appendix 16 Letter to Mr &amp; Mrs Griffiths 20.09.23 (see <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a>)).</p> <p>The Applicant notes that the main farm buildings are located to the south of Plot 27/17, with the slurry pit located to the south of them.</p> <p>The Applicant remains keen to explore appropriate and proportionate options to mitigate the effect of temporary severance of land, including the operation of the dairy farm business. The Applicant will not be able to settle the precise measures with the Land Interest until the detail design stage of the project where the more detailed construction methodology, land areas and timescales are known. However, in order to facilitate crossing of the construction corridor (Work No.9) with cattle, appropriate measures might include crossing points</p>

Ref	Comment	Applicant's Response
2.1.7	<p>Merrion Farm comprises 157 acres with the following enterprises:-</p> <ol style="list-style-type: none"> <li>1. Milking herd of 130 cows, which is being increased by home rearing to 160 by September of this year.</li> <li>2. Countryside stewardship scheme to increase farm biodiversity</li> <li>3. Holiday lettings from a purpose built cottage (shown on plan)</li> <li>4. Shepherd's hut for glamping (shown on plan)</li> <li>5. Wild camping site (shown on plan)</li> </ol> <p>It should be noted that, due to the limited size of the farm by modern standards, items 3, 4 and 5 provide essential diversified income without which the business could not continue.</p>	<p>with suitable fencing and gates to ensure parts of the field will remain available for use.</p> <p>Where an access right is restricted, discussions will be held with the Land Interest to resolve a way forward that may be acceptable to all parties which could include:</p> <ul style="list-style-type: none"> <li>- A temporary realignment of access;</li> <li>- A temporary stop up of the access between identified timeframes;</li> <li>- Unlimited access for emergency vehicles to be maintained.</li> </ul> <p><b>3: Holiday Let</b></p> <p>The Applicant acknowledges that the Land Interest receives income from the holiday letting business. The purpose built cottage known as "Withyfield Cottage" appears to have the benefit of planning permission dated 26 April 2010 (Reference DC/10/0350 – Erection of a 3 bed new holiday cottage – on the Horsham District Planning Portal). The holiday let (Withyfield Cottage) does not fall within the Order Limits, however, it is located adjacent to the main track leading into the farm. The Applicant acknowledges that visitors to the holiday let will need to share an access with construction traffic (please note summary in 1.6 which details that A-49 from Bines Green along the track to Merrion Farm is for light construction only) for a temporary period and may experience some disruption during the construction works in the field to the east. However, there will not be any long term impacts once construction has completed.</p> <p>The Applicant set out its position with respect to recognising and compensating for losses and disturbance specifically with reference to the holiday lets and campsites during construction in a Letter dated 20 September 2023 (see Appendix 16 Letter to Mr &amp; Mrs Griffiths 20.09.23 of <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a>).</p> <p><b>4: Shepherd's Hut</b></p> <p>The existing shepherd's hut does not fall within the Order Limits, however, is located in proximity to the cable installation area, within woodland to the east of Plot 27/16.</p> <p>It is not clear whether the shepherd's hut is a lawful planning use and therefore whether its use will continue. A review of planning applications within Horsham District, identified that whilst a Lawful Development Certificate dated 09 May 2021 (DC/21/1068) for a single shepherds hut rented out for holiday use and an associated kitchen and bathroom (DC/21/1068) was in part refused in December 2022 the decision was appealed in July 2023. In any event there may be some temporary disruption as a result of the cable installation works (Works No.9) to the west of the woodland (where the shepherd's hut is located). In addition, the access to the shepherd's huts will be temporarily disrupted by the cable installation works.</p>



Ref	Comment	Applicant's Response
2.1.8	<p>3. Cable route through the farm</p> <p>Based on the writer's experience of the Rampion 1 scheme, the construction period, and the resultant temporary loss of use of the working strip to the Griffiths, is likely to be in excess of 3 years. The impact of construction from this route through the farm will be substantial, including:-</p>	<p><b>5: Wild camping</b></p> <p>It is not clear whether the wild camping is a lawful planning use. There is no record on the planning portal for planning permission (or a planning application) for a wild campsite on the Horsham Council website.</p> <p>In any event, there may be some temporary disruption as a result of the cable installation works to the west of the woodland (where the shepherd's hut is located). In addition, the access to the wild camping area/ woodland will be temporarily disrupted by cable installation works.</p>
2.1.9	<ul style="list-style-type: none"> <li>• Significant loss of agricultural land and thus forage production, requiring either purchase from elsewhere of substantial amounts of forage for the dairy herd, or, more likely given the difficulties in sourcing such forage, the reduction in size of the dairy herd.</li> </ul>	<p>Please see summary in <b>Reference 2.1.6</b> above.</p> <p>At Merrion Farm, the cable installation area (Works No. 9 and Works No.14) runs through the western section of the pasture land and will have a temporary impact on the amount of grazing available for the dairy farm. The Land Interest has approximately 15 fields, and the works areas impacts 6 of them.</p> <p><b>Compensation</b></p> <p>The Applicant will continue to engage further to seek to understand the Land Interest's specific requirements to accommodate the haylage/ farm management operations and minimise disturbance wherever possible.</p> <p>The Applicant will discuss in more detail Accommodation Works with the Land Interest to ensure access is facilitated to any severed land. Where severed land cannot be farmed the Applicant would be willing to negotiate an appropriate compensation claim for disturbance.</p> <p>If Compulsory Purchase Powers are used, affected Land Interests will be compensated in accordance with the provisions of the Compensation Code. Claims for disturbance and crop loss will be considered where reasonable, substantiated and shown to be caused as a direct consequence of the temporary use of the land and the works in accordance with the relevant legislation.</p> <p>Once the cable has been constructed and the land reinstated, the land can be returned to normal use.</p>

Ref	Comment	Applicant's Response
2.1.10	<p>• Unacceptable disturbance to amenity of users of Holiday let, shepherd's hut and wild camping, most likely resulting in temporary closure during construction, and given this may be for 3 or more years or more it may take years to rebuild to the current level of business once reopened due to the extent of competition from similar facilities in the area.</p> <p>These concerns have been clearly stated to RWE throughout the consultation process.</p>	<p>It is unlikely there will be active continuous works for 3 years in this location. Periods of different construction activities will be communicated to the Land Interest in advance.</p> <p>Please see <b>References 2.1.6, 2.1.7 and 2.1.9</b> above.</p>
2.1.11	<p>Because of this, it is imperative that RWE takes reasonable steps to minimise these impacts, and we submit that they have not done this. The Secretary of State has to be satisfied that the DCO area is no more than is reasonably required. We have marked on the plan approximate widths of the DCO corridor in places (measured by scaling), and on these dimensions we make 2 points:-</p>	<p>Please see summary in <b>References 2.1.9, 2.1.12 and 2.1.13</b>.</p>
2.1.12	<p>i) We understand that RWE will only require a 40 m wide strip for construction in most places, within which will be a 20 m wide permanent easement strip for the cables. Thus there is no justification for the DCO corridor being so wide, given the potential impacts thereof referred to above. A narrower corridor, particularly if routed more sensitively, could significantly reduce the disturbance on the 3 tourism enterprises referred to above.</p>	<p>Section 4.5 of the <b>Chapter 4 The Proposed Development [APP-045]</b> details the Onshore elements of the Proposed Development, including the design for the onshore cable corridor.</p> <p>Please see further summary in <b>Reference 2.1.13</b> below.</p>
2.1.13	<p>ii) RWE has advised that they will be making a trenchless crossing under the River Adur at the north end of the farm. However, they have given no justification for why this will require such a large corridor width in this area. Its impacts on our clients will be excessive at this width given the amount of land take.</p>	<p>The final design of the trenchless crossing will be undertaken following site investigation at this location. Crossing underneath watercourses require special assessment and consideration and therefore a wider corridor is required to provide design flexibility.</p> <p>Additionally, trenchless crossing construction generally requires a wider working width than open-cut trenching construction methods as described in Section 4.5 of the <b>Chapter 4 The Proposed Development, Volume 2</b> of the Environmental Statement (ES) <b>[APP-045]</b>.</p> <p>The final corridor width will be identified in accordance with the stage specific Code of Construction Practice which will be submitted pursuant to requirement 22 of the <b>Draft Development Consent Order [PEPD-009]</b></p>
2.1.14	<p><b>4. Construction access along farm drive and associated compound areas (marked blue on plan)</b></p> <p>It will be noted that this access passes close to the Griffiths' residence and the holiday let, whilst the 2 compound areas will take up significant space and render the parking for the Shepherd's hut unusable.</p>	<p><b>Residence</b></p> <p>The Applicant understands that the Land Interest resides at a property called Merrion Lodge (directly to the east of Plot 27/24). The dwelling is located adjacent (to the east) of Bines Green at the junction with the farm track which leads to Merrion Farm.</p> <p><b>Construction and Operational Access</b></p> <p>The Applicant acknowledges that the proposed construction and operational access track will pass along the farm track, therefore adjacent to both the dwelling and the holiday let. Please see summary within <b>Reference 2.1.6 above</b> which details that the track will be used for light construction.</p> <p>The Applicant recognises that the construction may cause disturbance to the properties, including the holiday let and expects that the implementation of measures such as noise attenuation will help to minimise the impact during</p>

Ref	Comment	Applicant's Response
2.1.15	<p>Attached at appendix 2 is a copy of RWE's landowner engagement form from a site meeting on 9th March, 2022. As the notes confirm in the section 'Alternative Construction Route Comments', this construction access was discussed and an alternative option was proposed, namely a direct access off the public road avoiding the farm drive. The Griffiths have not received any explanation as to why this option, which would have caused far less disturbance to them, has not been included in the DCO application. We believe the option of using the farm drive for this access is unreasonable given:-</p>	<p>that period. The construction impact will be temporary, and as detailed above, this is likely to be for light construction access only.</p> <p>The Applicant welcomes discussions on the location of the parking for the shepherd's huts. Upon review of the plan provided, it appears the parking is located on the western side of the cable installation area, and therefore should remain accessible.</p> <p>On 9 March 2022 the Applicant (Carter Jonas and a member of the Engineering team) met with the Land Interest and their agent on site.</p> <p>The Land Interest was shown options for a proposed construction access at the meeting on 9 March 2022. At the meeting, the Land Interest confirmed that the route which involved drilling underneath the farm track (Option C) – (identified on the Plan to the north west of Plot 27/17) was the most preferable. This is the option that was taken forwards to consultation.</p> <p>The Option that the Land Interest refers to within this Written Representation is known as Option B. The Land Interest at the meeting in March 2022 expressly noted that they were against the Option B, largely because it would cause greater disruption to the farm by using more grazing land, thereby having a greater impact on the business. Noise, visual impact and loss of hedgerows were further reasons cited against B by the land interest..</p> <p>The meeting notes were circulated to the Land Interest and their agent in June 2022 detailing that following Landowner feedback, Option C was to be taken forwards. The Applicant did not receive feedback to dispute the accuracy of these notes.</p> <p>In addition, further ecological constraints were identified with Option A and B, whereas Option C minimised the impacts on the mature treeline.</p>
2.1.16	1. That other options are available	
2.1.17	<p>2. The level of disruption it will cause to:-</p> <p>i) Their day to day living in the house</p> <p>ii) Their farming operations, due to conflicts of use on the farm drive</p> <p>iii) The loss of business from the holiday let, shepherd's hut and campsite. On this point, it is interesting to note the effect on these during recent construction of a slurry lagoon on the farm, which involved the importation of a lot of soil for which heavy lorries used the farm drive for a period of 13 months from February 2022 to March 2023, such use possibly being similar to the heavy traffic which construction for the Rampion project will involve, albeit that is likely to be over a period of 3 years or more. The following table, using the Griffiths' own figures from that experience, demonstrates the effect:-</p>	The Applicant notes the comments within this Written Representation.

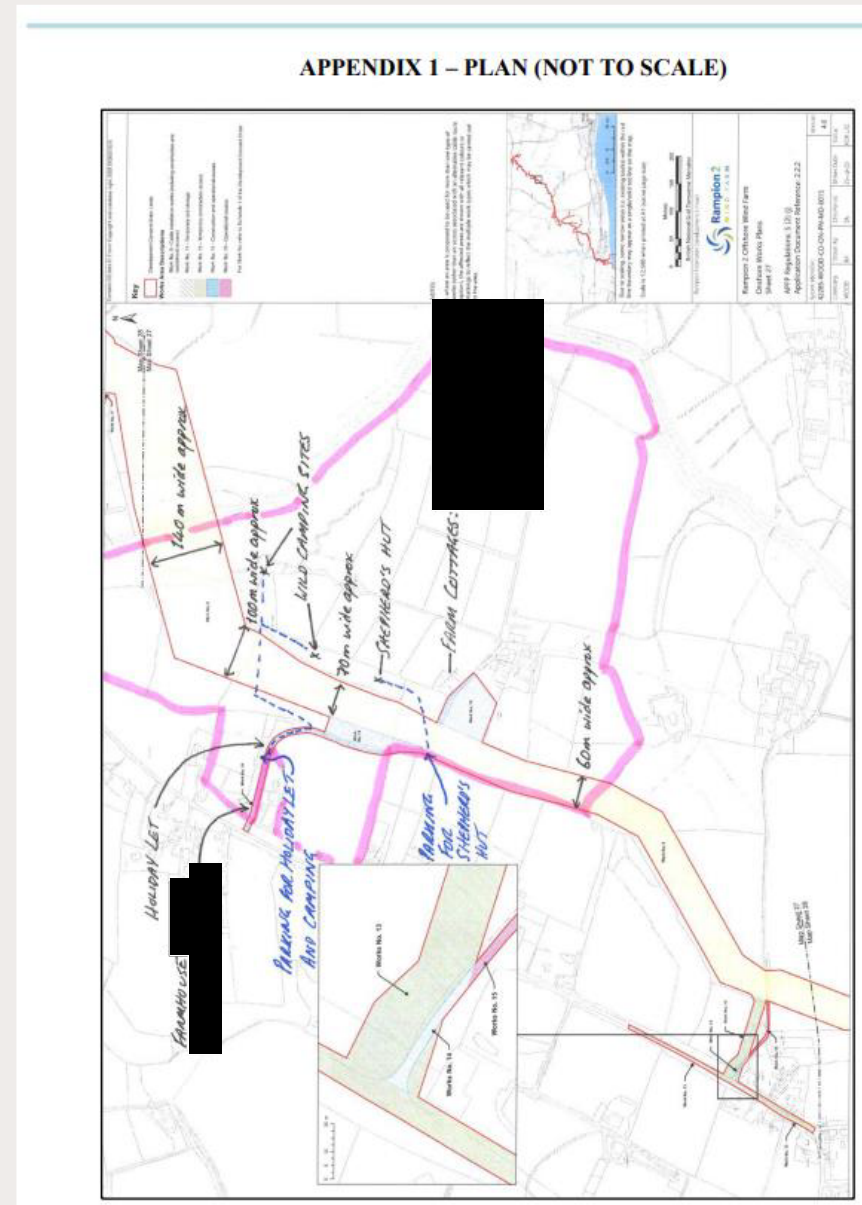
**Ref**      **Comment**      **Applicant's Response**

	ANNUAL OCCUPANCY RATE PRIOR TO CONSTRUCTION OF SLURRY LAGOON	OCCUPANCY RATE FOR YEAR OF CONSTRUCTION OF SLURRY LAGOON
HOLIDAY COTTAGE	86%	55%
SHEPHERD'S HUT	84%	45%

**2.1.18**      These figures are suggestive of the likely drop in bookings from these enterprises due to the use of the farm drive as a construction access alone. This is without factoring in the significant additional disturbance due to construction activity within the strip itself, given its close proximity to the various enterprises.

Please see summary in **References 2.1.6, 2.1.7, 2.1.9** and **2.1.14** above.

**2.1.19**



Ref	Comment	Applicant's Response
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2.1.20

APPENDIX 2





Carter Jonas

Landowner Engagement Feedback Form: Rampion 2

Land Parcel Reference	
Name of Party / Grantor	Alan Griffiths Janice Griffiths
Type	Landowner
Property Address	Merrion Farm Bines Green Partridge Green Horsham West Sussex RH13 8EH
	[Redacted]
Title Reference	WSX288796
E-mail Address	Merrion Farm <merrionfarm@aol.com>
Contact Number:	[Redacted]
- Home	
- Mobile	
Comments/ Issues discussed during Consultation:	

**Ref**      **Comment**      **Applicant's Response**

2.1.21

Carter Jonas  


**Site Meeting – 9<sup>th</sup> March 2022**

LT met Mr & Mrs Griffiths and their son on site with the Wood Engineer (Nick Waple). RCC was in attendance.

The purpose of the meeting was to present and walk the alternative route proposals which had been created in order to alleviate the concerns of the original route – principally it was deemed not possible to construct the cables between the slurry pit and the gas main (see route above – yellow circle denotes construction of slurry pit). It was also to discuss two proposals for construction access and obtain the landowners feedback on these.

We inspected the slurry pit which was under construction (with the HGVs using the main driveway to access the site), walked the new cable route proposals, and considered a potential proposed construction access and its viable alternatives.

Classification L3 - Business Data



Ref	Comment	Applicant's Response
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2.1.22



Carter Jonas

The alternative route proposals are outlined by the map below:



**Alternative Cable Route comments:**

- Diagram above illustrates the proposals for an alternative cable route (orange).
- The original route remains on the plan (to the right edged in red lines), and will be included within the upcoming consultation as nothing will be removed until a later stage in the project design process.
- The landowner has concerns about the impact of the new proposed route on their holiday lets including the Cottage (orange circle) and Shepherds huts (green circle). LT advised that the project team had been made aware of these following the first site meeting.
- Occupants also noted to be living in the dwellings outlined by the blue circle.
- The landowner noted that the farm water main is running under the new area (which would require a trenchless crossing), please see markup of purple line above.
- Landowner noted that daily use of the track is needed.

**Alternative Construction Route comments:**


- As a trenchless crossing is being considered to the north of the site (in order to cross the waterway), there will be a requirement to use a drilling rig in this location.
- In order to facilitate this, the options were:
  1. Create a new construction access heading eastwards from Bines Green directly to the new proposed cable route.
  2. Use part of the existing road to Merrion Farm and areas either side of the cable route (outlined by the red shaded areas above). **This option will be taken to consultation following feedback from the owner, as well as engineering and ecological considerations.**
- Yellow triangle roughly indicates the current opening in the hedge to allow construction traffic for the slurry lagoon (see photo below).

Classification L2 - Business Data

Ref	Comment	Applicant's Response
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2.1.23

Carter Jonas



Classification (2 - Business Data)



Ref	Comment	Applicant's Response
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2.1.24



Carter Jonas

Construction of slurry pit underway as per google maps:



Action Points	Follow-up required & by who?
Clarification required on when construction (trenching and laying of cables) will be undertaken so as to mitigate losses on holiday cottage / shepherd hut.	RED

Engagement Information

Classification 12 - Business Data

2.1.25



Carter Jonas

Date:	9th March 2022
Time:	11:00 – 13:00
Contact Method:	Site Meeting at Merrion Farm
Consultation Team Members: (Present)	CJ – Lucy Tebbutt (LT) Wood – Nick Waples (NW)
Consultation Team Member (Print & Signature)	

**Table 2-2: Applicant's Response to Alec Lauder [REP1-064]**

Ref	Comment	Applicant's Response
2.2.1	<p>I write to express my concerns regarding the impact the project will have on the amenities on Brookside Holiday Camp, Lyminster Road BN17 7QE.</p> <p>I have had a caravan close to the northern boundary of Brookside for nearly 30 years. In that time, I have enjoyed the peace and quiet of the site and surroundings. Whilst the traffic on Lyminster Road has increased over the years, the field to the north has been a constant source of peaceful enjoyment which has been a great benefit to my family and myself. The construction of an access road will change this outlook dramatically. The construction phase will result in disturbance from noise, dust and damage to wildlife as well as loss of privacy and prospect, all of which will greatly diminish the enjoyment of my caravan. My partner fears that she will be unable to visit Brookside during the construction period.</p>	<p>The Applicant notes the Interested Party is an occupant of the Brookside Caravan Park on an annual licence basis. Brookside Carvan Park is not within the Order Limits. There are highway works proposed which affect a small area of the freehold owner's assumed sub-soil ownership to the adopted highway in Plot 4/11, but this land is outside of the caravan park itself and does not affect its occupation or use.</p> <p>The Applicant therefore does not believe the Interested Party has an interest in land. In the unlikely event that they have a sufficient land interest which is capable of being the subject to a Section 10 injurious affection claim for diminution in value of the land interest as a result of the works, they may be able to bring a compensation claim in due course, to be assessed in accordance with the Compulsory Purchase Compensation Code.</p> <p>For the avoidance of doubt, a caravan is an asset and does not represent a compensable interest in land for these purposes.</p> <p><b>Noise and vibration</b></p> <p>Noise sources relating to the onshore construction works and construction road traffic have been considered in <a href="#">Chapter 21: Noise and vibration, Volume 2</a> of the ES <a href="#">[PEPD-018]</a>. During the construction phase, the noise generated at Brookside Caravan Park will be in relation to the trenchless crossing (where the major noise sources will be located to the east of the A284), and the trenched cable route and associated haul route (located approximately 50 m north of the nearest caravan).</p> <p>The noise from the trenchless crossing (under the A284) works was assessed as Trenchless Crossing ID TC-05 at the building at the eastern boundary of the caravan park as Receptor ID HDD05-SW. This assessment can act as a proxy for the worst case levels on the site (as the closest point). The predicted unmitigated levels at the building were 63dB. This mean that noise will be audible for the duration of the trenchless crossing works (currently assessed as being 1.7 weeks' duration of construction activity), however, this is not significant with reference to the code of practice for noise on construction sites, British Standard 5228 part 1:Noise (British Standards Institution (BSI), 2014).</p> <p>The haul route will be used during the onshore trenching works. The onshore trenching works will be in the overall vicinity of the caravan park for 4.7 weeks, individual occupiers may be subject to a high magnitude of noise for approximately 2 days as the works pass by, however, this temporary nature of disturbance, means that such noise will not be significant in EIA terms.</p> <p>Whilst the onshore trenching works are undertaken, the haul road will be used by up to 3 HGVs per hour. The mitigation provided by locating this route 50m or more from caravans, means that there will be no significant noise or vibration from such vehicle movements this is secured through requirement 22 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>, although the vehicles are likely to be audible above the ambient noise from the A284. Following the receipt of Relevant Representations, a new commitment (C-287) has been added to the <a href="#">Commitment register [REP1-015]</a> and <a href="#">Outline Code of Construction Practice [PEPD-033]</a> (updated for the Deadline 1 submission) and is secured through requirement 22 of the <a href="#">Draft Development Consent Order</a></p>

Ref	Comment	Applicant's Response
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**[PEDP-009]**. This requires the Applicant to install an acoustic barrier on the edge of the works north of Brookfield Caravan Park. The barrier will be of a suitable dimension and sited appropriately to manage noise impacts at this location for the duration of the construction phase.

Unmitigated construction phase noise is predicted to be below the threshold for significance at the caravans on Brookside Caravan Park. The use of the **Outline Code of Construction Practice [PEPD-033]** and associated management plans, and the embedded design, i.e. locating the haul route with a separation of at least 50 m, will further minimise, although not eliminate disturbance from noise.

The operational only access immediately to the north of the caravan park will not give rise to significant levels of noise. Infrequent vehicle pass-bys (for periodic testing or unscheduled maintenance, as described above) would not be out of character for the area, given that agricultural vehicles would be expected to access the field and that there is an A-road adjacent to the east boundary of the caravan park.

**Air quality**

Air quality and dust emissions relating to construction activities and the construction access roads in the Brookside Caravan Park area have been considered in **Chapter 19: Air quality, Volume 2** of the ES **[APP-060]**. The duration of activities on the nearby Trenchless Crossing ID TC-05 is estimated to be 4.7 weeks and therefore construction activities are very short term in the locality of the caravan park.

Air dispersion modelling of emissions to air from the Trenchless Crossing activities have indicated that air quality impacts on receptor R65 (representing the caravan park) are negligible. The qualitative dust assessment concluded that with no mitigation in place the risk of dust soiling from construction traffic is Low. This finding that without dust controls there would be a Low risk of impact has informed the dust management measures that would be implemented as part of the Proposed Development (see Table 19-36 of **Chapter 19: Air quality, Volume 2** of the ES **[APP-060]**). These measures are expected to ensure that the risk of impact is reduced to negligible levels. These measures have informed the **Outline Code of Construction Practice [PEPD-033]** and are secured via Requirement 22 of the **Draft Development Consent Order [PEPD-009]**.

**Terrestrial ecology and nature conservation**

Terrestrial ecology and nature conservation receptors relating to the proposed Development have been considered in the **Chapter 22: Terrestrial ecology and nature conservation, Volume 2** of the ES **[APP-063]**. As presented in Figure 7.2.1b (B) **Hedgerow retention and treeline retention plan**, page 152 of the **Outline Code of Construction Practice [PEPD-033]**, in this location a length of hedgerow will be temporarily removed. This is on the A284 roadside and allows construction traffic to access the working area without using the existing field access that is adjacent to the caravan park. Onshore cable works are temporary, and the hedgerow would be reinstated. Given level of loss and extent of habitat in the area (and location at the roadside) breeding birds would be expected to remain present in the area. The onshore cable works are confined to arable fields when in vicinity of the caravan park. Water voles, hedgehogs, rabbits, and foxes would all be able to coexist, particularly as the areas being worked on would not be particularly attractive to these species (i.e. they will be located closer to hedgerows and other cover). Further information regarding the embedded environmental measures to avoid, prevent or

Ref	Comment	Applicant's Response
		<p>reduce the terrestrial ecology and nature conservation impacts arising during the construction of the Proposed Development are presented in the <a href="#">Outline Code of Construction Practice [PEPD-033]</a> secured through requirement 22 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>.</p> <p><b><u>Landscape and Visual Impacts</u></b> The landscape and visual impact assessment (LVIA) in <a href="#">Chapter 18: Landscape and visual impact, Volume 2</a> of the ES <a href="#">[APP-059]</a> is supported by its Appendices 18.1-6.</p> <p>Brookside Holiday Camp is located immediately to the south of the red line boundary for the onshore cable corridor as illustrated in Figure 18.4b, Zone of Theoretical Visibility with view points – On shore cable corridor, <a href="#">Chapter 18 Landscape and visual impact – Figures (Part 1 of 6) [APP-098]</a>.</p> <p>An acoustic barrier will be positioned on the edge of the works and to the north of Brookfield Caravan Park and associated trees and hedge vegetation. This will have the effect of completed enclosing the northern side of the caravan park and reinforcing the screening that would be provided by existing vegetation. As a result, the visual effects of the onshore cable corridor construction works would be screened from view resulting is a Negligible-Zero magnitude and a Minor to No View level of effect that would be temporary and limited to the 3.5 year construction period.</p> <p>The visual effects on views from Brookfield Caravan Park are reported in Table 1-44 of <a href="#">Appendix 18.4 Visual Assessment, Volume 4</a> of the ES <a href="#">[APP-170]</a> which will be updated to account for the acoustic barrier.</p>
2.2.2	Upon completion, the road will be a scar on this otherwise beautiful landscape.	<p>As described in paragraph 4.5.32 of the <a href="#">Chapter 4 The Proposed Development, Volume 4</a> of the Environmental Statement <a href="#">[APP-045]</a>, temporary construction haul roads will be used during installation works and construction activities and be removed prior to final reinstatement.</p> <p>Table 4-8 on page 32 of the <a href="#">Outline Code of Construction Practice [PEPD-033]</a> presents the commitments relevant to reinstatement of sites on completion.</p>
2.2.3	Security measures such as lighting and fencing will mean that the road will be out of character in this rural area, detrimental to the visual amenities of the site and surroundings.	Please see 2.1.2 for the Applicant's landscape and visual impact assessment response.
2.2.4	Use of the access road will in itself give rise to noise and disturbance and privacy, potentially at unsocial hours in the case of emergency.	Please see 2.1.2 for the Applicant's noise assessment response.
2.2.5	Lyminster Road is now a very busy road and it remains to be seen how the bypass currently under construction will affect traffic flows in the vicinity of the site. I am concerned about the ability of Lyminster Road to accommodate the additional traffic that will arise from this proposal in terms of highway safety.	<p><b><u>Transport</u></b> The proposed routing strategy is detailed in the <a href="#">Outline Construction Traffic Management Plan (CTMP) [REP1-010]</a> and is secured by Requirement 24 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>. The closest construction access junction to Brookside Caravan Park on the western side of the A284 is A-12 located approximately 60m north of the Caravan Park boundary as shown on Sheet 7 of the <a href="#">Access, Rights of Way and Street Plans [APP-012]</a>. For clarity, access A-11 located immediately north of the Caravan Park boundary is for operational purposes only as shown on sheet 5 within the <a href="#">Onshore Works Plans [PEPD-005]</a>. Operational access requirements will be minimal with scheduled maintenance of the onshore cable route required every 2-5 years</p>



Ref	Comment	Applicant's Response
		<p>generating approximately three LGVs for one day. Some unscheduled or emergency repair visits may also be required but this also typically involve a very small number of LGVs.</p> <p>As detailed in Table 5-3 and 6-2 of the <a href="#">Outline CTMP [REP1-006]</a> (which has been updated at the Deadline 1 submission) A-12 is a construction access which will generate 878 HGV two-way movements and 456 LGV two-way movements across the whole four-year construction programme. This compares to a daily HGV flow on the A284 of approximately 700 vehicles. At peak construction the Proposed Development will generate 234 HGV two-way movements, which is approximately 47 HGVs per day (assuming 5-day week) or one every 14 minutes (assuming a 12-hour working day). The peak in LGVs is 60 LGV two-way movements in a week, which is 12 a day, and 1 per hour.</p> <p>A-13 is an operational and construction access on the eastern side of the A284. As detailed in Table 5-3 and 6-2 of the <a href="#">Outline CTMP [REP1-010]</a> at access A-13 there will be up to 562 HGV two-way movements and 480 LGV two-way movements. If access A-13 is used for all construction traffic movement over A-15 during the peak week of construction activity, there will be 130 HGV two-way movements and 96 LGV two-way movements. This is the equivalent to 26 HGV two-way movements per day or 2-3 per hour and 19 LGV movements per day and 1-2 per hour. However, it is noted that there is optionality at this location for the contractor to use either Access A-13 or A-15 (north of Lyminster) or a combination of both. Given that access A-15 provides access directly from Lyminster bypass (currently under construction) and adheres to Commitment C-157 to avoid routing HGV traffic through smaller settlements (<a href="#">Commitments Register [REP1-015]</a>) it is considered that use of Access A-13 is unlikely by the contractor.</p> <p>The closest receptor to the Caravan Park identified within the <a href="#">Chapter 23: Transport, Volume 2</a> of the Environmental Statement (ES) <a href="#">[APP-064]</a> and <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES <a href="#">[REP1-006]</a> is Lyminster village (receptor 7), located 250m north of the Caravan Park access, because of residents living in properties adjacent to the highway and pedestrian traveling along the A284. Whilst the Caravan Park was not identified as a sensitive receptor itself, it will experience the same impacts as those identified for Lyminster. Table 23-36 identified a worst-case increase in HGV traffic of 7.1% during construction of the and therefore concluded that the proposed development would not generate any significant environmental effects on the A284. This level of impact is also identified within the sensitivity test which will be used within <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES <a href="#">[REP1-006]</a>. As such the Proposed Development will not generate any significant environmental effects in relation to traffic at this location.</p>
2.2.6	<p>If permission is to be granted, I request that conditions be imposed as follows –</p> <p>A requirement for landscaping to be provided, including screening for the boundary with Brookside</p>	<p>Please see 2.1.2 for the Applicant's landscape and visual impact assessment response, including references to relevant embedded measures.</p>
2.2.7	<p>A restriction on hours of construction to 8am to 6pm Mondays to Fridays, with no working on Bank and Public Holidays.</p>	<p>The Applicant acknowledges this request for a change in working hours and has updated C-22 of the <a href="#">Commitments Register [APP-254]</a> to include the use of shoulder hours. This will also be updated and secured in the <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a> at the next submission of this document.</p>
2.2.8	<p>A condition restricting construction of the road and access to winter months only, e.g., work can only take place between 1st October and 31st March.</p>	<p>The Applicant notes this request for a seasonal restriction of construction activities along this area of the cable route. Detailed construction programme planning will be undertaken post-consent in</p>

Ref	Comment	Applicant's Response
2.2.9	A restriction on the hours during which the completed access and road may be used, preferably 8am to 6pm Mondays to Fridays, with no usage on Bank and Public Holidays.	<p>collaboration with the appointed principal contractor. The Applicant notes that construction in Flood Zones 2 and 3 is restricted to the period outside October to February inclusive for environmental reasons as per the <b>Commitment C-117</b> in the <b>Commitments Register [REP1-015]</b>.</p> <p>Construction working hours are detailed in the Commitment C-22 of the <b>Commitments Register [REP1-015]</b>. This will be presented in the <b>Outline Code of Construction Practice (CoCP) [PEPD-033]</b> and secured through requirement 22 of the <b>Draft Development Consent Order [PEPD-009]</b>.</p> <p>Usage of the operational access A-11 during the operational phase of the scheme will be infrequent by light vehicles for occasional inspection &amp; maintenance purposes of the cable route as explained in response to 2.1.2. restrict access to certain working hours, however the Applicant expects that the infrequent planned maintenance activities will take place during regular working hours.</p>

**Table 2-3: Applicant's Response to Ancleggan Limited (One Planet) [APP-066]**

Ref	Comment	Applicant's Response
2.3.1	Arboricultural Impact Assessment in relation to a proposed cable route serving the Rampion 2 off-shore wind farm	The Applicant has no comment to make on this introduction (points 1.1-1.3).
2.3.2	1. I am Ian Howell, an arboriculturist with over twenty years of experience within the arboricultural industry, and am a member of the Arboricultural Association. I have worked as director of an arboricultural contracting firm for fifteen years and as a consultant for BartonHyett Associates for five years. I have a large portfolio of work within the energy sector and have served as a project arboriculturist for numerous solar and BESS schemes. These projects have typically required the assessment of arboricultural impacts relating to development proposals and the preparation of detailed arboricultural method statements to plan, manage and negate potentially harmful works within close proximity to trees.	
2.3.3	2. Barton Hyett Associates were instructed by Aardvark EM on behalf of One Planet to survey trees at the above site in August 2022 and I have worked alongside the design team throughout and prepared the Arboricultural Impact Assessment (AIA) report which is to be submitted as part of a planning application.	
2.3.4	3. I have been asked to provide an assessment of potential arboricultural impacts that might arise from the routing of a cable connection proposed by RWE that is to serve the Rampion 2 off-shore wind farm.	
2.3.5	4. The aerial imagery mark-up and the Barton-Hyett Tree Survey Plan markup on the next page show the approximate routing for the RWE proposed cable route in blue, with an alternative route, proposed by One Planet, shown in green. This is then followed by an arboricultural impact assessment for both proposals.	A plan with an indicative cable routeing 'line' within the Development Consent Order (DCO) red line for the onshore connection works was shared with the freehold owner of the land Charles Worsley in early 2023. The indicative cable routeing shared was indicative only. One of the purposes of sharing the plan was for calculating likely indicative easement payments and it was communicated to the freehold owner and the Land Interest that it is highly likely to change due the constraints and features within the DCO red line which were the subject of ongoing Environmental Assessment. The blue line does not represent the Applicant's current preferred route.

Ref Comment

Applicant's Response



Figure 1: Aerial image taken from GoogleMaps illustrating the RWE proposed cable route and alternative One Planet proposed cable route

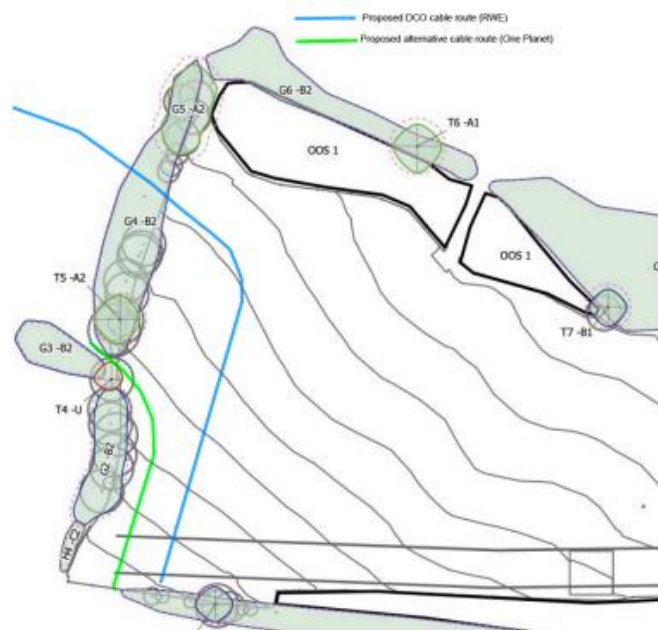


Figure 2: Excerpt from the Tree Survey Plan illustrating the RWE proposed cable route and alternative One Planet proposed cable route



**Ref Comment**
**Applicant's Response**


Figure 3: Site photo taken during the August 2022 tree survey illustrating the RWE proposed cable route and alternative One Planet proposed cable route

**2.3.6** 5. The arboricultural impacts associated with the RWE proposed cable route (blue line) will amount to the requirement for open trench installation of cables through the Root Protection Areas (RPAs) of Mature English oak and common ash trees (G4). These works would have the potential to result in harmful severing of anchoring roots and feeder roots of mature English oak and common ash trees that are part of an important landscape and habitat feature for the site. There is also the potential for tree removals to be required to facilitate the works or as the result of the works being carried out. This would equate to high arboricultural impacts for the sites arboricultural resource that could easily be avoided by utilising an alternative cable route.

The Applicant agrees with the assessment of effects of the proposed cable route described by Mr Howell. [Appendix 22.16: Arboricultural Impact Assessment, Volume 4](#) of the Environmental Statement **[APP-194]** identifies the potential loss of several mature trees in that location. The potential effects of cable installation through the belt of trees have not been downplayed, the trees were considered by the Applicant to be of high quality (Category A) in accordance with BS 5837 due to their collective landscape contribution (Sub-Category 2).

The Applicant notes that in Mr Howley's assessment the same trees (those that would be removed to facilitate the proposed cable crossing) are considered to be of moderate quality (Category B). The Land Interest states that "*high arboricultural impacts for the sites arboricultural resource could easily be avoided by utilising an alternative cable route.*" The alternative cable route is shown green on the plans and photo. The Applicant notes that what is described as an 'alternative' cable route is within the DCO red line. It is therefore not considered by the Applicant to be an 'alternative' but a potential refinement to the DCO red line and as such will be referred to as the "refined route". The Applicant notes that the blue route shown on the plan and photo is a previous draft indication of cable route refinement but it currently carries no more weight by the Applicant than the green route identified by the Land Interest. The Applicant is therefore not at this stage putting forward a case that this route is undeliverable or unsuitable, indeed the Applicant considers there to be merits to the proposed refinement in terms of lesser impacts on tree removal. However the Applicant is not in a position to refine down the construction corridor for the electrical connection works at this stage. The reasons for this are set out in the [Applicant's Response to the Relevant Representations \[REP1-017\]](#) Table LI15 Applicants Response to Ancleggan Limited [RR-

Ref	Comment	Applicant's Response
2.3.7	<p>6. The alternative cable route, proposed by One Planet, would utilise a historic breakthrough point that had previously been created for Rampion 1 construction works, where the sum of the tree losses would equate to a single Category U common ash tree that was in a state of acute decline during the August 2022 survey. The Rampion 1 construction access track can still be seen quite clearly within the aerial imagery as a lighter green corridor of grass running west to south-east across the neighbouring field. Where this reached the tree-line it broke through a natural, and then previously widened, gap in the tree-line. As mentioned above utilising the route of this previously established (and now restored) construction track would avoid the potential for significant negative impacts on the sites arboricultural resource all together, and is by far the preferred option from an arboricultural perspective. I would therefore strongly advise that the proposed One Planet cable route (green line) be adopted into the proposals in order to avoid unnecessarily impacting on this prominent tree group (G4)</p>	<p>012] under “Consideration of Alternatives, Constraints and NGET Grid Connection Agreement and Design work”.</p> <p>The Applicant acknowledges efforts to try and reduce adverse environmental effects but disagrees that the use of the proposed alternative One Planet cable route would avoid the potential for significant negative impacts on trees. The necessary width of the cable corridor where it passes through the tree belt is 20m (less than 20m of tree line would be lost because of the existing gap), significantly more than is indicated in Mr Howley’s figure 3 and as he describes. The identified refined route would therefore change the location of tree removal but would still require the removal of several high quality mature oak trees from groups G248 and G250 of <a href="#">Appendix 22.16: Arboricultural Impact Assessment, Volume 4</a> of the Environmental Statement <b>[APP-194]</b> (recorded as T5 and G3 on Mr Howley’s Figure 2).</p> <p>Ultimately, the National Grid Electricity Transmission (NGET) Bolney extension design will dictate the location of the cable and the minimum possible cable corridor width in the Ancleggan land alongside the known environmental and buried services constraints and future unknown environmental constraints that may need to be dealt with at the construction stage (for example protected species mitigation requirements). It is not possible to confirm whether it will be possible to avoid the removal of trees on the western boundary of the Ancleggan Land (including those forming G248) at this time, but minimising the removal of mature and high-quality trees across the scheme is a principal consideration that will be explored further at the detailed design stage, alongside the additional relevant constraints.</p>

**Table 2-4: Applicant's Response to Andrew Porter [REP1-069]**

Ref	Comment	Applicant's Response
2.1.1	Firstly, further to the proposal to close Kings Lane in two places by Open Cut cable trench (PROW-1de-47 and PROW-1de-45), it must be highlighted that there are 19 horses liveried along Kings Lane, over half of which require regular access out of Kings Lane for exercise (along the nearby Buckhatch Lane bridleway). Horses typically cannot cross steel sheets (due to likelihood of slipping as well as the noise) and so steel sheets across open cut trenches will NOT be an option to maintain lane access.	<p>Bridleway 1730 identified on the <a href="#">Access, Rights of Way and Street Plans Sheet 32 [APP-012]</a> and runs along Kings Lane. The Right of Way between points 50a to 50b are proposed to be temporarily closed.</p> <p>Kings Lane is also a private means of access. As shown in the <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a> the crossings of Kings Lane and Moatfield Lane by the onshore cable route is identified within Appendix A under reference TRX-1de-32 as being crossed by open cut method. This means that during construction access to properties located along Kings Lane and Moatfield Lane will be temporarily affected. The strategy to maintain private means of access during this period is described in Paragraph 5.7.10 of the <a href="#">Outline CoCP [PEPD-033]</a>. The following general principles will apply to the managed or private means of access during the cable route construction:</p> <ul style="list-style-type: none"> <li>• Any access restrictions or effect on individual properties will be kept to a minimum and the Applicant will work with local stakeholders to develop individual solutions to keep disruptions as low as is reasonably possible.</li> <li>• All crossings of private means of access will be developed to allow emergency access at all times.</li> <li>• Contractors will be required to accommodate reasonable requests for access during the working day by temporary plating of the trench unless a suitable diversion is provided around the works.</li> <li>• The trench will be plated or temporarily backfilled outside of construction working hours where feasible to restore access, unless a suitable diversion is provided around the works.</li> <li>• Any access restrictions or closures will be communicated to all residents and businesses with affected rights of access.</li> <li>• A nominated point of contact on behalf of the applicant will be communicated to all residents and businesses at least three months before the start of construction.</li> </ul> <p>A final Code of Construction Practice will be required to be submitted and approved on a staged basis, in accordance with the <a href="#">Outline CoCP [PEPD-033]</a>, pursuant to requirement 22.</p> <p>The Applicant notes the comments from the Land Interest in relation to steel sheets across Kings Lane. The Applicant proposes the use a suitable surface matting for placement over steel sheets in the event of emergency or required access and can be discussed with the Land Interest in accordance with the provision in the last bullet point above.</p>
2.1.2	Second, I wish to confirm my endorsement of the "Cowfold Residents' Impact Statement" to which my household and neighbours have all contributed. The views and analysis included in this document are the result of a real consultation.	The Applicant notes the comments within this Written Representation

**Table 2-5: Applicant's Response to AQUIND Limited [REP1-071]**

Ref	Comment	Applicant's Response
2.5.1	Further to the issue of the Relevant Representation (RR-031) on behalf of AQUIND Limited we have sought to engage with Rampion Extension Development Limited	While AQUIND provided a fair summary of discussions, The Applicant would like to note that regarding cable crossing agreements it will be relevant which project starts construction first as that is not yet established as neither of the two projects have been granted consent. The text below might imply that

Ref	Comment	Applicant's Response
	<p>("RED") in connection with the interface of the Rampion 2 Offshore Wind Farm and AQUIND interconnector. This engagement has involved:</p> <ul style="list-style-type: none"> <li>• A draft Statement of Common Ground has been produced, but remains under discussion in connection with the proposals to address the interface of the two projects;</li> <li>• AQUIND have produced a draft Co-Operation Agreement, which addresses the interface between the two projects during construction, operation and decommissioning.</li> <li>• A call was held on 12th February to discuss the draft Statement of Common Ground and Co-Operation Agreement. Following this call, it is understood that: <ul style="list-style-type: none"> <li>○ The terms of the Co-Operation Agreement are agreed in principle, and are now subject to more detailed legal drafting review;</li> <li>○ RED are in agreement that they will not place any Wind Turbine Generators or Offshore Substation Platforms within the area of the AQUIND Order Limits plus a further separation distance. The extent of that further separation distance from the AQUIND Order Limits remains under discussion;</li> <li>○ RED are in agreement that they will not deposit any sediment within the area of the AQUIND Order Limits. The need for a further separation distance from the AQUIND Order limits also remains under discussion;</li> <li>○ There will be no more than 4 cable crossings which all form part of the Offshore Wind Farm works, and crossings agreements will be required to be entered into for those before any cables associated with the Rampion 2 Offshore Wind Farm cross the AQUIND Order limits;</li> <li>○ Any other cables forming part of the Offshore Wind Farm works will not be laid within the area of the AQUIND Order Limits plus a further separation distance. The extent of that further separation distance from the AQUIND Order Limits remains under discussion;</li> <li>○ Each party shall provide the other with information regarding construction before submission to the MMO under the relevant marine licence to agree the content relating to interface in the interest of not adversely impacting the construction and operation of each project, and once agreed this shall be submitted to the MMO as part of those approvals and complied with once approved; and</li> </ul> </li> </ul> <p>The agreement of the Statement of Common Ground dealing with the Relevant Representation is closely linked with the Co-Operation Agreement, and so the current focus is on agreeing this to allow the Statement of Common Ground to be produced to confirm the matters raised in the Relevant Representation have been satisfactorily addressed.</p>	<p>Rampion 2 Offshore Wind Farm will be crossing AQUIND's assets but the opposite scenario is also possible.</p>
2.5.2	<p>The parties had agreed to meet on 22nd February, but this meeting was cancelled by RED. A meeting is now proposed to be held on 4th March.</p> <p>The following information was provided by RED to AQUIND on 27th February further to the meeting on 12th February:</p> <ol style="list-style-type: none"> <li>1. information from RED post the previous meeting on 12th February to detail the technical rationale for the proposed separation distance; and</li> <li>2. comments on the draft Co-Operation Agreement.</li> </ol>	<p>The meeting took place on 4 March and discussions were progressed on the more detailed legal drafting of the Co-Operation Agreement. A follow up call was provisionally booked for 13 of March 2024 but postponed at AQUIND's request and a new date is being sought for the week commencing 25 March 2024.</p>



Ref	Comment	Applicant's Response
	AQUIND has not yet had sufficient time to review the above information in advance of Deadline 1, on 28th February.	
<b>2.5.3</b>	The previously stated aim of AQUIND and RED is to resolve matters before Deadline 2 on 20th March, and AQUIND remains committed to seeking to achieve this.	Not all matters have been resolved by Deadline 2 however The Applicant remains committed to achieve agreement as early as possible during Rampion 2's examination.
<b>2.5.4</b>	Whilst AQUIND considers positive progress has been made and that it should be capable of reaching agreement on the issues with RED, it is important that agreement is reached as early as possible during the examination of the Rampion 2 Offshore Wind Farm. Should sufficient progress not have been made in advance of Deadline 2, AQUIND will provide a further update to the ExA and may submit draft protective provisions for the benefit of both projects to be included in the Rampion 2 Offshore Wind Farm DCO.	The Applicant agrees that positive progress has been made and will continue to work with AQUIND to reach agreement as soon as possible. Should that not be possible then there may still be a need for reciprocal protective provisions for each party in their respective Development Consent Orders (DCOs).

**Table 2-6: Applicant's Response to Country Land and Business Association (CLA) [REP1-176]**

Ref	Comment	Applicant's Response
2.6.1	The CLA is the membership organisation for rural business in England and Wales. Our members are responsible for over 10 million acres across these two nations, and we exist to champion, protect and enhance the rural economy, environment and way of life.	–
2.6.2	CLA members own and manage a large proportion of England's most protected and environmentally important landscapes as well as more productive and fertile areas. Rural landowners are in a strong position to help with the list of ever increasing complex social demands, including protecting natural habitats, enhancing the natural beauty of the countryside, sustainable food production, timber production, the provision of public access and working towards net zero - all of which must fit alongside the need to remain financially viable. We recognise and support our members' role in this wide-ranging social arena.	–
2.6.3	A number of our professional members have informed us that communication and engagement by the Rampion team has not met the expected standard, therefore leading to a breakdown in negotiations. As such, we write to you now to highlight this issue. At the CLA we have always been keen to facilitate good communication in such situations, as we would always prefer to see agreements being reached on a voluntary basis as opposed to via a CPO method. Given the lack of willing engagement thus far by Rampion, this is looking increasingly unlikely to happen which is very disappointing.	<p>The CLA do not identify which affected parties have raised concerns with them therefore the Applicant is unable to comment upon any specific circumstances. However, there is no such lack of willingness on the part of the Applicant to engage in meaningful negotiations. The Applicant's acquisition strategy is firmly based on seeking to reach voluntary agreement with affected parties, and it only wishes to rely on compulsory acquisition powers as a last resort.</p> <p>The Applicant has carried out extensive consultation with affected parties and their respective representatives since 2020 as referred to within the <a href="#">Consultation Report [APP-027]</a>, Chapter 6 of which provides information on the consultation material provided under Section 42 of the Planning Act 2008 and additional methods of consultation.</p> <p>There has been extensive engagement by the Applicant with affected parties and their representatives, including via site meetings, telephone, email and letter in relation to matters such as the assessment and consideration of alternative routes. The Applicant carried out non-statutory consultation from January to February 2021 via the "Rampion 2 Virtual Exhibition in 2021" and the exhibition document was uploaded to the Rampion 2 website following the consultation. The document included plans identifying cable route options. The first statutory consultation was in July 2021 and second Statutory Consultation was from October to November 2022 which identified options for cable routes the Works. The Applicant sought to engage with affected parties in advance of the final formal consultations in Spring / Summer 2023. Through these exercises route alignment was modified following consultation with affected parties, the Applicant having considered and assessed the alternative cable routes, HDD compound and compound locations put forward by affected parties, before settling on the Applicant's proposed route that would be progressed.</p> <p>The Applicant issued Key Terms to affected parties in July 2023. Discussions with agents on Key Terms continued through 2023 and into 2024. The Applicant has also issued the draft Option Agreement and draft Deed of Grant for an Easement to the affected parties' agents where requested. Offers were made to affected parties as part of the Key Terms on the basis of evidenced land value. Discussions with a number of affected parties' agents have been ongoing since August 2023. Discussions with affected parties and/or their agents have progressed in many cases, including in relation to the refinement of the Key Terms, land impacted by the project, appropriate and reasonable mitigation measures during construction to minimise</p>

Ref	Comment	Applicant's Response
		<p>disturbance. The latest position with regards to negotiations is set out in the Compulsory Acquisition Schedule [4.4 Rampion 2 Land Rights Tracker] and in summary: -</p> <p><u>Cable Route</u> Key Terms Issued: 66 Key Terms Signed and Solicitors Instructed: 4</p> <p><u>Access Only</u> Key Terms Issued: 14 Key Terms Signed: 1 Key Terms Signed Pending approval: 9.</p>
2.6.4	<p>As an organisation, the CLA believes that it is imperative that those affected by any large infrastructure scheme are dealt with in a clear and timely manner, and that RWE and anyone acting for them are at all times accessible, professional and open to good faith negotiation and dialogue.</p>	<p>The Applicant has been engaged in meaningful discussion on cable routeing since 2020. Key terms were issued from March 2023 and more targeted negotiation with Land Interests and their agents followed this. Option and easement documents, where requested, commenced issue in October 2023. The Applicant has appointed experienced specialist advisors, Carter Jonas, to assist with its engagement and negotiation of Key Terms. At all times, the Applicant and/or its advisors have sought to provide clear and timely responses to questions raised by affected parties, and have been willing and available to meet parties and/or their agents to progress discussions, whether in person, on site or by virtual meetings.</p> <p>Where it has been necessary and appropriate and would enable meaningful negotiations and discussions with interested parties and their agents to move forward alternative options have been put forward, including the offer to conduct Alternative Dispute Resolution in order to seek to resolve any outstanding concerns that may relate to agreeing the amount of compensation payable, the proposed works and acquisition, as well as mitigation measures and accommodation works which may be adopted or undertaken. Alternative Dispute Resolution will continue to be offered going forward as appropriate.</p> <p>The Applicant has sought to engage in meaningful negotiations with the affected parties and their agents, including (as a generality): -</p> <ul style="list-style-type: none"> <li>• Key Terms were issued to the affected parties' agents from March 2023 to seek feedback on the general principles.</li> <li>• In April 2023, a group of agents (with clients affected by the project) responded collectively with comments on the Key Terms included within an excel table.</li> <li>• In May 2023, an updated spreadsheet with Carter Jonas' comments on the issues raised was then circulated by Carter Jonas via email, to the same group of agents for further comment.</li> <li>• No further responses were received from the agents specifically relating to the points addressed in the spreadsheet.</li> <li>• In June 2023, Carter Jonas emailed the same group of agents to confirm that in light of the absence of any further comment on the previous issues raised about the Key Terms, the Applicant would proceed to issue these and undertake dialogue with individual agents in relation to specific landowner queries.</li> <li>• Subsequently, Carter Jonas began discussions with various agents in relation to landowner specific details within the Key Terms.</li> <li>• Some landowners and their agents confirmed that they were unable to fully engage with the discussions on Key Terms until copies of the Option and easement were issued. As a</li> </ul>

Ref	Comment	Applicant's Response
2.6.5	<p>Moreover, it is in the interest of the wider rural business sector(s) we represent, that compulsory powers are exercised with restraint and proportionality (we note that the initially unlimited working width for this scheme as included in the heads of terms when first issued, caused a lot of concern amongst landowners and agents alike). Proper consideration must always be given to legitimate concerns about the use of compulsory powers, especially in terms of the disruption they can cause to those whose livelihoods are found in and around the land to be affected.</p>	<p>consequence in October 2023, the Applicant's agent issued the legal documentation relating to the Key Terms to agents where requested and feedback was sought. Active engagement is ongoing and the Applicant welcomes the opportunity to further discuss the Key Terms as they specifically relate to individual land interests.</p> <p>The Key Terms incorporated the reference to utilisation of land within the ownership of the interested party. Until ground investigation works and other pre-construction surveys such as archaeological surveys have been undertaken the Applicant will not know where the final construction corridor or cable route design and consequential easement will go and has allowed a larger area to incorporate flexibility to accommodate constraints within the final cable route design. The completed project and land easement would occupy a smaller portion of the indicated Development Consent Order (DCO) boundary area. The Key Terms refer to the same construction corridor and permanent easement widths as the DCO. The standard construction corridor width will be 40m within the DCO boundary. In areas the required cable construction corridor, beyond the trenchless crossing compound areas referred to below, will be refined to a c.40m wide corridor prior to the start of construction located within the DCO Order Limits. Where there is a requirement for a trenchless crossing and compound areas there may be a requirement for c. 100m construction corridor width and the project team will require this flexibility to ensure that crossings can be achieved taking into consideration potential ground conditions and the nature of the crossing obstacle itself and further environmental and physical constraints (Section 9.11.9 of the <a href="#">Statement of Reasons [PEPD-012]</a>). This is in line with the Applicant's approach set out in The <a href="#">Statement of Reasons [PEPD-012]</a>. Paragraphs 6.9.42-6.9.45 and 9.11.7 - 9.11.9 outlines the Applicant's approach to proportionality and the intention to use the powers in Article 32 (Temporary use of land for carrying out the authorised project) to take temporary possession of the wider cable construction corridor of 40m (wider at crossing points, c. 100m, where trenchless installation techniques will be used) followed by permanent acquisition of the land rights and a restrictive covenant as required over a narrower permanent area of approximately 20m to retain, operate, maintain, and decommission the infrastructure. If Compulsory Powers are utilised to acquire rights within the Development Consent Order (DCO) boundary the affected Land Interests will be compensated in accordance with the provisions of the Compensation Code. Claims for disturbance and crop loss will be considered where reasonable, substantiated and shown to be caused as a direct consequence of the temporary use of the land and the works in accordance with the relevant legislation. The Applicant will seek to engage further with the Land Interests regarding detailed construction access design and accommodation works in accordance with <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a> so as to mitigate the impact that the project may have on parties who could be affected by the proposed works.</p>
2.6.6	<p>To try and assist our members (both professional and landowning) as well as Rampion, we asked to meet with RWE/ their agents to discuss the scheme and were permitted a meeting in August 2023. At this meeting, we suggested that the CLA could host/ facilitate a meeting between RWE's agents and the various other agents acting on behalf of affected landowners, with the aim being to provide a neutral space for open discussion. We thought that a number of queries and issues around the Head of Terms could be addressed at large, which would have saved all parties time and effort given that almost all of the landowner agents had reservations</p>	<p>A meeting was held in July 2023 in Winchester between the Country Land and Business Association (CLA), the Applicant and Carter Jonas to provide an overview of and discuss timings for the project, Key Terms and the Option and Easement documents with next steps.</p> <p>The CLA had proposed a further meeting to be attended by affected parties' agents, the CLA, the Applicant and Carter Jonas. Whilst the offer by the CLA was welcomed, the Applicant considered that it would be more appropriate at that time to issue the Key Terms to individual</p>



Ref	Comment	Applicant's Response
	<p>with the regards the same clauses. Sadly, this offer was met with a firm 'NO' by RWE and its agents. It is perhaps worth noting, that having done something similar previously when the Esso Oil pipeline negotiations had come unstuck, we know that this sort of facilitated meeting can be of great benefit and help to get relations and negotiations back on track. We were therefore disappointed when our offer to help was rejected with little to no consideration.</p>	<p>landowners and engage in individual discussions with them rather than hold another group meeting. However should progress not be made on items associated with the Key Terms that are not land interest specific then the CLA's suggestion of a facilitated group meeting with agents would be reconsidered where there were concerns raised by land interests' agents which required further comment by the Applicant with regards to the rationale for the position taken. As required, amendments would be considered and where appropriate made to the Key Terms to include issues associated with land drainage, compensation, soil management, fees etc so as to facilitate progression of matters.</p>
2.6.7	<p>We believe that there is still the opportunity for better engagement and negotiation to take place regarding Rampion 2 which would mean that CPO powers would not have to be used. At present however, the feeling amongst many of our members is that Rampion is very much expecting and relying on securing CPO powers through its DCO application, and that by approaching the project in this way, there has been a detrimental impact on their engagement with landowners/agents thus far.</p>	<p>As explained above, this does not reflect the Applicant's approach. The Applicant provided Key Terms to the affected parties' agents in March 2023 for feedback on general principles before bespoke terms to individual landowner were issued. The Applicant has continued to negotiate with a view to acquire the rights required for the development by voluntary agreement, which principally involve permanent rights for an easement to lay a cable within the proposed Order Limits and associated construction and operational routes of access. The easement will be finalised taking no greater area than required. The Applicant confirms it will continue to engage fully with affected parties and their agents regarding the refinement of the Key Terms, Option and easement documents, and in respect of the final land area required. The Applicant also seeks to continue to have meaningful discussions via site meetings, telephone, email and letter with affected parties to understand the mitigation measures that may appropriately be implemented during construction for the project to minimise disturbance to landowners and occupiers.</p>

Table 2-7: Applicant's Response to Diane Ward [REP1-092]

Ref	Comment	Applicant's Response
2.7.1	<p>I know this is going to be a great project, but it is going to be most inconvenient to the holiday park.</p> <p>We come here to get away from noise and pollution. And lorries disturbing the ground in which our caravan are standing.</p> <p>Also reducing the value of the caravans if we wish to sell to get away from the noise.</p> <p>I don't think I could be in caravan day in and out with all the noise of lorries and building materials. I do not want to holiday on a building site.</p> <p>How long is this project going to take to complete. Holiday Park closed 7 weeks per year. Maybe this could be carried out in that time, but I would still be worried about the damage to my caravan.</p>	<p>The Applicant notes the Interested Party is an occupant of the Brookside Caravan Park on an annual licence basis. Brookside Carvan Park is not within the Order Limits. There are highway works proposed which affect a small area of the freehold owner's assumed sub-soil ownership to the adopted highway in Plot 4/11, but this land is outside of the caravan park itself and does not affect its occupation or use.</p> <p>The Applicant therefore does not believe the Interested Party has an interest in land. In the unlikely event that they have a sufficient land interest which is capable of being the subject to a Section 10 injurious affection claim for diminution in value of the land interest as a result of the works, they may be able to bring a compensation claim in due course, to be assessed in accordance with the Compulsory Purchase Compensation Code.</p> <p>For the avoidance of doubt, a caravan is an asset and does not represent a compensable interest in land for these purposes.</p> <p><b><u>Transport</u></b></p> <p>The proposed routing strategy is detailed in the <b>Outline Construction Traffic Management Plan (CTMP) [REP1-010]</b> which has been updated at the Deadline 1 and is secured by Requirement 24 of the <b>Draft Development Consent Order [PEPD-009]</b>. The closest construction access junction to Brookside Caravan Park on the western side of the A284 is A-12 located approximately 60m north of the Caravan Park boundary as shown on Sheet 7 of the <b>Access, Rights of Way and Street Plans [APP-012]</b>. For clarity, access A-11 located immediately north of the Caravan Park boundary is for operational purposes only as shown on sheet 5 within the <b>Onshore Works Plans [PEPD-005]</b>. Operational access requirements will be minimal with scheduled maintenance of the onshore cable route required every 2-5 years generating approximately three LGVs for one day. Some unscheduled or emergency repair visits may also be required but this also typically involve a very small number of LGVs.</p> <p>As detailed in Table 5-3 and 6-2 of the <b>Outline CTMP [REP1-010]</b> (which has been updated at the Deadline 1 submission) A-12 is a construction access which will generate 878 HGV two-way movements and 456 LGV two-way movements across the whole four-year construction programme. This compares to a daily HGV flow on the A284 of approximately 700 vehicles. At peak construction the Proposed Development will generate 234 HGV two-way movements, which is approximately 47 HGVs per day (assuming 5-day week) or one every 14 minutes (assuming a 12-hour working day). The peak in LGVs is 60 LGV two-way movements in a week, which is 12 a day, and 1 per hour.</p> <p>A-13 is an operational and construction access on the eastern side of the A284. As detailed in Table 5-3 and 6-2 of the <b>Outline CTMP [REP1-010]</b> (which has been updated at the Deadline 1 submission) at access A-13 there will be up to 562 HGV two-way movements and 480 LGV two-way movements. If access A-13 is used for all construction traffic movement over A-15 during the peak week of construction activity, there will be 130 HGV two-way movements and 96 LGV two-way movements. This is the equivalent to 26 HGV two-way movements per day or 2-3 per hour and 19 LGV movements per day and 1-2 per hour. However, it is noted that there is optionality at this location for the contractor to use either Access A-13 or A-15 (north of Lyminster) or a combination of both. Given that access A-15 provides access directly from Lyminster bypass (currently under construction) and adheres to</p>

Ref	Comment	Applicant's Response
		<p>Commitment C-157 to avoid routing HGV traffic through smaller settlements (<a href="#">Commitments register [REP1-015]</a>) (which has been updated at the Deadline 1 submission) it is considered that use of Access A-13 is unlikely by the contractor.</p> <p>The closest receptor to the Caravan Park identified within the <a href="#">Chapter 23: Transport, Volume 2</a> of the ES <a href="#">[APP-064]</a> and <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES <a href="#">[REP1-006]</a> (submitted at Examination Deadline 1) is Lyminster village (receptor 7), located 250m north of the Caravan Park access, because of residents living in properties adjacent to the highway and pedestrian traveling along the A284. Whilst the Caravan Park was not identified as a sensitive receptor itself, it will experience the same impacts as those identified for Lyminster. Table 23-36 identified a worst-case increase in HGV traffic of 7.1% during construction of the and therefore concluded that the proposed development would not generate any significant environmental effects on the A284. This level of impact is also identified within the sensitivity test which will be used within <a href="#">Chapter 32: ES Addendum Volume 2</a> of the ES <a href="#">[REP1-006]</a> (which has been submitted at the Deadline 1 submission). As such the Proposed Development will not generate any significant environmental effects in relation to traffic at this location.</p> <p><b><u>Air Quality</u></b></p> <p>Air quality and dust emissions relating to construction activities and the construction access roads in the Brookside Caravan Park area have been considered in <a href="#">Chapter 19: Air quality, Volume 2</a> of the ES <a href="#">[APP-060]</a>. The duration of activities on the nearby Trenchless Crossing ID TC-05 is estimated to be 4.7 weeks and therefore construction activities are very short term in the locality of the caravan park.</p> <p>Air dispersion modelling of emissions to air from the Trenchless Crossing activities have indicated that air quality impacts on receptor R65 (representing the caravan park) are negligible. The qualitative dust assessment concluded that with no mitigation in place the risk of dust soiling from construction traffic is Low. This finding that without dust controls there would be a Low risk of impact has informed the dust management measures that would be implemented as part of the Proposed Development (see Table 19-36 of <a href="#">Chapter 19: Air quality, Volume 2</a> of the ES <a href="#">[APP-060]</a>). These measures are expected to ensure that the risk of impact is reduced to negligible levels. These measures have informed the <a href="#">Outline Code of Construction Practice [PEPD-033]</a> and are secured via Requirement 22 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>.</p> <p><b><u>Noise and Vibration</u></b></p> <p>Noise sources relating to the onshore construction works and construction road traffic have been considered in <a href="#">Chapter 21: Noise and vibration, Volume 2</a> of the ES <a href="#">[PEPD-018]</a>. During the construction phase, the noise generated at Brookside Caravan Park will be in relation to the trenchless crossing (where the major noise sources will be located to the east of the A284), and the trenched cable route and associated haul route (located approximately 50 m north of the nearest caravan).</p> <p>The noise from the trenchless crossing (under the A284) works was assessed as Trenchless Crossing ID TC-05 at the building at the eastern boundary of the caravan park as Receptor ID HDD05-SW. This assessment can act as a proxy for the worst case levels on the site (as the closest point). The predicted unmitigated levels at the building were 63dB. This mean that noise will be audible for the duration of the trenchless crossing works (currently assessed as being 1.7 weeks' duration of construction activity), however, this is not significant with reference to the code of practice for noise on construction sites, British Standard 5228 part 1:Noise (British Standards Institution (BSI), 2014).</p>

Ref	Comment	Applicant's Response
		<p>The haul route will be used during the onshore trenching works. The onshore trenching works will be in the overall vicinity of the caravan park for 4.7 weeks, individual occupiers may be subject to a high magnitude of noise for approximately 2 days as the works pass by, however, this temporary nature of disturbance, means that such noise will not be significant in EIA terms.</p> <p>Whilst the onshore trenching works are undertaken, the haul road will be used by up to 3 HGVs per hour. The mitigation provided by locating this route 50m or more from caravans, means that there will be no significant noise or vibration from such vehicle movements this is secured through requirement 22 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>, although the vehicles are likely to be audible above the ambient noise from the A284. Following the receipt of Relevant Representations, a new commitment (C-287) has been added to the <a href="#">Commitment register [REP1-015]</a> and <a href="#">Outline Code of Construction Practice [PEPD-033]</a> (updated for the Deadline 1 submission) and is secured through requirement 22 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>. This requires the Applicant to install an acoustic barrier on the edge of the works north of Brookfield Caravan Park. The barrier will be of a suitable dimension and sited appropriately to manage noise impacts at this location for the duration of the construction phase.</p> <p>Unmitigated construction phase noise is predicted to be below the threshold for significance at the caravans on Brookside Caravan Park. The use of the <a href="#">Outline Code of Construction Practice [PEPD-033]</a> and associated management plans, and the embedded design, i.e. locating the haul route with a separation of at least 50 m, will further minimise, although not eliminate disturbance from noise.</p> <p>The operational only access immediately to the north of the caravan park will not give rise to significant levels of noise. Infrequent vehicle pass-bys (for periodic testing or unscheduled maintenance, as described above) would not be out of character for the area, given that agricultural vehicles would be expected to access the field and that there is an A-road adjacent to the east boundary of the caravan park.</p>

**Table 2-8: Applicant's Response to Emily Ball [REP1-097]**

Ref	Comment	Applicant's Response
2.8.1	We strongly object to the Rampion II proposal. We are residents living on Kent Street in Oaklands / Ridgeland.	The Applicant notes the Objection within the Written Representation
2.8.2	I have sent written representations previously and we are part of the Cowfold V Rampion group, we fully support the document COWFOLD RESIDENTS' IMPACT STATEMENT. Cowfold Parish Council have also sent in an objection and supplementary information for the 28/2 deadline and we fully support the Council's comments and objections. We are an active community who will not let large business bulldoze through our area without due regard to local policy and local people.	The Applicant notes the comments within the Written Representation
2.8.3	This CowfoldvRampion group has over 150 households and over 200 people in the Cowfold area. The group have collated information and have summited an impact report to be studied. We also attended and spoke at the Hearings in Brighton and also completely agree with the responses and objections put forward by our MP Mr Griffith who said this is the "wrong project in the wrong place".	The Applicant notes the comments within the Written Representation
2.8.4	We are responsible people who all want new technologies and renewable energy BUT we must have joined up thinking as to where we locate these schemes. Recently many local objections have been bulldozed over as we rush to a green future but without proper consideration of what we are loosing.	The Applicant notes the comments within the Written Representation
2.8.5	This DCO should be a turning point, like the Post Office debacle, where local opinions and local people are not pushed aside and we are given due consideration, where our communities and National Parks are not ruined for short term gain. We need to pause and have a longer-term strategy on location and impact of large scale renewable schemes, where individual private companies come together with Government to form a long term plan and locate new infrastructure in an appropriate location with different schemes linking together off shore.  We shouldn't be exchanging green energy for green spaces	<p>The Applicant notes the issues raised in this written representation. Route alternatives and sifting matters raised within this Written Representation have been responded to by the Applicant in Table 6-4 'Route / Alternatives' of <a href="#">Applicant's Responses to Relevant Representations [REP1-017]</a>.</p> <p>Environmental impact matters provided within this Relevant Representation, including Landscape and visual impact, have been responded to by the Applicant in Table 6-2 'Environment and disturbance' of <a href="#">Applicant's Responses to Relevant Representations [REP1-017]</a>.</p> <p>The landscape and visual effects are assessed in <a href="#">Chapter 18: Landscape and visual impact, Volume 2</a> of the Environmental Statement (ES) <a href="#">[APP-059]</a> and the following are also relevant, providing an assessment of viewpoints along the onshore cable corridor, effects on landscape and the South Downs National Park and effects on views and visual amenity experienced by people within the area.</p> <ul style="list-style-type: none"> <li>• <a href="#">Appendix 18.2: Viewpoint Analysis, Volume 4</a> of the ES <a href="#">[APP-168]</a>;</li> <li>• <a href="#">Appendix 18.3: Landscape Assessment, Volume 4</a> of the ES <a href="#">[APP-169]</a>; and</li> <li>• <a href="#">Appendix 18.4: Visual Assessment, Volume 4</a> of the ES <a href="#">[APP-170]</a>.</li> </ul>
2.8.6	As per our last correspondence we would request a site visit by the panel to the Cowfold area and especially the small lanes around Kent Street, to see the inadequacy of the local area for such a large project, points of detail will be listed	The Examining Authority's Panel of Inspectors has requested that the Applicant arrange a site visit which would include the Kent Street area.



Ref	Comment	Applicant's Response
	below, we believe the panel would realise the inappropriate site once they walk around our community.	Please refer to the document <b>Accompanied Site Visit Itinerary (Document Reference 8.39)</b> which will be provided at Deadline 2.
	Items which need further investigation by the panel -	
<b>2.8.7</b>	<b>Have alternatives been properly investigated.</b>	
<b>2.8.8</b>	It has been noted by the Protect Coastal Sussex group and was again mentioned by the chair of the panel that more information is needed from the applicant regarding initial analysis of the sub station and onshore cable route and viable alternatives.	<p><b>Chapter 3: Alternatives, Volume 2</b> of the <b>Environmental Statement (ES) [APP-044]</b> details how the design of the Proposed Development has evolved and demonstrates that all aspects of site selection, site access and future access requirements have been incorporated into the design of the Proposed Development to minimise and mitigate adverse impacts. The chapter explains the reasonable alternatives considered for the onshore cable corridor and the reasons for selection of the preferred option. At this stage, the description of the Proposed Development is indicative and a 'design envelope' approach has been adopted which takes into account the Planning Inspectorate's Advice Note Nine: Rochdale Envelope (Planning Inspectorate, 2018).</p> <p>The provision of a design envelope is intended to identify key design assumptions to enable the environmental assessment to be carried out whilst retaining enough flexibility to accommodate further refinement during detailed design. Further details on the use of the Rochdale Envelope for Nationally Significant Infrastructure Projects are provided in line with the Planning Inspectorate Advice Note Nine: Rochdale Envelope (Planning Inspectorate, 2018), and is further described in <b>Chapter 4: The Proposed Development, Volume 2</b> of the Environmental Statement (ES) [APP-045] in paragraphs 4.1.4 to 4.1.6. The use of the Rochdale Envelope approach is recognised in paragraph 4.2.8 of NPS EN-1 (DECC, 2011a), and is also reflected in the newly designated NPS (Department of Energy Security and Net Zero 2023a; 2023b and 2023c).</p> <p>This approach has been adopted. <b>Chapter 4: The Proposed Development, Volume 2</b> of the ES [APP-045] provides a detailed description of the onshore cable corridor. <b>Section 4.5</b> details the onshore cable corridor from landfall at Climping through to the proposed new onshore substation and then onto the existing National Grid Bolney substation. A description of specific locations along the route where optionality has been retained is also provided.</p>
<b>2.8.9</b>	The chair talked about Farley been a viable alternative site with the cables going along the seabed instead of ploughing through a National Park. Farley would also not need a large substation. The applicant said this scheme was looked at but the major issue prohibiting this choice was financial, saying that the longer undersea cables route would cost an extra £200m which would make the project unviable. The previous client estimate cost for the whole project (this was before recent increases in construction costs around 30% over the last 18 months) was circa £3bn, a normal contingency for such an early estimate would be around 10-15% for most construction projects being costed at an early pre planning stage. The client is saying the whole project becomes unviable due to the same monies as a contingency in the cost plan. To be polite I would say this is disingenuous or they should be changing their cost accountants.	The Applicant provided a response to this matter as part of the Deadline 1 submissions. This information can be found in <b>Applicants post hearing submission – Issue specific hearing 1 – Appendix 1 – Further information for action point 3 – Fawley and Dungeness [REP1-019]</b>
<b>2.8.10</b>	We also do not believe the two Wineham sites were properly investigated and analysed, as described in depth in the Cowfold Impact Statement.	<b>Chapter 3: Alternatives, Volume 2</b> of the Environmental Statement (ES) [APP-044] describes the alternatives studied by the Applicant and a comparison of their environmental effects across the project as a whole. This includes the alternatives considered and consulted on prior

Ref	Comment	Applicant's Response
		<p>to the DCO Application. As described in <a href="#">Chapter 3 Alternatives, Volume 2</a> of the ES [APP-044], the Proposed Development has been developed through a multi-disciplinary design process including environment, engineering, landowner, and cost considerations. The Applicant has sought to avoid, reduce, or minimise the effects through the design process and also by identifying and securing embedded environmental measures. It is acknowledged that some residual effects remain across the site. The Applicant notes that paragraph 4.4.1 NPS EN-1 (2011), against which the Proposed Development is to be assessed, states there is no “<i>general requirement to consider alternatives or to establish whether the proposed project represents the best option</i>”. This is reflected in paragraph 4.3.9 of NPS-EN1 (2023), which came into force in January 2024. Some specific policies require consideration of alternatives as set out in the National Policy Statement EN-1 (Department of Energy and Climate Change, 2011a), however these do not apply in relation to the comparison of the substation options.</p> <p>Section 3.6 of <a href="#">Chapter 3: Alternatives, Volume 2</a> of the Environmental Statement (ES) [APP-044] provides the information on the onshore substation site selection process. Section 3.6 describes the site selection process and the reasons for other sites being discounted based on the multi-disciplinary factors identified in the paragraph above. 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 <a href="#">Chapter 3: Alternatives, Volume 2</a> of the ES [APP-044]. Significant weight was also given to the environmental constraints and related policy in the overall balance of the decision. This Applicant has also developed further embedded environmental measures that have been presented in the application including the design principles in the <a href="#">Design and Access Statement [AS-003]</a>, <a href="#">Outline Landscape and Ecology Management Plan [APP-232]</a> and <a href="#">Outline Operational Drainage Plan [APP-223]</a> secured by requirements 8, 12 and 18 of the <a href="#">Draft Development Consent Order [PEPD-009]</a> respectively.</p> <p>Further detail as to the selection of the onshore substation is included in <a href="#">Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 2 - Further information for Action Point 4 – Wineham Lane North [REP1-021]</a></p>
2.8.11	The applicant should be doing more in-depth analysis of the Wineham options and using the Rampion I cable route as this is already subject to scarring from the previous installation as discussed by The National Park in the hearings. If the cable has to come onshore it makes more sense to use the Rampion I cable route and investigate the Wineham sites again.	Please see <a href="#">Reference 2.8.8</a> above for the Applicant's response regarding cable route alternatives.
2.8.12	It should be noted that on the 13th and 14th June 2022 PLG meeting, Rampion showed some slides for why they chose Oakendene however very little public and neighbourhood consultation had taken place by then in Cowfold.	For further information please see Appendix 15 Promotion of Rampion 2 Consultations in and around Cowfold 2021-2022 of <a href="#">Applicant's Responses to Relevant Representations [REP1-017]</a> .
2.8.13	The applicants seem to have chosen Oakendene and then ‘managed the data’ to fit the choice, based on a lack of objections – but this was down to a lack of local Cowfold consultation, many residents were kept in the dark.	For further information please see Appendix 15 Promotion of Rampion 2 Consultations in and around Cowfold 2021-2022 of <a href="#">Applicant's Responses to Relevant Representations [REP1-017]</a> .
2.8.14	I would categorise the findings of the applicant as  Why else have they chosen the site with:	Regarding the choice of the substation site with regard to flood risk, Section 9.1 of <a href="#">Appendix 26.2: Flood Risk Assessment, Volume 4</a> of the ES [APP-216] sets out application of the sequential test. Paragraphs 9.1.29 to 9.1.40 of <a href="#">Appendix 26.2: Flood Risk Assessment,</a>

Ref	Comment	Applicant's Response
	<p>The most biodiversity</p> <p>The greatest impact of businesses and the wider economy</p> <p>An underground high voltage cable</p> <p>The fastest road, with the worst accident rate and impact on air quality</p> <p>The greatest flood risk both to the site and to nearby properties and the risk of water loss to the Adur created by the open cable channels and upstream flooding at the substation site</p> <p>A location in the parkland of a grade 2 listed building The greatest heritage significance and impact for both construction and operation (PEIR SIR appendices D and G)</p>	<p><b>Volume 4</b> of the ES [APP-216] outline the approach taken with respect to the substation site. Of the shortlisted two options of Oakendene and Wineham Lane North, the Wineham Lane North site was considered to be marginally preferable from a flood risk perspective based on the Environment Agency Risk of Flooding from Surface Water (RoFSW) mapping. However, at both sites the risk of surface water flooding was ultimately deemed to be low following the provision of appropriate mitigation (for which greater space was available at Oakendene to achieve appropriate mitigation compared to the spatially constrained Wineham Lane North site), and therefore any preference was considered to be marginal. The final selection of the Oakendene onshore substation (at marginally higher surface water flood risk than the Wineham Lane North substation search area option, but with more space available to implement mitigation) was therefore driven by other technical and engineering constraints.</p> <p>Further detail as to the selection of the onshore substation is included in <b>Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 2 - Further information for Action Point 4 – Wineham Lane North [REP1-021]</b>.</p>
2.8.15	<b>Negative economic impact and loss of employment in the area</b>	
2.8.16	<p>Oakendene estate is a very important local employer, many of these small businesses will fold when they have delays from suppliers and customer visits. Why would people queue for time to visit this site when they can source items elsewhere. The traffic delays will be fatal for these small tight cash-flow firms. Also many businesses in the main Cowfold village will be negatively affected by the delays on local roads. The local negative economic impact is not covered enough in the applicant's representations to date, business will be devastated in Cowfold and the surrounding area, it is not just tourism that will suffer.</p>	<p>As part of the Development Consent Order (DCO) process, a thorough assessment of the likely impact of traffic upon the strategic and local road network and highway assets during the construction phase of works has been completed (see <b>Chapter 23: Transport, Volume 2</b> of the ES [APP-064]). Traffic volumes on the Oakendene Industrial Estate and A272 have been observed and presented in <b>Chapter 23: Transport, Volume 2</b> of the ES [APP-064] and <b>Chapter 32: ES Addendum, Volume 2</b> of the ES [REP1-006] (submitted at Deadline 1).</p> <p>Access to the construction compound site via the Industrial Estate entrance from the A272 and access management measures will be designed taking into account the existing use of the road. Continued access use by Industrial Estate tenants will be facilitated. The proposed routing strategy is further detailed in the <b>Outline Construction Traffic Management Plan (CTMP) [REP1-010]</b>. The CTMP would be secured by Requirement 24 of the <b>Draft Development Consent Order (DCO) [PEPD-009]</b>.</p> <p>Environmental measures will be implemented to manage the potential effects from construction traffic. These are detailed in the <b>Commitments Register [REP1-015]</b> and are secured through the <b>Outline Construction Traffic Management Plan (CTMP) [REP1-010]</b>, <b>Outline Construction Workforce Travel Plan [APP-229]</b>, <b>Outline Public Rights of Way Management Plan [APP-230]</b> secured through requirements 24 and 20 of the <b>draft DCO [PEPD-009]</b>.</p> <p>The <b>Outline CTMP [REP1-010]</b>, which has been updated at the Deadline 1 submission includes:</p> <ul style="list-style-type: none"> <li>• <i>Commitment C-157: The proposed heavy goods vehicle (HGV) routing during the construction period to individual accesses will be developed to avoid major settlements of Storrington, Cowfold, Steyning, Wineham, Henfield, Woodmancote and other smaller settlements where possible; and</i></li> </ul>

Ref	Comment	Applicant's Response
		<ul style="list-style-type: none"> <li>• <i>Commitment C-158: The proposed heavy goods vehicle (HGV) routing during the construction period to individual accesses will avoid the Air Quality Management Area (AQMA) in Cowfold where possible.</i></li> </ul> <p>These commitments are also reflected in Table 5-1 of the <b>Outline CTMP [REP1-010]</b> which were updated at Deadline 1 and confirms prescribed local Heavy Goods Vehicle (HGV) access routes for all sections of the onshore cable corridor and Table 5-2 which details specific local constraints and proposed management of construction traffic routes.</p> <p>These commitments ensure that HGV construction traffic will route along the A27 and A23 to gain access to the A272 east of Cowfold wherever possible, thereby avoiding the village centre. Therefore, only accesses A-52, A-56 and A-57 will require construction traffic to route through Cowfold Village centre. As calculated by using data included in Table 5-3 of the <b>Outline CTMP [REP1-010]</b>, the impact of this commitment is the removal of up to 22,000 two-way HGV trips (11,000 HGVs) from Cowfold Village centre over the construction phase.</p> <p>The likely significant transport effects associated with the construction phase of the Proposed Development have been assessed in <b>Chapter 23: Transport, Volume 2</b> of the Environmental Statement (ES) <b>[APP-064]</b>, <b>Chapter 32: ES Addendum</b> of the ES <b>[REP1-006]</b> and <b>Appendix 23.2: Traffic Generation Technical Note, Volume 4</b> of the ES <b>[REP1-008]</b> which were updated at the Deadline 1. At peak construction, taking account of the construction traffic routing contained within the <b>Outline CTMP [REP1-010]</b> which has been updated at the Examination Deadline 1 submission, the impacts listed below have been identified for Cowfold.</p> <ul style="list-style-type: none"> <li>• At A281 south of Cowfold (Receptor 23): <ul style="list-style-type: none"> <li>▶ An HGV peak week increase of 12 HGVs per day, equivalent to an increase of 7.5% and approximately one HGV per hour; and</li> <li>▶ A total construction traffic peak week increase of one HGV per day and 71 light goods vehicles (LGVs) per day (5-6 per hour), equivalent to a 1.1% increase in total traffic flow.</li> </ul> </li> <li>• The A281 / A272 in the centre of Cowfold (Receptor 24): <ul style="list-style-type: none"> <li>▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 3.5% and 3-4 HGVs per hour; and</li> <li>▶ A total construction traffic peak week increase of 19 HGVs and 154 LGVs (12-13 per hour), equivalent to a 0.7% increase in total traffic flow.</li> </ul> </li> <li>• The A272 Station Road west of Cowfold Village centre (Receptor 25): <ul style="list-style-type: none"> <li>▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 4.6% and 3-4 HGVs per hour; and</li> <li>▶ A total construction traffic peak week increase of 19 HGVs and 154 LGVs (12-13 per hour), equivalent to a 0.9% increase in total traffic flow.</li> </ul> </li> <li>• The A272 Bolney Road east of Cowfold Village centre (Receptor E): <ul style="list-style-type: none"> <li>▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 5.5% and 3-4 HGVs per hour; and</li> </ul> </li> </ul>



Ref	Comment	Applicant's Response
		<p data-bbox="1650 289 2822 363">▶ A total construction traffic peak week increase of 19 HGVs and 147 LGVs (12-13 per hour), equivalent to a 0.8% increase in total traffic flow.</p> <p data-bbox="1546 415 2822 583">As noted within Institute of Environmental Management and Assessment (IEMA) 1993 publication <i>Guidelines for the Environment Assessment of Road Traffic</i> (IEMA, 1993) and 2023 publication <i>Environmental Assessment of Traffic and Movement</i> (IEMA, 2023) an increase of less than 10% is not discernible environmental effect as is within day-to-day fluctuations in traffic flow. Therefore, no significant effects are predicted to occur within Cowfold.</p> <p data-bbox="1546 625 2822 762">Based on the proposed location of the onshore substation and routing of the onshore cable corridor, plus the incorporation of appropriate embedded environmental measures, no significant effects have been identified in relation to transport receptors from Rampion 2 construction, operation and maintenance, and decommissioning.</p> <p data-bbox="1546 793 2822 898">For further information, please see the Applicant's response to Relevant Representations regarding Oakendene Industrial Estate (Table LI3, <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a>).</p>
<b>2.8.17</b>	<b>Traffic issues A272 and Kent Street</b>	
<b>2.8.18</b>	<p data-bbox="379 982 1486 1266">Kent street is a quiet lane for single use traffic with soft verges on both sides of the road and only intermittent place for cars to pass. Indeed, there was an accident on the A272 (one of many) on the 20/10/23 with a large overturned trailer and the road was closed with a diversion through Kent Street for days afterwards. This caused complete chaos on the local lanes with time delays and extensive damage to the verges along Kent Street (and other small lanes) with cars unable to pass. It is not viable to use Kent Street for even temporary access as per conversations with Rampion on the point above.</p>	<p data-bbox="1546 982 2822 1192">Given the single lane track nature of Kent Street and conclusions of the ES, the Applicant is currently reviewing options for the implementation of traffic management along Kent Street and accesses A-61 and A-64 to provide safe access for construction and general traffic. This may involve measures such the implementation of a speed limit reduction, passing places, or managed access via banksmen. A traffic management plan for Kent Street will be produced as required at Deadline 3.</p> <p data-bbox="1546 1224 2822 1434">The outcomes of this review will be discussed with West Sussex County Council at the earliest opportunity with the aim of reaching an agreement in principle to the traffic management strategy. This would then be secured through a detailed CTMP for the stage of the authorised development comprising Kent Street which will be required to be submitted and approved by the highways authority before commencement within that stage in accordance with Requirement 24(1)(a) of the <a href="#">Draft Development Consent Order [PEPD-009]</a>.</p>
<b>2.8.19</b>	<p data-bbox="379 1465 1486 1560">No safety audit has been undertaken on the Oakendene / A272 junction and also the Kent Street / A272 junction and no Traffic Impact Assessment has been undertaken along Kent Street</p>	<p data-bbox="1546 1465 2822 1633">The Applicant is currently preparing preliminary designs for each of the proposed compound location (A-05, A-63) and Oakendene substation (A-62), which will be designed in accordance with Design Manual for Roads and Bridges (DMRB) guidance and subject to an independent Road Safety Audit. The aim is to reach agreement in principle on the layout of each of these access junctions prior to the end of the Examination.</p> <p data-bbox="1546 1686 2822 1927">The likely significant transport effects of the Proposed Development on Kent Street have been assessed in <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES <a href="#">[REP1-006]</a> and <a href="#">Appendix 23.2: Traffic Generation Technical Note, Volume 4</a> of the ES <a href="#">[REP1-008]</a>. This assessment concluded that the Proposed Development would generate significant environmental effects on Kent Street on fear and intimidation, pedestrian delay and pedestrian amenity. These effects however are anticipated to be short term in nature, related to the peak construction period on Kent Street.</p>




Ref	Comment	Applicant's Response
2.8.20	No allowances for small vans and construction workers transport arriving and leaving every day. This will amount to possibly hundreds of thousands of extra journeys at peak times along the A272, it will be disastrous for the local road network and soft clay verges on local lanes.	The assessment of the Proposed Development provided <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the Environmental Statement (ES) [REP1-006] and <a href="#">Appendix 23.2: Traffic Generation Technical Note, Volume 4</a> of the ES [REP1-008] included construction workers travelling to and from construction compounds and the start and end of each day.  These assessments concluded that the Proposed Development would not generate any significant effects related to transport on the A272.
2.8.21	Kent Street has passing places which are privately owned and made up of mud and hard core. They are currently full of potholes. If these passing places are removed by the restrictive landowners there would be nowhere to pass at all on the lane, how will residents be able to negotiate with large lorries or walk and ride on the lane.  KENT STREET IS NOT A VIABLE LANE FOR CONSTRUCTION TRAFFIC	Please see the response provided to <a href="#">Reference 2.8.18</a> .
2.8.22	There is also an access for the pipe along Kent Street which is very close to our residential turning which will make access to our residential dwelling dependant on large lorries using the lane.	Please see the response provided to <a href="#">Reference 2.8.18</a> .
2.8.23	I would also like to repeat what I said in the last written reps below as it is so important.  • During the informal consulta2on and the first round consulta2on Kent Street was recognised as ' a single track lane unsuitable for HGVs', being concerned I wrote to Rampion II and received an email on the 30th July 2021 from James d'Alessandro (Commercial Manager Rampion) about the use of Kent Street by construc2on traffic saying: "In January 2021, the Council responded to the Rampion 2 informal consultation process to the effect that Kent Street is not deemed appropriate for temporary construction access..." .	Please see the response provided to <a href="#">Reference 2.8.18</a> .
2.8.24	Photos of the chaos below on Kent Street Nov 2023 due to blockage on A272, THE LANE CANNOT TAKE LARGE AMOUNTS OF TRAFIC.  Bus going the wrong way and trying to do a 3 point turn onto clay soft verges	Please see the response provided to <a href="#">Reference 2.8.18</a> .

Ref	Comment	Applicant's Response
<b>2.8.25</b>	<b>Flood Risk</b>	
<b>2.8.26</b>	<p>Flood risk is a large issue on the substation fields and one where the desk top studies do not compare to local knowledge and lived experiences.</p>	<p>The assessment of flood risk and outline design was prepared in accordance with the West Sussex County Council (WSSCC) and Horsham District Council (HDC) advice, as recorded in meeting minutes included in Annex A of the <b>Appendix 26.2: Flood Risk Assessment, Volume 4</b> of the Environmental Statement (ES) <b>[APP-216]</b>.</p> <p>As outlined in the <b>Appendix 26.2: Flood Risk Assessment, Volume 4</b> of the ES <b>[APP-216]</b> the onshore substation at Oakendene is situated within Flood Zone 1 (low probability of flooding). The main sources of flood risk at the onshore substation site are fluvial and surface water, associated with run-off due to the clayey ground conditions.</p> <p>The approach to assessment of fluvial flood risk from the ordinary watercourse to the south of the substation site was agreed with the Lead Local Flood Authority (LLFA) (WSSCC) and the Local Planning Authority (LPA) (Horsham District Council (HDC)) during a consultation meeting on 22 June 2022. It was agreed that the 0.1% Annual Exceedance Probability (AEP) flood extent (defined by the Environment Agency Risk of Flooding from Surface Water (RoFSW mapping) was a suitably precautionary proxy for the 1% Annual Exceedance Probability (AEP) plus a climate change allowance for the operation and maintenance phase (2030 to 2060). The</p>

Ref	Comment	Applicant's Response
		<p>HDC flood officer commented that as long as the onshore substation was positioned outside of the 0.1% AEP extent they would not be concerned. HDC also advised that there are no HDC records of historical flooding incidents at the onshore substation site at Oakendene. No advice to the contrary was provided by WSCC during pre-Development Consent Order application consultation.</p>
2.1.27	<p>Many other photos and videos have been sent in by other members of the Cowfold V Rampion action group and are contained in the Impact Document from the residents.</p>	<p>This is noted and welcomed.</p>
2.1.28	<p>The applicant did not realise the extent of the flooding in and around Oakendene until very late in the day, most likely in 2023. Even though a local resident Janine Creaye told them of the flood risk in her 2021 consultation response. The substation is away from the A272 and away from the east cable route and so it is sited in the south of the field where it mostly floods during winter.</p>	<p>Please refer to <b>Reference 2.8.26</b>.</p>
2.8.29	<p>See flooding photos below from Oct 2023</p>	<p>These photos are noted and welcomed. The photos are entirely consistent with the Environment Agency Risk of Flooding from Surface Water (RoFSW) mapping upon which the Applicant has based its assessment of flood risk as set out in Paragraph 5.7.14 of <b>Appendix 26.2: Flood Risk Assessment, Volume 4</b> of the ES [APP-216] in agreement with West Sussex County Council (WSCC) and Horsham District Council (HDC). These photographs therefore provide a means of validation of the Environment Agency RoFSW mapping, providing further confidence in the assessment and minimising uncertainty.</p>
		<p>Detailed interpretation of these photos is as follows:</p> <ol style="list-style-type: none"> <li>1. Flooding at the lake outlet (through which the unnamed watercourse flows) captured on 3<sup>rd</sup> November 2023 (as indicated in the CowfoldvRampion Local Impact Report), approximately 300m west of the substation site.</li> <li>2. Waterlogged ground on the eastern boundary of the substation site (approximately 30m east of the substation footprint) captured from Kent Street looking west on 3<sup>rd</sup> November 2023 (as indicated in the CowfoldvRampion Local Impact Report).</li> <li>3. View of the unnamed watercourse (Cowfold Stream tributary) flowing west beneath Kent Street, captured from Kent Street on 3<sup>rd</sup> November 2023 (as indicated in the CowfoldvRampion Local Impact Report).</li> <li>4. Repeat of Photo 2.</li> <li>5. View north of floodwater flowing west across Public Right of Way crossing the unnamed watercourse at the southern boundary of the substation site.</li> </ol>
		<p>The flood extent of the lake outlet provided in Photo 1 is consistent with the Environment Agency RoFSW mapping, with flood extents within the 'high risk' flood extent. Similarly, the standing water indicated in Photo 2 correlates well within a region of mapped high surface water flood risk associated with a surface water flow path that flows south along the eastern field boundary of the Oakendene substation site.</p>



Ref	Comment	Applicant's Response
		<p>Review of a nearby Environment Agency rainfall gauge in Cowfold<sup>1</sup> (approximately 1.2km west of the site) reveals that the week preceding 3 November 2023 was exceptionally wet, with a total of 104mm of rainfall falling (including 20mm on 2 November 2023). Standing water in this location following heavy rainfall event is therefore to be expected and consistent with the RoFSW mapping.</p> <p>The Applicant undertook a site visit to the substation site and watercourse on 2 February 2024. It is acknowledged that minimal rainfall (&lt;1mm) fell during the preceding week (based on review of the Cowfold rainfall gauge), however, the watercourse was noted to be in-channel and no standing water was observed across the substation site.</p> <p>Please refer to <b>Reference 2.8.26</b> regarding approach to assessment of flood risk at the substation site. The substation footprint has been sited outside of the 0.1% Annual Exceedance Probability (AEP) RoFSW flood extent, as agreed with the Local Planning Authority (LPA, HDC) during a consultation meeting on 22 June 2022.</p>
2.8.30	<b>Ecology around the Oakendene site</b>	
2.8.31	Please also see the extensive work and report sent in by Janine Creaye – a local resident who has recorded local wildlife for over 18 years as part of her work.	The Applicant has undertaken extensive field surveys at the proposed substation location. Please refer to the following:
2.8.32	The flood land in the fields is very distinct from the Oakendene industrial site which is well hidden and low lying. These fields have been lek untouched for decades and all form part of the Cowfold stream catchment area.	<ul style="list-style-type: none"> <li>• <b>Appendix 22.3 Extended Phase 1 habitat survey report, Volume 4</b> of the Environmental Statement [APP-181]</li> </ul>
2.8.33	<p>The sub station field is a tranquil flood plain full of wildlife and connected to the lake to the south. Residents know of</p> <ul style="list-style-type: none"> <li>• Red kites</li> <li>• Badgers</li> <li>• Nightingales</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Appendix 22.5 Hedgerow survey report, Volume 4</b> of the Environmental Statement [APP-183]</li> <li>• <b>Appendix 22.6 Fisheries habitat survey report, Volume 4</b> of the Environmental Statement [APP-184]</li> </ul>

<sup>1</sup> <https://www.gaugemap.co.uk/#!Map/Summary/8285/3630>

Ref	Comment	Applicant's Response
	<ul style="list-style-type: none"> <li>• Bats</li> <li>• Snakes – Adders</li> </ul> <p>Are all visible in the area if local site surveys are properly conducted.</p> <p>DESK TOP SURVEYS ARE NOT ENOUGH TO CAPTURE THE ECOLOGY IN THE SUB STATION SITE</p>	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 22.7 Great crested newt survey, Volume 4</a> of the Environmental Statement <b>[APP-185]</b></li> <li>• <a href="#">Appendix 22.8 Passive and active bat activity report, Volume 4</a> of the Environmental Statement <b>[APP-186]</b></li> <li>• <a href="#">Appendix 22.9 Hazel dormouse report 2020-2022, Volume 4</a> of the Environmental Statement <b>[APP-187]</b></li> <li>• <a href="#">Appendix 22.11 Badger, otter and water vole survey report, Volume 4</a> of the Environmental Statement <b>[APP-189]</b></li> <li>• <a href="#">Appendix 22.12 Reptile survey report, Volume 4</a> of the Environmental Statement <b>[APP-190]</b></li> <li>• <a href="#">Appendix 22.13 Breeding bird survey, Volume 4</a> of the Environmental Statement <b>[APP-191]</b></li> <li>• <a href="#">Appendix 22.16 Arboricultural Impact Assessment, Volume 4</a> of the Environmental Statement <b>[APP-194]</b></li> <li>• <a href="#">Appendix 22.17 Bat tree ground level visual assessment survey report Volume 4</a> of the Environmental Statement <b>[APP-195]</b></li> </ul>
2.8.34	Janine has repeatedly told Rampion of her findings, but these have been ignored much to the dismay of local walkers and residents.	Data provided by Janine Creaye are referenced within <a href="#">Appendix 22.2 Terrestrial ecology desk study, Volume 4</a> of the Environmental Statement <b>[APP-180]</b> specifically paragraphs 3.1.2 and 4.5.6.
2.8.35	The meadow is often uncut and normally only cut once a year, a special eco system full of insects and wildflowers – a lowland habitat, which is next to woodland and ponds. WSCC did raise concerns in 2021 about the size and environmental impact of the substation and that there had been poor assessment of the site.	The Applicant notes this comment and refers to the field survey data reports referenced in response to <b>Reference 2.8.33</b> .
2.8.36	This is a special site and we cannot destroy such green places to make way for medium term green renewable energy sub stations, the environmental equation just does not work.	The Applicant notes this comment.
2.8.37	<b>Water neutrality</b>	
2.8.38	Recent planning applications in the area have been refused by Horsham District Council due to <ul style="list-style-type: none"> <li>◦ Insufficient information provided to prove that the scheme would not contribute to an adverse effect on the INTERNATIONALLY designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction during construction. The scheme cannot show a water neutrality response to the development.</li> </ul>	The Applicant presents a dedicated commitment in relation to water neutrality during the operation and maintenance of the onshore substation within Section 26.7 of <a href="#">Chapter 26: Water environment, Volume 2</a> of the ES <b>[APP-067]</b> (paragraphs 26.7.10 to 26.7.12). This commitment and the supporting embedded mitigation measure (C-260 of the <a href="#">Commitments Register [REP1-015]</a> updated at Deadline 1) are secured by Requirement 8 in the <a href="#">Draft Development Consent Order [PEPD-009]</a> so that further work can be progressed once the detailed design of the onshore substation has been developed. This requires that the details to be submitted with respect to the onshore substation (which must be approved prior to the commencement of



Ref	Comment	Applicant's Response
		<p>works there) include water harvesting and recycling measures or any other measures necessary to ensure operational water neutrality.</p> <p>Water required during the operation and maintenance of the unmanned onshore substation will be limited to supply of basic welfare facilities (toilet, faucet and shower for irregular use), with the Applicant currently intending to source potable water (e.g. via water dispensers) and water for fire suppression systems (e.g. via water tanks) from outside of the Sussex North Water Zone. Quantification (based on a worst case) of the very small use of water, alongside details of the possible routes to mitigation, will provide the type of information that proved satisfactory for the Planning Inspectors to settle discussions of water neutrality in the recent Storrington appeal APP/Z3825/W/22/3308455 (The Planning Inspectorate, 2023).</p> <p>One possible mitigation route is the Sussex North Offsetting Water Scheme (SNOWS) endorsed by Natural England. This is currently in development (with a dedicated Horsham District Council (HDC) local authority delegate) to help improve the efficiency of appliances / devices elsewhere in the Sussex North Water Supply Zone and reduce regional water use. The idea behind the scheme is to enable developers to purchase credits to offset any water consumed at their proposed developments, and as critical infrastructure with very limited use of 'in-zone' water the Proposed Development is well-suited to accessing SNOWS. As noted in paragraph 26.7.10 of <a href="#">Chapter 26: Water environment, Volume 2</a> of the ES [APP-067], in the unlikely event of the strategic scheme not being available on time then other options could include a private scheme and / or not drawing water from a mains source (through off-site water imports / exports sourced from outside the Sussex North Water Supply Zone).</p> <p>The above discussion relates to ensuring water neutrality with respect to the operation and maintenance of the onshore substation. In terms of water neutrality during the construction phase of the wider Proposed Development, water for construction usage in the Sussex North Water Zone will not be taken from the mains and it will instead be imported from outside of the Zone via tankers to main compounds (for their welfare facilities systems and wheel washing) and Trenchless Crossing compounds (for welfare facilities, use in horizontal directional drilling (HDD) drilling fluids, batching of cement bound sand or concrete, wheel washing and dust suppression). This commitment is secured through Requirement 22 within the <a href="#">Draft Development Consent Order [PEPD-009]</a>, and on this basis, construction use was not considered and effectively screened out of the <a href="#">Report to Inform Appropriate Assessment [APP-038]</a>. A new environmental measure (C-290) will be added to the <a href="#">Commitments Register [REP1-015]</a> to reinforce this commitment to water neutrality during the construction phase.</p> <p>In this way water neutrality will be achieved for both the construction and operation phases of the Proposed Development, and potential adverse effects on the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar site due to increased abstraction in the Sussex North Water Supply Zone avoided.</p> <p>HDC's suggestion that construction and / or operational water use in the Sussex North Water Zone could potentially be 'screened-out' altogether implies that part or all of the water use within the Zone could instead be potentially permitted to be sourced from the mains. The Applicant is not reliant on this mitigation but welcomes further discussions with HDC.</p>

Ref	Comment	Applicant's Response
2.8.39	The substation site currently has a baseline water usage of zero. The site will use copious amounts of water for construction and especially for wheel washing of vehicles over years. The applicant has not sent in a Water Neutrality Statement	<p>See <b>Reference 2.8.38</b> with respect to the Proposed Development's water neutrality strategy, and in particular with respect to the tankering of water for construction usage (including wheel washing) in the Sussex North Water Zone.</p> <p>Horsham District Council's (HDC's) suggestion that construction and / or operational water use in the Sussex North Water Zone could potentially be 'screened-out' altogether implies that part or all of the water use within the Zone could instead be potentially permitted to be sourced from the mains. The Applicant is not reliant on this mitigation but welcomes further discussions with HDC.</p>
2.8.40	This site cannot prove to be water neutral.	<p>See <b>Reference 2.8.38</b> with respect to the Proposed Development's water neutrality strategy. The Applicant considers that In this way water neutrality will be achieved for both the construction and operation phases of the Proposed Development, and potential adverse effects on the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar site due to increased abstraction in the Sussex North Water Supply Zone avoided.</p> <p>Horsham District Council's (HDC's) suggestion that construction and / or operational water use in the Sussex North Water Zone could potentially be 'screened-out' altogether implies that part or all of the water use within the Zone could instead be potentially permitted to be sourced from the mains. The Applicant is not reliant on this mitigation but welcomes further discussions with HDC.</p>
2.8.41	<b>High Voltage Cable</b>	
2.8.42	There is a high voltage 132 kV cable along the north of the site, it will go under the access road and part of the substation site. This is not talked about at all in the documentation, however another high voltage cable was given as a reason against using a site in Rampion 1. The applicant seems to be only using information that confirms its choice for using Oakendene and discounting any negative information that comes to light.	<p>The Applicant has undertaken extensive surveys and searches for pre-existing services in areas of the Proposed Development in the development of the submitted DCO Application. Due to the density of population in the UK, it is not always possible to entirely avoid utility services, especially in areas near existing substations of the transmission network. The Applicant is aware of 2x 132kV circuits crossing a part of the area proposed for the onshore substation. The Applicant is in contact with the asset operator and will work with them to divert the existing power line away from areas required for the Proposed Development.</p>
2.8.43	<b>Conclusion</b>	
2.8.44	We as residents of Cowfold and the surrounding area truly believe a large economic and environmental disaster is about to take place close to our homes and livelihoods. Masquerading as a green energy project with all the current macro economic push behind it, the applicant must have realised that this site was the wrong one. By this time they were too far down the road to change and so massaged the data to prove the Oakendene site was optimal.	<p>For further information please see Appendix 15 Promotion of Rampion 2 Consultations in and around Cowfold 2021-2022 of <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a>.</p>
2.8.45	The site is a flood plain near a Listed Building and its historic setting, off a single-track lane and busy accident prone A road. It has an abundance of wildlife and ecology, all surrounded by busy roads and a village that has bad pollution and traffic jams.	<p>The Applicant notes the comments within this Written Representation.</p>

Ref	Comment	Applicant's Response
2.8.46	As our local MP said in the hearings – this is not the place, but the lack of consultation in our area meant the applicants thought they could push it through riding a positive green wave of publicity. We do not accept the inadequate consultation around Cowfold and this below par application and we hope to show the inspectors this is the wrong site.	For further information please see Appendix 15 Promotion of Rampion 2 Consultations in and around Cowfold 2021-2022 of <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a> .
2.8.47	Thank you for reading this and please also refer to <ul style="list-style-type: none"> <li>• Cowfold Parish Council Statement and Objection describing harm to local residents in and around Cowfold 27/2/24 as discussed in the Parish Council meeting of 26/2/24</li> <li>• CowfoldVRampion Impact Statement on Rampion 2</li> <li>• Janine Creaye wildlife and ecology document</li> </ul>	The Applicant notes the comments within this Written Representation.

**Table 2-9: Applicant's Response to Frederick Turok [REP1-099]**

Ref	Comment	Applicant's Response
2.9.1	The traffic issues both on the A272 and side lanes including Kent street will cause major disruption as all the lanes are designated as single track and the verges are being significantly impacted and over taking is virtually impossible now let alone when construction starts.	The likely significant transport effects of the Proposed Development have been assessed in <b>Chapter 32: ES Addendum, Volume 2</b> of the ES [REP1-006] and <b>Appendix 23.2: Traffic Generation Technical Note, Volume 4</b> of the ES [REP1-008]. This assessment concluded that the Proposed Development would generate a limited number of significant effects during the construction phase. This included significant effects related to fear and intimidation, pedestrian delay and pedestrian amenity on Kent Street. These effects however are anticipated to be short term in nature, related to the peak construction period on Kent Street itself.
2.9.2	How will the battery farm work given the state of the roads currently.	The battery farm does not form part of the Proposed Development.
2.9.3	There is significant flooding Oakendene and Cratemans/Cowfold Stream. What is the plan to prevent this getting any worse.	<b>Chapter 26: Water environment, Volume 2</b> of the ES [APP-067] considers the potential effects of the Proposed Development to receptors sensitive to flood risk. The likely impact of the Proposed Development on flood risk receptors has been assessed to be not significant. This has been informed by the findings within <b>Appendix 26.2: Flood Risk Assessment, Volume 4</b> of the ES [APP-216], and considers the embedded environmental measures detailed in the <b>Outline Code of Construction Practice [PEPD-033]</b> , key measures include: C-5, C-28, C-73, and C-117 which are secured through requirement 22 of the <b>Draft Development Consent Order [PEPD-009]</b> .
2.9.4	Based on what we have see at Rampion 1 the pollution and noise impacts of the traffic will be significant to the local community both in terms of daily quality of life as well as access for and the economic consequences to the Oakendene Industrial Estate and many other Cowfold businesses.	<p><b>Chapter 19: Air quality, Volume 2</b> of the ES [APP-060] considers potential impacts from dust and combustion emissions (e.g. nitrogen dioxide) from construction activities and the potential impacts from construction traffic. The air dispersion traffic modelling used traffic data based on annual peak daily traffic, rather the annual average daily traffic stipulated in the Defra guidance. Therefore, the completed assessment was highly conservative. With the implementation of embedded environmental measures (for example commitment C-24 within the <b>Outline Code of Construction Practice [PEPD-033]</b>, secured through requirement 22 in the <b>Draft Development Consent Order [PEPD-009]</b>) no significant effects have been identified on air quality during the construction, operation and maintenance and decommissioning phases. It is also noted that the <b>Outline Construction Traffic Management Plan [REP1-010]</b> has also been developed taking account of commitment C-157 and C-158 which aim to reduce HGV construction traffic routing through Cowfold and the Cowfold Air Quality Management Area (AQMA). These commitments are secured through requirement 24 of the <b>Draft Development Consent Order [PEPD-009]</b>.</p> <p>Noise aspects from traffic accessing the Oakendene substation construction compound have been assessed and presented in <b>Chapter 21: Noise and vibration, Volume 2</b> of the ES [APP-062] and in <b>Chapter 32: ES Addendum, Volume 2</b> of the ES [REP1-006]. No significant noise impacts have been predicted at any receptors, There may be noticeable changes in noise on roads which are currently low-flow. Noise on A272 is not predicted to increase by a perceptible level.</p>
2.9.5	The Draft Horsham Plan Policy lists Oakendene as a Key Employment area where Local Employment is to be safeguarded!	<p>Oakendene Industrial Estate is identified as a Key Employment Area in the draft Horsham Local Plan. This policy seeks to retain the Industrial Estate for employment generating uses.</p> <p>However, as;</p> <ol style="list-style-type: none"> <li>i) the DCO Boundary avoids the land that is the subject of this policy, and</li> <li>ii) access to the Oakendene Industrial estate will be maintained</li> </ol>

Ref	Comment	Applicant's Response
		<p>the Applicant does not consider that there is any conflict between the Proposed Scheme and the safeguarding of the Industrial Estate for employment use or any impact on the viability of the Industrial Estate.</p> <p>The authors of this policy, Horsham District Council do not identify any conflicts between the aims of this draft Policy and the Proposed Scheme in their Local Impact Report <b>[REP1-044]</b>.</p> <p>The assessment within <b>Chapter 17: Socio-economics, Volume 2</b> of the ES <b>[APP-058]</b> explores the impact on employment from construction, operation and maintenance and decommissioning. The assessment finds that overall, when all influencing factors are considered, the effect of the Proposed Development expected to be negligible for employment, which is considered not significant in Environmental Impact Assessment (EIA) terms.</p> <p>In addition to this, the Applicant has included a number of commitments specifically included to maximise the benefits of all project phases (construction, operation, and decommissioning) on the local economy and the local employment benefits:</p> <ul style="list-style-type: none"> <li>• C-34 RED will identify opportunities for companies based or operating in the region to access supply chain for the Proposed Development.</li> <li>• C-35 RED will work with local partners and seek to maximise the ability of local people to access employment.</li> </ul> <p>To further facilitate these commitments, the Applicant has developed an <b>Outline Skills and Employment Strategy [PEPD-037]</b>. The strategy sets out the approach that will be adopted by the Applicant, with the aim of promoting skills and employment opportunities for local economic benefit within the Sussex area. Based on engagement undertaken to date, a key ambition of the Applicant is to focus on providing sustainable careers, rather than just jobs.</p>
2.9.6	The local ecology must be protected at any cost The stark difference between the range of wildlife here and at the Wineham Lane sites must be taken into account.	<p>Section 3.6 of <b>Chapter 3: Alternatives, Volume 2</b> of the Environmental Statement (ES) <b>[APP-044]</b> provides the information on the onshore substation site selection process. Section 3.6 describes the site selection process and the reasons for other sites being discounted based on the multi-disciplinary factors (including biodiversity) identified in the paragraph above. 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 <b>Chapter 3: Alternatives, Volume 2</b> of the ES <b>[APP-044]</b>. Significant weight was also given to the environmental constraints and related policy in the overall balance of the decision. This Applicant has also developed further embedded environmental measures that have been presented in the application including the design principles in the <b>Design and Access Statement [AS-003]</b>, <b>Outline Landscape and Ecology Management Plan [APP-232]</b> and <b>Outline Operational Drainage Plan [APP-223]</b> secured by requirements 8, 12 and 18 of the <b>Draft DCO [PEPD-009]</b> respectively. For more information please see <b>Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 2 - Further information for Action Point 4 – Wineham Lane North [REP1-021]</b>.</p>
2.9.7	It is essential that residents around the Kent street area know exactly what the transport plan We are still awaiting clarification of what exactly the table presented at the last hearing means.	<p>Given the single lane track nature of Kent Street and conclusions of the ES, the Applicant is currently reviewing options for the implementation of traffic management along Kent Street and accesses A-61 and A-64 to provide safe access for construction and general traffic. This may involve measures such the implementation of a speed limit reduction, passing places, or managed access via banksmen. A traffic management plan for Kent Street will be produced as required at Deadline 3.</p>



Ref	Comment	Applicant's Response
		<p>The outcomes of this review will be discussed with West Sussex County Council at the earliest opportunity with the aim of reaching an agreement in principle to the traffic management strategy. This would then be secured through a detailed Construction Traffic Management Plan for the stage of the authorised development comprising Kent Street which will be required to be submitted and approved by the highways authority before commencement within that stage in accordance with Requirement 24(1)(a) of the <a href="#">Draft Development Consent Order [PEPD-009]</a>.</p>
2.9.8	<p>There will be a huge number of HGVs and LGVs using Kent Street and the haul road .</p>	<p>Estimated construction traffic flows for all assessed highway links is included in <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES <a href="#">[REP1-006]</a> and <a href="#">Appendix 23.2: Traffic Generation Technical Note, Volume 4</a> of the ES <a href="#">[REP1-008]</a>. This is provided for heavy goods vehicles (HGVs) and light good vehicles (LGVs) as a total for each access junction and peak week for each access junction and each highway link, including Kent Street.</p>
2.9.9	<p>The overall vehicle numbers will be far higher than originally forecasted (8040 HGVs over the whole project). It is clear that it is now nearer 21000, and only covers the numbers going to the substation site, not the compound closer to Cowfold, or up and down the A281. It also doesn't include LGVs or passenger vehicles. We have asked for true figures from Rampion.</p>	<p>The air quality modelling for Cowfold Air Quality Management Area (AQMA) was updated and provided in <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the Environmental Statement <a href="#">[REP1-006]</a>. The updated assessment modelled the second year of construction; the year with the highest development traffic according to the revised traffic data for the Proposed Development presented in <a href="#">Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006]</a>. The Annual Average Daily Traffic (AADT) flows used take into account the heavy goods vehicle (HGV) routing through the Cowfold AQMA and have assumed queuing traffic is present in the key junction within Cowfold. The updated traffic data did not change the outcome of the assessment provided in <a href="#">Chapter 19: Air quality, Volume 2</a> of the ES <a href="#">[APP-060]</a>.</p>
2.9.10	<p>We must get clarification of how tens of thousands of LGVs will come and go to the two compounds, and based on the figures for the smaller Rampion 1, we estimate around 350 passenger vehicles a day, which can come and go as often as they please, but are likely to arrive and leave at the end of the day at peak congestion times Rampion still have absolutely no idea how they will manage the traffic in and out of the compounds, but said they don't think traffic lights will be necessary.</p>	<p>Estimated construction traffic flows for all assessed highway links is included in <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES <a href="#">[REP1-006]</a> and <a href="#">Appendix 23.2: Traffic Generation Technical Note, Volume 4</a> of the ES <a href="#">[REP1-008]</a>. This is provided for heavy goods vehicles (HGVs) and light good vehicles (LGVs) as a total for each access junction and peak week for each access junction and each highway link.</p> <p>At peak construction access A-62 and A-63 will serve approximately 600 two LGV movements per week (300 in and 300 out) or approximately 120 movements per day (60 in and 60 out). This is the total number of LGVs which includes delivery of equipment and materials that will be spread across the working day through use of the Delivery Management System (as noted in the <a href="#">Outline Construction Traffic Management Plan (CTMP) [REP1-010]</a>). Whilst the Applicant accepts that there will be a peak in construction worker movements at the start and end of each day aligned with the proposed construction working hours it is not anticipated that these movements will be significant enough to require traffic signals.</p> <p>Should traffic signals be required these will be detailed within Stage specific CTMPs as required to be submitted in accordance with Requirement 24 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>. These will be produced by the appointed Contractor(s) following the grant of the DCO and prior to the relevant stage of construction and be produced in accordance with the <a href="#">Outline CTMP [PEPD-035a]</a> for approval of the relevant highway authority, prior to the commencement of that stage of works.</p>
2.9.11	<p>They also said that usage of the Oakendene industrial estate access for their second huge compound would not affect traffic as 'it is already used by HGVs'. Clearly no idea of what the reality actually is -mainly cars and small vans etc Moatfield Lane is designated as a 'bridleway scheduled for closure', which will cut off residents and farms. The ExA have told Rampion to come up with a solution as this is clearly</p>	<p>The applicant maintains that the Oakendene industrial estate is served by HGVs having witnessed such vehicles entering and exiting the site during site visits completed in January 2024.</p> <p>Further to this, the Applicant is currently preparing a preliminary design for the Oakendene compound, which will accord with Design Manual for Roads and Bridges and be subject to an independent Road</p>

Ref	Comment	Applicant's Response
	unacceptable. Even when not closed, it will be crossed frequently as HGVs use the haul road, adding to danger.	<p>Safety Audit. This will be submitted to West Sussex County Council, with the aim of reaching an agreement in principle on a suitable access layout prior to the end of the examination.</p> <p>Temporary road closures to facilitate the open cut trench crossing of Moatfield Lane (48a-48b) and Kings Lane (50a-50b) are shown within the <a href="#">Access, Rights of Way and Streets Plans [APP-012]</a>.</p> <p>The strategy to maintain private means of access during this period is described in Paragraph 5.7.10 of the <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a>. The following general principles will apply to the managed or private means of access during the cable route construction:</p> <ul style="list-style-type: none"> <li>• Any access restrictions or effect on individual properties will be kept to a minimum and the Applicant will work with local stakeholders to develop individual solutions to keep disruptions as slow as is reasonably possible;</li> <li>• All crossings of private means of access will be developed to allow emergency access at all times;</li> <li>• Contractors will be required to accommodate reasonable requests for access during the working day by temporary plating of the trench unless a suitable diversion is provided around the works;</li> <li>• The trench will be plated or temporarily backfilled outside of construction working hours where feasible to restore access, unless a suitable diversion is provided around the works;</li> <li>• Any access restrictions or closures will be communicated to all residents and businesses with affected rights of access; and</li> <li>• A nominated point of contact on behalf of the applicant will be communicated to all residents and businesses at least three months before the start of construction.</li> </ul> <p>A final Code of Construction Practice will be required to be submitted and approved on a staged basis, in accordance with the <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a>, pursuant to requirement 22 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>.</p>
2.9.12	Dragons Lane will NOT be used for construction, although they couldn't promise that HGVs wouldn't need access for operational reasons, even though it was pointed out that there are some very narrow pinch points between homes making this unsuitable.	<p>Dragons Lane is within the Order Limits for an operational access (Works No. 15) as shown on Sheet 31 of the <a href="#">Onshore Works Plans [PEPD-005]</a>.</p> <p>Operational access rights are defined in Schedule 7 of the <a href="#">Draft Development Consent Order (DCO) [PEPD-009]</a> and in summary comprise rights of access with or without vehicles and equipment: "for the purposes of operation, maintenance and decommissioning of the authorised development". Examples of the rights are expanded on further in Schedule 7.</p> <p>Paragraphs 23.4.21 and 23.4.22 within <a href="#">Chapter 23: Transport, Volume 2</a> of the ES <a href="#">[APP-064]</a> describe the expected operational and maintenance phase activities which includes periodic testing of the cable through attendance by up to three light vehicles such as vans in a day at any one location. Unscheduled maintenance or emergency repair visits for the onshore cable will typically involve a very small number of vehicles, typically light vans. Infrequently, equipment may be required to be replaced,</p>

Ref	Comment	Applicant's Response
		<p>then the use of an occasional HGV may be utilised, depending on the nature of the repair. (Paragraph 23.4.22 within <a href="#">Chapter 23: Transport, Volume 2</a> of the ES [APP-064]).</p> <p>In exceptional circumstances during unscheduled maintenance or operational faults, an HGV may be required to support cable repair works. This would be an unlikely worst case scenario that could involve the need to replace a section of cable, for which HGV access may be needed for materials or equipment. In the unlikely event of such a major cable fault in this area, the fault would be investigated and a suitable vehicle arranged for the repair taking into account the access parameters along Dragons Lane.</p> <p>The Applicant is aware of a narrow passage along Dragons Lane that may be prohibitive for HGV-vehicles in the unlikely worst case scenario that could involve the need to replace a section of cable. HGVs are not anticipated to need to negotiate Dragons Lane for a reasonable worst case scenario. Operational accesses have been identified for light vehicle access for cable maintenance and inspection purposes. Dragons Lane is assessed to provide suitable access for these purposes.</p> <p><b>The Applicant has provided a response in Action Points 18 and 19, <a href="#">Applicant's Response to Action Points Arising from Issue Specific Hearing 1</a> (Document Reference 8.25) submitted at Examination Deadline 1. The Applicant has provided details on how HGVs would negotiate Dragons Lane in exceptional circumstances during the operational phase of the Proposed Development.</b></p>
2.9.13	They also confirmed that the hook of land north of Cratemans was part of the 'operational access' only, but couldn't explain how HGVs etc would be able to access this or turn round.	
2.9.14	The flooding on Oakendene means that far from being able to lower the ground level of the substation to reduce visual impact, as they have suggested at meetings in Cowfold, it is likely to have to be raised. It is obviously important to be clear what the final ground level will be!	Reference is made to the <a href="#">Applicant's Post Hearing Submission – Issue Specific Hearing 1: Appendix 4 – Further Information for Action Point 20 Oakendene Substation Flood Risk [REP1-023]</a> , in which this matter is discussed in detail.

**Table 2-10: Applicant's Response to Grahame Rhone Kittle [REP1-100]**

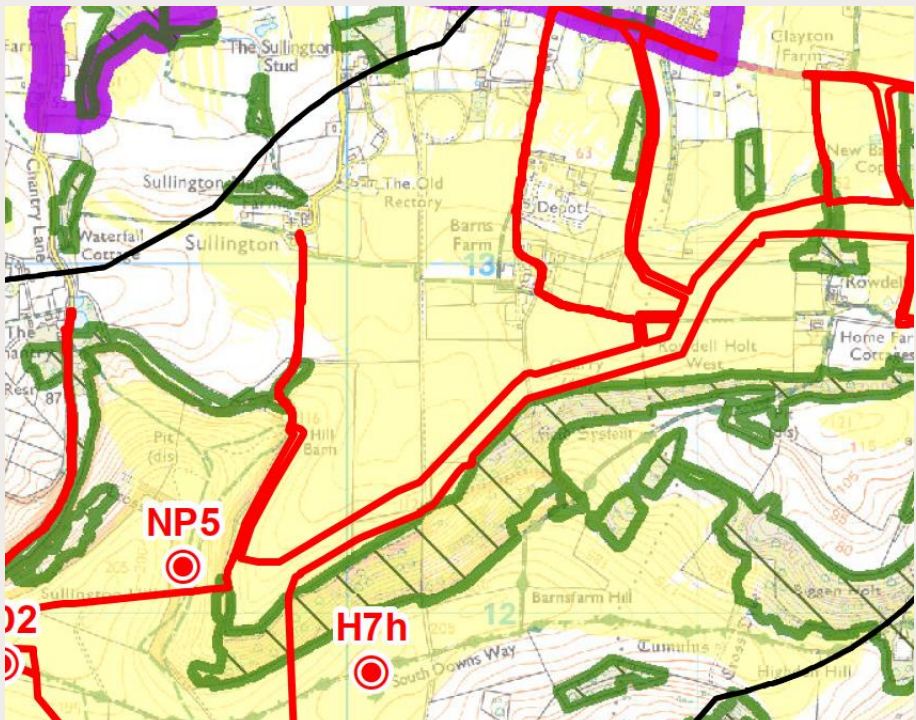
Ref	Comment	Applicant's Response
2.10.1	A short ½ day bio-diversity survey undertaken in July 2021 by Graeme Lyons on a small area of Sullington Manor Farm but including the side of Sullington Hill and the field known as The Gratton, through which the proposed cable will go, showed over 400 species found. The conclusion of the report stated that “this is a rich site, with a high number of species found in a very short time”.	The Applicant recognises the biodiversity value of Sullington Hill Local Wildlife Site within <a href="#">Chapter 22 Terrestrial Ecology and Nature Conservation, Volume 2</a> of the Environmental Statement (ES) [APP-063]. It is for this reason that surface works through the Local Wildlife Site (LWS) are being avoided through use of a trenchless crossing.
2.10.2	A highlight was identifying three nationally scarce spiders. In particular, a male Theridian familiare spider, a nationality scarce spider and according to the Spider Recording Scheme this was the first sighting of this particular species in the UK since 2013. The proposed projects takes none of the above into account.	Please see response to <b>Reference 2.10.1</b> .
2.10.3	In addition, the east side of Sullington Hill is designated as an SSSI for chalk grassland and juniper species.	Please see response to <b>Reference 2.10.1</b> .
2.10.4	We hold great concern that we are unable to see our land interested listed on the Applicant's Land Rights Tracker. Sullington Manor Farm Ltd (IP: RAM2-AFP627) and G R Kittle (IP: RAM2-AFP220) own the land known as Sullington Manor Farm on the Downs to the south-east of Storrington, in the heart of the South Downs National Park. We want to be notified and included in site visits so that we accompany any site inspections at Sullington Manor Farm. This has not happened to date.	<p><b>Inclusion with Land Rights Tracker</b></p> <p>The Land Interest submitted a Relevant Representation after the Deadline, consequently, the Land Interest was not included within the first iteration of the Land Rights Tracker.</p> <p>The Applicant confirms that the Land Interest has been included within the <a href="#">Land Rights Tracker [PEPD-016]</a> uploaded at Deadline 2.</p> <p><b>Site Inspections</b></p> <p>The Examining Authority's Panel of Inspectors has requested that the Applicant arrange various site visits across the route. Please refer to the document <a href="#">Accompanied Site Visit Itinerary (Document Reference: 8.39)</a> which will be provided at Deadline 2.</p> <p>The Applicant has previously met with the Land Interest and his agent on site in August 2021, March 2022, May 2022, August 2022, and February 2023 to discuss the project proposals. The Applicant understands that the Land Interest has appointed an agent as representation in relation to the Rampion 2 project.</p>
2.10.5	Further to our previous representations, including via H J Burt, we are deeply concerned regarding the use of the well-used bridleways that runs through our farm. We would be very interested in results of a road traffic safety survey at Washington roundabout, where the A283 meets A24.	<p><a href="#">The Outline Public Rights of Way Management Plan [APP-230]</a> outlines the management measures, including temporary closures and diversions, for all Public Rights of Way and Open Access Land impacted by the Proposed Development. This document includes embedded environmental measures which will manage impacts on Public Rights of Way during the construction period. Section 5 of the <a href="#">Outline Public Rights of Way Management Plan [APP-230]</a> outlines the proposed management measures for the impacted PRoWs including (but not limited to):</p> <ul style="list-style-type: none"> <li>• Temporary closures and diversions;</li> <li>• Managed crossings</li> <li>• Shared routes;</li> <li>• Inspection and maintenance;</li> <li>• Signage management; and</li> </ul>



Ref	Comment	Applicant's Response
		<ul style="list-style-type: none"> <li>• PRow sequencing.</li> </ul> <p>The final Public Rights of Way Management Plan is secured through Requirement 20 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>.</p> <p>The Applicant is completing traffic surveys on the A283 in the vicinity of proposed access A-39 to help inform preliminary designs that are currently being developed for the junction, which will be designed in accordance with Design Manual for Roads and Bridges. The Applicant is engaged with West Sussex County Council with the aim of agreeing a suitable design for this junction prior to the end of the examination.</p>
2.10.6	The planning application is too extensive for a cable only and fencing off this area, for the project, will have a significantly negative impact on our cattle herd who will not be able to graze where they normally would.	<p><b>Sullington Hill proposed Cable Installation Methodology</b></p> <p>The planned crossing of the escarpment feature will be undertaken using trenchless methods at Sullington Hill to protect the Local Wildlife Site and calcareous grassland (a Habitat of Principle Importance) as detailed in C-114 in the <a href="#">Commitments Register [REP1-015]</a>. Environmental considerations at Sullington Hill are presented in full in <a href="#">Chapter 22: Terrestrial Ecology, Volume 2</a> of the Environmental Statement (ES) <a href="#">[APP-063]</a>. Due to the nature of the obstacle, a wider corridor had to be included in the Application to provide the necessary flexibility before site investigation data is available and an appropriate construction design can be finalised. See sheet 12 in the <a href="#">Appendix 4.1 Crossing schedule, Volume 4</a> of the Environmental Statement (ES) <a href="#">[APP-122]</a>.</p> <p><b>Order Limits</b></p> <p><a href="#">Chapter 3: Alternatives, Volume 2</a> of the Environmental Statement (ES) <a href="#">[APP-044]</a> details how the design of the Proposed Development has evolved and demonstrates that all aspects of site selection, site access and future access requirements have been incorporated into the design of the Proposed Development to minimise and mitigate adverse impacts. The chapter explains the reasonable alternatives considered for the onshore cable corridor and the reasons for selection of the preferred option. At this stage, the description of the Proposed Development is indicative and a 'design envelope' approach has been adopted which takes into account the Planning Inspectorate's Advice Note Nine: Rochdale Envelope (Planning Inspectorate, 2018).</p> <p>The provision of a design envelope is intended to identify key design assumptions to enable the environmental assessment to be carried out whilst retaining enough flexibility to accommodate further refinement during detailed design. Further details on the use of the Rochdale Envelope for Nationally Significant Infrastructure Projects is provided by the National Policy Statement (NPS) for Renewable Energy (EN-3) (Department of Energy and Climate Change (DECC), 2011 and the Draft National Policy Statement for Renewable Energy Infrastructure (EN-3), (Department for Energy Security and Net Zero (DESNZ), 2023).</p> <p>The Applicant does not agree with the Land Interest's comment that DCO boundary is excessive. As explained by the Applicant in the <a href="#">Statement of Reasons (SoR)</a> (Para 9.11.7-9.11.9) <a href="#">[APP-021]</a>, not all of the land within the DCO boundary will need to be permanently acquired. Flexibility is sought to enable the construction of works anywhere within the area identified for those works on the <a href="#">Onshore Works Plans [PEPD-005]</a>, within which area there will be a circa 40m construction corridor and 20m permanent easement rights corridor (HDD). Further to pre-construction surveys and ground investigations, the final cable routing will be refined and provided in the stage specific Construction Method Statement (CMS). <a href="#">Outline Construction Method Statement [Doc ref APP-255]</a> states that Stage specific CMSs will be produced by the appointed Contractor(s) following the grant of the</p>



Ref	Comment	Applicant's Response
2.10.7	<p>We are concerned that the noise and visual impact of the project on our farm and our holiday guests who stay here for the peace in the countryside will be hugely negatively affected, also our café business.</p> <p>Above: extract of Figure 18.4b</p>	<p>Development Consent Order (DCO) and prior to the relevant stage of construction. This will provide further information from detailed design and will be in accordance with this Outline CMS for approval of the relevant planning authority, prior to the commencement of that stage of works pursuant to <b>Draft Development Consent Order (DCO) [PEPD-009]</b> Requirement 23. The Applicant will seek to minimise the extent of permanent rights required by taking temporary possession first of the wider construction corridor and then permanently acquiring the rights required over the narrower easement area when the location is known. The Applicant will seek to avoid impacts on farm buildings and will discuss the avoidance or protection of farming infrastructure that may be impacted at the construction stage. Water pipes will be marked and appropriate construction methods used to protect existing services in accordance with the <b>Outline Construction Method Statement [APP-255]</b>. Utilities which states that the location of existing services will be accurately identified on the ground prior to construction or intrusive ground investigations. 2.9.2 states that the position, depth and condition of exposed services shall be recorded. All agreed measures for protection will be implemented before any works associated with the utility crossings commence.</p> <p><b>Impacts and Mitigation on Agricultural Uses</b></p> <p>The Applicant is keen to have ongoing discussions with the Land Interest to understand how best to mitigate any temporary severance of land during the construction period, which can include temporary accommodation works (e.g. fences, gates and crossing points).</p> <p>Whilst part of the cable installation works corridor on this farm will use Horizontal Directional Drilling techniques (and therefore the intention is that farming activities over that land will be unaffected), the remainder of the cable corridor on his land will be installed using open cut trenching techniques. For the areas where open cut is the proposed installation methodology the Applicant will continue to engage to further understand the Land Interest's specific requirements to accommodate the grazing operations and minimise temporary disturbance wherever possible. During the construction period, this could include crossing points to be agreed with the Land Interest across the cable installation area (Works No.9) to ensure parts of the field will remain available for grazing. Detailed cable routing will be refined further to pre-construction surveys. The grazing of the cattle will be unaffected once construction has finished.</p> <p>The Applicant welcomes the Land Interest's willingness to discuss matters further and confirms that it will engage further with the Land Interest regarding the refinement of the final land area and appropriate and proportionate mitigation measures during construction of the project to minimise disturbance to the Land Interest.</p> <p>Although noise from the works will potentially be audible, the red line boundary where temporary noisy works may occur is approximately 750m distance from Sullington Manor Farm. Noise would not be significant at this distance.</p> <p>The construction accesses A-32 and A-33 are over 500m away from Sullington Manor Farm. Noise from vehicles using these accesses would not be significant at this distance.</p> <p>Operational and maintenance access A-31 is routed along the minor lane / track between the south of the church at Sullington to the foot of the chalk escarpment at Hill Barn. Access is expected to be minimal (every 2-5years) as described in paragraph 4.8.19 of <b>Chapter 4: The Proposed Development, Volume 2</b> of the Environmental Statement (ES) <b>[APP-045]</b>.</p>

Ref	Comment	Applicant's Response
		<p>Landscape and Visual Effects:</p> <p>The landscape and visual impact assessment (LVIA) in <b>Chapter 18: Landscape and visual impact, Volume 2</b> of the ES [APP-059] is supported by its Appendices 18.1-6.</p> <p>There are a number of residential properties at Sullington, including Manor Farm which are cluster to the north of farm buildings and a church, approximately 750m distanced from the nearest point on the redline boundary for the onshore cable corridor as illustrated in Figure 18.4b, Zone of Theoretical Visibility with view points – On shore cable corridor, <b>Chapter 18 Landscape and visual impact – Figures (Part 1 of 6) [APP-098]</b>. (An extract is provided below). The properties at Sullington, including Manor Farm, are on the edge or just outside of the Zone of Theoretical Visibility (ZTV) for the construction works of the onshore cable. Due to the intervening distance and screening provided by intervening buildings and vegetation there would be limited visibility of the he construction works along the onshore cable which would not be significant.</p>
		 <p>Extract of Figure 18.4b</p>
2.10.8	<p>We have not been appraised of any additional requirement for the extent of the area for which planning permission is sought and can, therefore, not agree to this proposal.</p>	<p>The Applicant has met with the Land Interest on five occasions (detailed in <b>Reference 2.1.4</b>) where the project proposals have been explained. The Land Interest has appointed an agent to act on his behalf in relation to negotiations regarding the Heads of Terms, accommodation works and compensation. The Applicant welcomes the opportunity to discuss these points in further detail.</p> <p>Please also see summary in <b>References 2.1.6</b> and <b>2.1.7</b>.</p>
2.10.9	<p>Further, we hear from a third party that there is to be major vehicle access to our land but we have not been notified of this.</p>	<p>The Applicant welcomes the opportunity to discuss these concerns with the Land Interest and provide clarity.</p> <p>The Applicant notes that the access heading from Sullington Manor Farm to Sullington Hill (A-31) is an operational access and therefore considered neither a major access nor access for major vehicles. However, vehicle access is required for the proposed Horizontal Directional Drilling (HDD) compound</p>

Ref	Comment	Applicant's Response
		(TC-15a) at the base of Sullington Hill. It is proposed that construction vehicles will access TC-15a from the east, travelling along the corridor haul road adjacent to the cable installation (on the Land Interest's land), which is within the Order Limits.

**Table 2-11: Applicant's Response to Green Properties (Kent & Sussex) Ltd**

Ref	Written Representation Comment	Applicant's Response
<b>Covering letter</b>		
2.11.1	1. We write on behalf of our client, Green Street Properties (Kent and Sussex) to introduce the written representations in response to the application by Rampion Extension Development Limited for an order granting development consent for the Rampion 2 Offshore Wind Farm Project.	-
2.11.2	2. Our client is the owner and occupier of land referenced as Land at Kent Street Lane, Cowfold (plots 33/4, 33/22, 33/23, 33/24, 33/25, and 33/26). They strongly oppose the compulsory acquisition powers contained in the DCO, which directly affect their property.	The Applicant has confirmed the plot numbers and rights and restrictive covenants required in the relevant representation response to Table LI73 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Green Properties (Kent & Sussex) Ltd [RR-138] of <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a> .
2.11.3	3. Green Properties (Kent and Sussex) is professionally represented by: 3. Annabel Graham Paul, Counsel, of Francis Taylor Building Chambers 4. Matt Gilks & Tom Etherton, Solicitors, of Lester Aldridge LLP 5. Simon Mole, Chartered Surveyor, of Montagu Evans	-
2.11.4	4. The proposed construction method, which includes open cut trenches across a wide area of the Land, will lead to substantial loss of productive land and income. Additionally, the positioning of the cable route prohibits our client's participation in the Platinum Woodland project to celebrate the late Queen's Platinum Jubilee, a project they hold in high regard. Our client has provided a written statement in respect of this, which are enclosed.	<p>The Applicant notes that the land is currently a mixture of permanent pasture, newly planted saplings and cattle corral. Previously agriculturally productive land has been planted with saplings. The Land Interest does not explain what income it expects to lose as a result of the Proposed Development. In any event the Applicant notes that the Land Interest has recently sought to sell this land as "Land with Strategic Potential" which brings into question the Land Interest's need for it as part of a productive land holding. The sales particulars (dated 6<sup>th</sup> July 2023) are attached at <b>Appendix A</b>. The land is being marketed in 3 lots with the land subject to the Proposed Development included in Lot 2.</p> <p>Lot 2 is described in the marketing material as being mainly pasture but including a newly established plantation, area of woodland, three ponds and is gently undulating comprising of:</p> <ul style="list-style-type: none"> <li>• Gated Access from Kent Street</li> <li>• Post and Rail Fencing</li> <li>• 3 Ponds</li> <li>• Newly Established Plantation (Queen's Green Canopy Initiative)</li> <li>• Area of Established Woodland</li> <li>• Road Connecting Fields.</li> </ul> <p>The Applicant notes that the plantation is marketed as being associated with the Queen's Green Canopy Initiative.</p> <p>Notwithstanding the above, the Applicant is keen to progress discussions with the Land Interest to understand how best to mitigate any temporary severance of land during the construction period. Mitigation measures envisaged include temporary accommodation works (e.g. fences, gates and crossing points). In this location, the temporary cable installation area runs through the centre of the pasture land and area of new saplings.</p>



Ref	Written Representation Comment	Applicant's Response
2.11.5	5. We express serious concern over the Applicant's failure to adhere to Government Guidance on the use of Compulsory Acquisition powers. They have consistently neglected to consider alternatives, engage in meaningful negotiations, offer dispute resolution, or justify the extensive powers being applied for.	<p>The Applicant has sought to engage further to understand the Land Interest's specific agricultural and other land use operations – including the new plantation. Further to clarification of operational activities, appropriate measures to accommodate the haylage/ farm management and new sapling operations, can be discussed with the Land Interest to minimise disturbance wherever possible. The Land Interest's agent has recently indicated that he would like to meet on site to discuss these measures which could include crossing points to be agreed with the Land Interest across onshore connection works (Works No.19) and potentially if required the construction and operational access area (Works No.14) to ensure parts of the field will remain available for pasture or hay use or accessible for sapling management. Detailed cable routing and mitigation measures will be refined following pre-construction surveys. The Applicant has committed to try and reduce impacts where possible through detailed siting within the DCO boundary and proposed to progress those discussions alongside the voluntary agreement in the letter from the Applicant dated 18 May 2023 (attached at <b>Appendix B</b>). In this letter, the intention to issue Heads of Terms was also communicated but for the reasons set out in response to E1.9 of this written representation below these were not issued to the Land Interest until January 2024.</p> <p><b><u>Consideration of Alternatives</u></b></p> <p>The <b>Applicant's Response to Relevant Representations [REP1-017]</b> Table LI73 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Green Properties (Kent &amp; Sussex) Ltd [RR-138] set out the Applicant's position with regard to the consideration of alternatives, engagement in meaningful negotiations, dispute resolution and Compulsory Acquisition matters. Further detail is set out in these written representations below.</p> <p><b><u>Engagement in Meaningful Negotiations</u></b></p> <p>The Applicant has met with the Land Interest and the Land Interest's agent(s) in June 2021, August 2021, October 2021, April 2022, June 2022, March 2023 (and potentially March 2024) to discuss and review the Land Interests concerns and proposed alternative cables routes.</p> <p>The Applicant has written letters to the Land Interest and the Land Interest's agent(s) dated 19 August 2022, 25 November 2022, 27 January 2023, 28 February 2023, 10 March 2023, 14 April 2023, 24 May 2023, and 11 January 2024 providing rationale and reasoning behind the decisions the Applicant has made in relation to the Land Interest's proposals and the justification for the current proposed cable route.</p> <p><b><u>Dispute Resolution</u></b></p> <p>The Applicant's agent made the following offer to the Land Interest in a letter dated 26<sup>th</sup> January 2024 (enclosing the Heads of Terms):</p> <p><i>"Once you have been able to review the Heads of Terms I would be happy to discuss what forms of Alternative Dispute Resolution (ADR) may be appropriate in order to seek to resolve any outstanding concerns that may relate to agreeing the amount of compensation payable, the proposed works and acquisition, as well as mitigation measures and accommodation works which may be adopted of undertaken."</i></p> <p>The Applicant has not received a response to this letter from the Land Interest or the Land Interest's agent.</p>
2.11.6	6. The Land at Kent Street is a 32.38 hectare area, part of which, as we have said, was intended to be included in the Queen's Platinum Jubilee Woodland Programme. The DCO Land Plans	<b><u>DCO Order Limit Requirement</u></b>



Ref	Written Representation Comment	Applicant's Response
	<p>propose a 100m wide acquisition corridor, rendering the entire area unusable and unviable. This is particularly alarming given the additional consideration of the Woodland Trust's withdrawal of support due to the possibility of damage from the Rampion 2 cable construction corridor.</p>	<p>The land area within the Development Consent Order (DCO) Order Limits through this land is c.100m. The land is adjacent to Kent Street where trenchless crossing methodology is expected to be utilised. A trenchless crossing compound is therefore likely to be required and flexibility for the trenchless crossing requires a 100m width to ensure that the crossing can be achieved taking into consideration potential ground conditions and the nature of the crossing obstacle itself and further environmental and physical constraints. The cable construction corridor beyond the trenchless crossing compound area will be refined to a c.40m construction corridor prior to the start of construction. This is in line with the Applicant's approach set out in the <a href="#">Statement of Reasons [PEPD-012]</a>. Paragraphs 6.9.42-6.9.45 and 9.11.7 -9.11.9 outline the Applicant's approach to proportionality and the intention to use the powers in Article 32 (Temporary use of land for carrying out the authorised project) to take temporary possession of the wider cable construction corridor of 40m (wider at crossing points where trenchless installation techniques will be used) then permanent acquisition of the land rights and a restrictive covenant is required over a narrower permanent area of approximately 20m to retain, operate, maintain and decommission the infrastructure. The construction corridor for onshore connection works (Work no. 19 between Oakendene Substation and Bolney National Grid substation is proposed to accommodate 2 cable circuits in this location compared with 4 cable circuits for the rest of cable route. The construction corridor is likely to be reduced down to 30m with a permanent easement of 15m. Although there is an anticipated reduction in construction working corridor width of 10m, the Applicant notes that this section of the cable route accommodates substantial existing infrastructure and buried services. The DCO red line has been drawn to accommodate the required flexibility for this particular section of the cable route rather than a standardised width. The requirement for HDD, the nature of the existing infrastructure and buried services and the potential requirement for mitigation further to pre-construction surveys all necessitate the width of the DCO red line in this location.</p> <p>With regard to the trenchless crossing locations, Section 9.11.9 of the <a href="#">Statement of Reasons [PEPD-012]</a> states that where trenchless installation is used, the depth at which the cable ducts need to be installed under the obstruction to be 'crossed' will define the spacing needed between the ducts (within which the cables will be installed) and also the distance between the drill entry and exit pits. The depth will likely be guided by the nature of the obstacle to be 'crossed' beneath and the requirements of the organisation responsible for the obstacle, whilst spacing will depend on the nature/condition of the ground at that depth and its ability to absorb and transfer heat away from the cables.</p> <p>Access to the cable construction corridor for farm management will be discussed with the Land Interest and agreed crossing points implemented for the construction period.</p> <p>As set out in the <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a> Table LI73 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Green Properties (Kent &amp; Sussex) Ltd [RR-138], the Applicant has requested information relating to the Queens Green Canopy (QGC) application but no information has ever been provided. The letter dated 19th March 2023 appended to the <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a> Table LI73 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Green Properties (Kent &amp; Sussex) Ltd [RR-138] response requested further information in relation to the planting proposal. The Applicant further advised on a number of occasions that it expected the Proposed Development would overall be compatible with such a planting regime based on our own analysis and publicly available information from the Woodland Trust (who administer the Queens Green Canopy "certification") regarding bio-diverse mixed woodlands. No contrary evidence from the Land Interest, his agents or the Woodland Trust was provided and no evidence of withdrawal of support forwarded.</p>
2.11.7	<p>7. Furthermore, the Applicant's proposal to have acquisition rights for up to 7 years after the Order is made is unprecedented and unreasonable. This indicates a premature application and a lack of identifiable project funding.</p>	<p>A 7 year commencement period is not unprecedented. Other similar Development Consent Orders (DCOs) for offshore wind projects have been made with 7 year commencement terms such as Hornsea 3 and Hornsea 4. National Grid's Hinckley C Connection project DCO was made with an 8 year commencement period.</p> <p>A 7-year period for commencement of the Proposed Development is required due to:</p> <ul style="list-style-type: none"> <li>- the requirement to win a Contract for Difference (CfD) round to secure a route to market.</li> </ul>

Ref	Written Representation Comment	Applicant's Response
		<p>- contractor and supply chain challenges - the scale and complexity of the Proposed Development.</p> <p>Whilst the Government has now committed to annual CfD bidding rounds, the precise timing and outcome of the CfD bidding round process is outside the control of the Applicant. The Applicant cannot bid into CfD rounds until consent for the project has been obtained and it is commercially compliant with the rules of that round. There is a risk that a CfD might not be won in the first round entered and therefore in consideration of the need to procure construction plant after successfully winning a CfD (which could take two or three attempts) a commencement of 7 years is required.</p> <p>[This position has been exacerbated by current inflationary and supply chain issues, the effects of which have been clearly demonstrated by the last years' announcement that the 1.8GW Norfolk Boreas scheme will not go ahead and the failure of Allocation Round 5 for Offshore Wind for which we understand there were no bidders because, for example, the pricing did not take current market factors into account. Challenging supply chain conditions further exacerbate the time restriction risk of a consent with an implementation period of less than 7 years. There are a small number of OEMs (Original Equipment Manufactures, known as 'Tier1s') and importantly for the Applicant there are also a very low number of WTG and substation plant suppliers. There is expected to be even further increasing demand for offshore wind in the next few years. The Applicant expects to utilise framework agreements and measures such as blocking out manufacturing 'slots' several years in advance, however the number of other projects also requiring supply contracts impacts the 'Tier 1' timescales for delivery over which the Applicant has limited control. The Applicant could be waiting a longer than anticipated time for supply contracts.</p> <p>The Rampion 2 project is also reliant on 3 major National Grid infrastructure works to facilitate 100% access to the transmission network. One such project forms part of The Great Grid Upgrade which is the largest overhaul of the grid in generations. In a similar manner for the project, these infrastructure works are subject to supply chain challenges and the major upgrade works has their own DCO application to process. Significantly, this upgrade is proposed to utilise High Voltage Direct Current (HVDC) technology, which is experiencing much more significant supply chain challenges than the High Voltage Alternating Current (HVAC) technology which Rampion 2 is looking to employ. National Grid are also currently assessing further design changes to this scheme, looking to add complexity to their scheme and potentially delays.</p> <p>The proposed 7 year time period in Article 23 of the Order is therefore necessary and justified to ensure that this Nationally Significant Infrastructure Project (NSIP) project comprising critical national infrastructure can proceed.</p>
2.11.8	8. Our client has also received an approach from JBM Solar, owned by the Applicant's parent company, for a potential cable corridor for a solar array. We ask the examining Authority to investigate this fully to understand the Applicant's intentions.	<p>JBM Solar is now owned by RWE following its acquisition in 2023. The Applicant does not have a financial interest in JBM and vice versa. The Applicant has not provided any information to JBM Solar regarding the Rampion 2 project and has no intentions with regard to a solar array development.</p> <p>The Joint Venture structure of Rampion 2 is set out in the <a href="#">Funding Statement [APP-025]</a>. RWE is a joint venture partner in Rampion 2 and as noted above also owns JBM Solar. Both Rampion 2 and JBM are operated independently and there is no shared information, shared working, or shared development proposals between the two entities.</p>
2.11.9	9. This has raised further suspicions around the Applicant's intentions for the large 100m width corridor over their land.	<p>The Applicant's intentions are questioned by the Land Interest. The Applicant's intentions are confined to the progression of the Rampion 2 project for which the Development Consent Order (DCO) is sought. No powers or consents are sought in the DCO for any project other than Rampion 2. This is also reflected in the Voluntary Agreements which only grant rights for the proposed development.</p>
2.11.10	10. In response, our client seeks specific modifications to the DCO. These include a reduction of the cable corridor width,	<p>As explained in paragraphs 6.9.42-6.9.44 of the <a href="#">Statement of Reasons [PEPD-012]</a> the standard trenched cable construction corridor is 40m wide, with an expected 20m permanent easement. The construction corridor and permanent</p>

Ref	Written Representation Comment	Applicant's Response
	<p>relocation of the corridor further south to avoid the planted saplings, and provisions for Horizontal Directional Drilling underneath the land. We also request that the existing private field access from Kent Street (plot 33/25) should not be extinguished by the DCO.</p>	<p>easement in the location of the Land Interest's land is expected to be narrower due to the use of two circuits rather than four. Flexibility is however required for the confirmed routing of the cable further to confirmation of cable design and further detailed site investigations and pre-construction ecological surveys.</p> <p>The Applicant's Order Limits have been widened at the location east of Kent Street to allow for flexibility in the final design to accommodate the trenchless crossing and compound in the context of potential unknown constraints such as ground conditions, ecology and buried services.</p> <p>The Applicant does not consider it possible to reduce the cable corridor width in this location until the pre-construction stage. Flexibility and capacity is required for the trenchless crossing, particularly when taking into consideration engineering requirements and potential ecological mitigation requirements. The Applicant will progress discussions with the Land Interest regarding retained use of the existing private field access from Kent Street (plot 33/25) so as to facilitate ongoing use by the Land Interest. Further details relating to the continued use of access by the Land Interest are set out in response to E2.28 below. The Applicant refers to the principles of Private Means of Access (PMA) as set out in the <a href="#">Outline Code of Construction Practice [PEPD-033] Section 5.7.10</a>.</p>
2.11.11	<p>11. The written representation of Simon Mole details our concerns in full. We trust that these concerns will be taken into account by the Examining Authority during the decision-making process. We look forward to your understanding and careful consideration of the matters raised.</p>	<p>Noted, the Applicant has no further comments on this matter at this time.</p>
<p><b>Enclosure 1 Statement of Green Properties (Kent &amp; Sussex)</b></p>		
2.11.12	<p>Dear Sir/Madam</p> <p>I represent Green Properties (Kent &amp; Sussex) Ltd</p> <p>I wish to disclose the following facts regarding my experience with RWE.</p>	<p>-</p>
2.11.13	<p>Despite RWE's false claim in a letter 16.12.2022 that they were not notified of the tree planting until November 2021, this was discussed at meetings at College Wood 11 August 2021 and 13 October 2021. See Savills letter 15 December 2022.</p>	<p>The Applicant set out its understanding of the position with regard to the proposed tree planting in the letter dated 19<sup>th</sup> August 2022 attached at <b>Appendix C</b>.</p>
2.11.14	<p>This was well in advance of the decision to site the substation. Quote from Agents email 22 November 2021: "This covers the entire Holding" RWE refused to accept throughout the information provided and were clearly resolute on simply destroying the project.</p>	<p>The plan included in the response to E16 of this written representation was provided to the Applicant by the Land Interest's agent further to the second statutory consultation in October 2022 showing two alternative proposed routes to the south of the two cable route options being considered by the Applicant. This plan however showed areas of tree planting outside of the ownership of the Land Interest. Further to requests by the Applicant to the Land Interest for clarification, no further information was supplied. The Applicant confirmed that at that time it considered the Queens Green Canopy (QGC) planting scheme compatible with the Proposed Development (on the basis that there would be coordination with regard to planting layout etc) and therefore would not have impacted on the substation decision. The Applicant went onto explain how the QGC might be designed to facilitate compatibility in terms of layout. The Applicant was sent an indicative area of the Queens Green Canopy planting plan on 8<sup>th</sup> November 2022. This shows that the planting carried out within the DCO red line. A corridor has been left clear by the Land Interest which the Applicants understands may be outside of the DCO red line and the reasons for that are not clear and will be discussed at the meeting on the 22 March 2024.</p>

Ref	Written Representation Comment	Applicant's Response
2.11.15	I refer specifically to Savills letter 15 December 2022. The Queens Green Canopy Project paras 1 & 2. This very clearly sets out the facts and the contents of a letter from the Woodland Trust setting out their very rigid position which RWE have blatantly refused to accept in pursuit of their project throughout.	<p>The Land Interest refers to a letter dated 15 December 2022 from Savills which states:</p> <p><i>“The Woodland Trust and Queen’s Jubilee Woodland Committee have confirmed to my client that they will not accept land being entered into their scheme if there is a threat of or likely damage to the woodland from the Rampion 2 construction corridor”.</i></p> <p>There is no attached email or letter and no record of information provided to the Woodland Trust to explain the Proposed Development and its impacts. It is therefore difficult to understand how The Woodland Trust would have come to an informed conclusion about a potential conflict with the proposed development with the Queens Green Canopy.</p> <p>The Applicant sought further clarification of this before settling its final route selection prior to its letter of 28 March 2023 . In its email dated 10 March 2023 to Guy Streeter in which the Applicant set out the following record of engagement on a phone call dated 6 March 2023 with the Land Interest:</p> <p><i>“In that call Mr Dickson stated his intention to:-</i></p> <p><i>not disclose to ourselves or the future Development Consent Order (DCO) Examining Authority the letter he has received from the Queen’s Green Canopy (QGC) Committee in relation to his 70 acre QGC application in which I understand they have raised concerns about the impact of the proposed cable on the proposed planting at Kent Street and indicated that they would withdraw support for Mr Dickson’s proposed scheme; and instead be prepared to swear under oath that he had received such a letter at a future DCO Hearing during the Examination of our project application.”</i></p> <p>The email summarises the Applicant’s position at that time as follows:</p> <p><i>“As a promoter, we have to make decisions on pre-application matters such as routeing based on evidence and responses made to us at the time. We cannot retrospectively reconsider the weight we should apply to the factors that inform our decisions, particularly where this might affect the outcome, or where relevant information is withheld until a later date;</i></p> <p><i>Although we are aware that Mr Dickson has received a letter, we still do not have any understanding of the context in which the QGC’s Committee’s position was formed, what information was available to them when considering their decision, whether their decision represents their settled view and/or whether there is scope for engagement on the detail to find a mutually workable solution;</i></p> <p><i>We consider this context essential if we are to apply material weight to the letter and the views of the QGC Committee. Our expectation is that the aims of the QGC project can be progressed to work harmoniously with our cable route. As yet, in the absence of any further detail on how the QGC Committee’s position was formed, we are unable to conclude why our cable route could not be accommodated through collaborative evolution of Mr Dickson’s planting regime and design;</i></p> <p>The Applicant notes that the land is being marketed for sale as a QGC woodland.</p>
2.11.16	On 28 March 2023 I received a threatening letter from RWE that they would “remove saplings along the cable corridor”.	<p>The Land Interest refers to a letter dated 28 March 2023 which is attached at <b>Appendix D</b> and states:</p> <p><i>I write to confirm that further to our discussions and, in light of the above, I have instructed the project team to proceed to make a decision on our potential proposed northern or southern cable routes based on what you have informed us to be the position. That decision will be on the assumption that, when they wrote to you, the Woodland Trust were fully aware of the details of our cable route proposals in terms of routing, construction (30m) and permanent easement (20m) widths and the potential for shallow root planting over our cable route.</i></p>



Ref	Written Representation Comment	Applicant's Response
		<p><i>This consideration will comprise two scenarios albeit for the reasons stated above:</i></p> <p><i>That, on the basis of the Woodland Trust response, you abort planting work that you stated is underway and do not proceed to complete your proposed woodland resulting in this opportunity not being realised; or</i></p> <p><i>That you proceed with your proposed woodland, and it is necessary for Rampion 2 to remove saplings along the cable corridor.</i></p> <p>This communication was not a threat to remove saplings but an explanation that Rampion 2 took into account both possibilities before arriving at the final cable route.</p> <p>In a further letter dated 18th May 2023 the Applicant stated that:</p> <p><i>“You ...asked for the cable to be located as far south as possible in the northern cable route corridor (as consulted on in summer 2021). I explained that there are tree and hedge buffers which need to be maintained which prevent the siting of the cable immediately adjacent to the field boundary, but that we would seek, in our final design, to site the cables as far south as possible within the DCO application boundary to reduce interference with any tree planting carried out by you so far as practicable.</i></p> <p><i>I confirm that, further to the above, the northern cable route as shown on the enclosed plan will be included in our DCO red line boundary for our consent application. We remain of the view that, with ongoing planning and mutual co-operation, our proposals and the tree planting regime you have started to implement can both be delivered.</i></p>
2.11.17	<p>Having ignored all our detailed correspondence on the Woodland Trust and Queens Green Canopy Committees very genuine concerns. RWE had now despicably and recklessly destroyed an amazing legacy to our Late Queen Elizabeth II. “The Queens Platinum Jubilee Wood”, a wish of the late Queen to plant 70 woods of 70 acres each throughout the UK, one for each of her years of reign. This was the first new planting of 70 acres under this initiative in the whole of the Southeast of England.</p>	<p>See the Applicant's above response to <b>Reference 2.11.15</b>.</p>
2.11.18	<p>Two alternative routes were proposed to RWE. To date there has been no definitive or compelling response. This would have saved the Woodland Project in its entirety. The utter hypocrisy of sacrificing this very unique legacy which would all have made a contribution to carbon offsetting and climate change and net zero is beyond belief.</p>	<p>The request is that the cable route should avoid two areas of land, owned by Mr Dickson and Green Properties Limited, to the east of Kent Street. And that, instead, the cable should follow one of the two cable routeings shown in orange on the plan below. The routes were rejected for the following technical engineering reasons:</p> <p><i>“Maintaining the current Red Line Boundary with the currently agreed area/shape/location for the Substation and changing the design to have the cables enter and exit the substation at a similar location would prove extremely difficult / impossible: The limited space will result in a congested area for cable installation to accommodate the 4x 275kV circuits, separation distances and the 2x 400kV circuits at the southern boundary of the substation. There is the risk of damaging the cable during pulling due to the twisting effect caused by several bends in a short area to accommodate parallel routes</i></p> <p><i>The potential project to the South could cause routing difficulties if we route additional cables in the identified corridor. The substation would have to be re-designed to accommodate the cables entering and exiting at a similar location, this would likely require a greater area and a different shape compared to the agreed shape / size.</i></p>

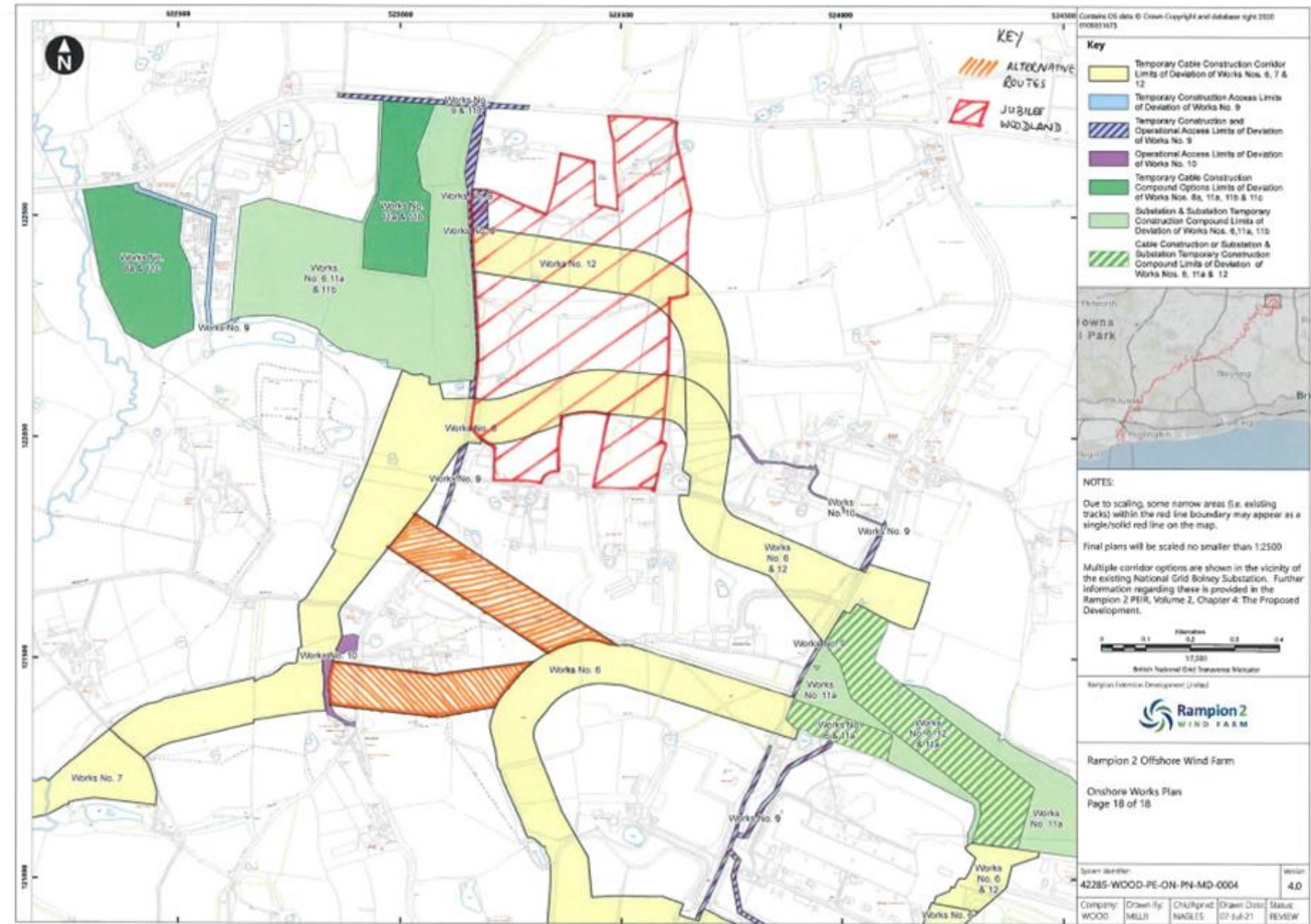


**Ref Written Representation Comment**

**Applicant's Response**

*Cables entering and exiting the substation from the South could technically be accommodated however this will require changes to the Red Line Boundary, substation layout, substation size and shape. This would likely result in greater substation cost and would pose a schedule risk to the Project in terms of consenting.*

ALTERNATIVE ROUTES BETWEEN SUBSTATIONS AVOIDING JUBILEE WOODLAND AT KENT STREET.



**2.11.19** RWE refuse to pay the Company their substantial professional fees yet made demands at will. And have no shame in making dishonest statements.

The Applicant notes the comments that they refuse to pay the Company their professional fees. The Applicant is unable to respond to this claim as it is unclear as to which Company and which invoices the statement relates to.

**2.11.20** Green Properties (Kent & Sussex) Ltd. Have been forced to incur considerable professional costs as a result RWE refusal to accept information provided. Green Properties (Kent & Sussex) Ltd are taking it extremely seriously that they have dishonestly

The Applicant has committed to make payments towards reasonably incurred professional fees on the provision of an accompanying timesheet to any fee account as set out in the Heads of Terms for the Voluntary Agreement and in accordance with the RICS Professional Statement (Surveyors advising in respect of compulsory purchase and statutory compensation).

Ref	Written Representation Comment	Applicant's Response
	been misrepresented to the Examining Authority by the Applicant.	
2.11.21	Apart from a dormouse survey the Applicant or the representative of the applicant has never ever met or engaged on site with the Landowner or any representative of the Landowner at Kent Street. The Applicants claim that the Landowner has requested not to be sent Heads of Terms for the proposed route is entirely dishonest. Quite the opposite, see our several requests in Correspondence. The Applicants claim to be fully engaged in active discussions.	The Applicant's representative is not dishonest. Mr Dickson phoned Vicky Portwain on 22 <sup>nd</sup> May 2023 further to receipt of the Applicant's letter on 18 <sup>th</sup> May 2023. Vicky Portwain explained that the cable route decision had been made for the reasons set out in the letter. Mr Dickson said that he did not think that Rampion 2 was being reasonable and that further negotiations on the cable route should take place. Vicky Portwain explained the timescales associated with the DCO submission. The letter dated 18 <sup>th</sup> May 2023 stated in the last paragraph that " <i>Carter Jonas will shortly be forwarding Heads of Terms for your consideration.</i> " Mr Dickson referred to this and then said, " <i>do not send me Heads of terms.</i> " Vicky Portwain immediately then informed Carter Jonas to record the request by the Land Interest to not receive Heads of Terms following the phone conversation. There is no benefit to the Applicant in not issuing Heads of Terms to the Land Interest but given the clear direction by the Land Interest to not do so, the Applicant did not therefore issue documents which it had been requested not to issue. The request for issuing Heads of Terms that the Land Interest refers to was from his agent in 2022 who was no longer representing the Land Interest in May 2023 and therefore Heads of Terms could not be sent to the Land Interest's agent.
2.11.22	I have just waited almost 6 months for a partial response to a 9 page letter I wrote to the applicant on 31 July 2023. The experience and Green Properties (Kent & Sussex) Ltd could just be the tip of the iceberg. These issues may well run more widespread.	The Applicant responded to the Land Interest's letter of 31 <sup>st</sup> July 2023 in a letter dated 11 <sup>th</sup> January 2024 and explained the reasons. The letter is attached at <b>Appendix E</b> .
2.11.23	We believe the Examining Authority cannot possibly approve this application where there is clear evidence of dishonest representation of Landowners opening the possibility of challenge in the High Court. With evidence from the Landowners.	The Applicant does not accept that there is any evidence of dishonest representation.
2.11.24	We will vigorously resist any attempt to extend the corridor to 100 m. and close of the only access road. A letter from RWE 27 January 2023 clearly states "our construction corridor can be reduced further to a construction corridor of 30m" width and a 15m permanent easement.	<p>The letter dated 27<sup>th</sup> January 2023 from the Applicant to the Land Interest states:</p> <p><i>"we have now considered further the matter of our construction corridor width and have concluded that the section of the route between Oakendene and the NGET Bolney substation can be reduced further: to a construction corridor of 30m width and a 15m wide permanent easement. This corridor width reduction is made possible by our intention to install only two cable circuits between Oakendene and Bolney; and while it will not affect our cable corridor proposals at College Wood Farm wanted to convey this information, whilst we are still looking at the routeing"</i>.</p> <p>The Applicant considers however that flexibility for the location of the cable construction corridor within the DCO red line is required for engineering (trenchless crossing related) and ecological reasons. The reasons are outlined in the Applicant's above response to point 6 of this written representation.</p>
2.11.25	It is blatantly clear that the extra 70m is not required for the Rampion 2 project but an attempt to control it for a completely unrelated project by a subsidiary of RWE.	The Applicant confirms that it is not progressing an unrelated project (see the Applicant's above response to <b>reference 2.11.8</b> ).

## Enclosure 2 Written Representations of Simon Mole

Ref	Written Representation Comment	Applicant's Response
2.11.26	1. These Written Representations are submitted on behalf of Green Properties (Kent & Sussex) Ltd (Our Client) in response to the application by Rampion Extension Development Limited (the Applicant) for an Order granting Development Consent for the Rampion 2 Offshore Wind Farm Project (the Draft Order).	-
2.11.27	2. This section relates to the compulsory acquisition powers contained in the DCO and the impact they will have on our client's property.	-
2.11.28	3. Our Client is the owners and occupiers of land referenced within the DCO limits as Land at Kent Street Lane, Cowfold (plots 33/4, 33/22, 33/23, 33/24, 33/25, and 33/26 – "the Land").	-
2.11.29	4. The land is directly affected by compulsory acquisition powers sought in the Draft Order.	-
2.11.30	<b>SUMMARY OF WRITTEN REPRESENTATIONS</b>  5. Our Client's position on matters remains as substantially set out in the Relevant Representations submitted on 7th September 2023 which are attached at Appendix 1 of these Written Representations.	-
2.11.31	6. Our Client objects to the acquisition of rights and imposition of restrictive covenants over their Land.	The acquisition of rights and imposition of covenants over the land are required to deliver the Proposed Development.
2.11.32	7. The proposed construction method of open cut trenches across and unjustified wide area of the Land will lead to the loss of substantial parts of productive land and will result in the extinguishment and loss of income for a sole trader farmer.	The Applicant notes that the land is proposed to be used for the proposed cable route is currently used for hay and haylage and saplings. The construction works will result in restricted access to the fields to the North of the cable route for a temporary period during construction, however the Applicant will discuss the provision of appropriate crossing points at locations to be agreed with the Land Interest.  In accordance with the Heads of Terms the Applicant is offering compensation for reasonable losses and disturbance to be assessed in accordance with the Compensation Code.
2.11.33	8. The chosen route for the cables led to our client being unable to participate in the Platinum Woodland project to celebrate the Queen's Platinum Jubilee.	See the Applicant's above response to <b>reference 2.11.15</b> .
2.11.34	9. The Applicant has completely failed in their duty to satisfy Government Guidance on the use of Compulsory Acquisition powers at every level. They have: (i) Failed to consider alternatives and suggested route changes put forward by our Client. (ii) Failed to negotiate prior to the submission of the DCO application. No heads of terms have been issued during the pre-examination phase.	Five alternative routes were considered by the Applicant further to consultation responses from the Land Interest to the first and Second statutory consultations.  The first two cable routes were subject to statutory consultation and comprise of: - The northern route (as consulted upon in summer 2021) specifically for cables running from the Oakendene substation towards Bolney National Grid substation.  -The southern route principally based on cables arriving from the south from the wind farm and then heading directly east towards the Wineham Lane South option which was not taken forward



Ref	Written Representation Comment	Applicant's Response
	<p>(iii) Failed to engage in meaningful consultation with our client and in some cases failed to include them in consultation events.</p> <p>(iv) Failed to offer dispute resolution.</p> <p>(v) Failed to justify the extent of powers being applied for</p>	<p>Both cable route options were included in the second statutory consultation, however only the northern route was considered deliverable with the Oakendene substation option.</p> <p>-The Land Interest was contacted by the Applicant further to receiving the communication regarding the Queens Green Canopy (QGC) referred to above. Discussions with the Land Interest indicated that the southern route would not impact QGC to the same extent as the northern cable route. The Applicant agreed to re-visit the potential for using the southern cable route option specifically for cables running from the Oakendene substation towards Bolney National Grid substation.</p> <p>“Southern Cable Route Option”</p> <p>To deliver the Southern route, the Applicant would have required to include an area previously excluded from the DCO red line boundary (for ecological reasons) back into the DCO red line to achieve the engineering requirements to facilitate the trenchless crossing of Kent Street. It was not considered that the inclusion of that area incorporating the pond was justified. Therefore the combination of the engineering requirements and the environmental constraint for an area excluded from the DCO red line immediately to the west of Kent Street resulted in the southern option not being considered preferred to the northern route. The Applicant confirmed in its letter date 18<sup>th</sup> May 2023 the conclusion that the southern route option would involve greater environmental impacts than for the northern route and that there was no justification to progress this route.</p> <p>Further modifications to the southern cable route were also explored by the Applicant at this time, to establish if a route with comparable or only marginally increased impacts to the ‘northern cable route’ could be identified which would be acceptable both to the Applicant, having regard to objectively assessed impacts, and to the Land Interest, and would therefore enable us to reach an agreement on the land rights required for the Proposed Development.</p> <p>Through this exercise, a further modified route immediately to the north of the southern cable route was identified as shown cross hatched green and orange on the enclosed plan ref 42285-WOOD-CO-ON-PN-MD-0020, ‘the middle route. This plan was hand delivered to the Land Interest’s address on 7th April 2023 for informal discussion. The Applicant discussed this plan further by way of a phonecall and the Land Interest stated that, as the cable routing went through the centre of the field, it would have a sterilising impact on The Land Interest’s farming and as such it was considered unacceptable. The Land Interest then requested that the Applicant consider:</p> <ol style="list-style-type: none"> <li>1) the movement of the cable route towards the southern boundary of the field and</li> <li>2) an extension of the proposed trenchless cable installation (by Horizontal Directional Drill (HDD)), eastwards into the next field. This would extend the drilled section further into the open cut trenched section (shown cross hatched green to the east on the enclosed plan).</li> </ol> <p>The above requested changes were considered by the Applicant. However, it was determined by the Applicant that such a change was not justified on balance. This was due to it having greater potential impacts (including the amenity of nearby residents, effects on trees and vegetation) and significant additional cost. The Applicant subsequently spoke on the telephone in light of the above and the Land Interest indicated that the proposed cable route shown on plan 42285-WOOD-CO-ON-PN-MD-0020 would have a greater impact on the Land Interest’s farming than the ‘southern route’. The Land Interest then asked for the cable to be located as far south as possible in the northern cable route corridor. The Applicant explained that there are tree and hedge buffers which need to be maintained which prevent the siting of the cable immediately adjacent to the field boundary, but that the Applicant would seek, in the final design, to site the cables as far south as far south as possible within the DCO application boundary to reduce interference with any tree planting carried out by the Land Interest so far as practicable. The Applicant set this out and confirmed that, further to the above, the northern cable route would be included in our DCO red line boundary for the consent application (see letter dated 18<sup>th</sup> May 2023 at <b>Appendix B</b>).</p>

Ref	Written Representation Comment	Applicant's Response
		<p>The above three routes are shown on plan 42225-WOOD-CO-ON-PN-MD-0020 at <b>Appendix F</b>.</p> <p>Two cable routes proposed by the Land Interest's agent as shown on the plan included in the response to <b>2.11.18</b> above were sent to the Applicant in response to the October 2022 second statutory consultation. These two routes were not progressed to consultation stage for the engineering reasons set out in the response to <b>2.11.18</b>.</p>
<b>2.11.35</b>	<b>WRITTEN REPRESENTATIONS</b>	Noted, the Applicant has no further comments on this matter at this time.
	<b>Background</b>	
	<p>10. The Relevant Representations attached hereto set out details of our Client's ownership. In summary, the Land at Kent Street comprises 32.38 hectares of permanent pasture and woodland owned by our client. The fields are occasionally grazed and not ploughed and are abundant with flora and fauna.</p>	
<b>2.11.36</b>	<p>11. Part of the land comprises of saplings planted intended to be part of the Queen's Platinum Jubilee Woodland Programme.</p>	-
<b>2.11.37</b>	<b>Effect on Agricultural Land and Businesses – Land at Kent Street Lane</b>	-
	<p>12. The land at Kent Street Lane included in the Draft Order will grant rights for the Applicant to take possession of a linear strip of land of some 327 metres in length for an undefined period of time for the purposes of the Onshore Connection Work.</p>	
<b>2.11.38</b>	<p>13. The powers being sought are defined at Work No.19 on the Works Plans which is referred to in the Draft DCO as being the onshore cable installation works including the installation of two transmission cables and temporary construction consolidation sites, construction of a haul road and accesses and other rights. It is understood Work No.19 will grant permanent rights to the Applicant.</p>	-
<b>2.11.39</b>	<p>14. The DCO Land Plans identify a much wider width of land being impacted by the compulsory acquisition powers understood to be 100 metres. The Applicant has not communicated (or justified why) a width of 100 metres is required here. Not least Work No.19 makes reference to up to 2 transmission cables being installed as opposed to four cables in the Work No.9 land where the permanent width is only 40 metres. This is covered in more detail below in the section "Compulsory Acquisition – Clear idea of use of land".</p>	See the Applicant's above response to <b>reference 2.11.6</b> .
<b>2.11.40</b>	<p>15. The impact of a 100m swathe of land being permanently impacted by the rights is to render the whole area of land</p>	See the Applicant's above response to <b>reference 2.11.6</b> .



Ref	Written Representation Comment	Applicant's Response
	<p>unusable and unviable. There are no crossing points proposed or identified and there is no provision for our Client to pass and repass over the Order land to access land either side of the acquisition corridor and onto the public highway as their gateway is within the Order Limits.</p>	
2.11.41	<p>16. Our Client seeks a binding commitment from the Applicant, which includes detail and agreement on how shared access arrangements would be safely managed. To date no offer of such a commitment has been made by the Applicant.</p>	<p>The Applicant welcomes the opportunity to discuss detailed access arrangements and management with the Land Interest. There have been a number of attempts by the Applicant to progress discussions on working arrangements. A recent email dated 12<sup>th</sup> March 2024 received by the Applicant's Land Agent from the Land Interest's agent invites the Applicant to a site meeting to discuss an agent's only walkover of the land. The Applicant has confirmed its availability for a meeting. The Applicant hopes that the meeting will indeed proceed but notes the conditionality attached to the meeting request in the email from the Land Interest's agent to the Applicant's agent.</p>
2.11.42	<p>17. Our client applied to the Woodland Trust for inclusion in the Platinum Woodland project for the Queen's Green Canopy Programme for her Platinum Jubilee (see - <a href="https://www.royal.uk/the-queens-green-canopy-0">https://www.royal.uk/the-queens-green-canopy-0</a>). He was delighted to have been accepted by the Woodland Trust and saw this as a real honour.</p>	<p>The Applicant notes the Land Interest's confirmation that the Queens Green Canopy planting was accepted by the Woodland Trust but later states that it was rejected. The Applicant had sought the details of the acceptance as referenced in the Applicant's above response to 2.11.15.</p>
2.11.43	<p>18. Our client communicated this to the Applicant in May 2021 and asked them to take this into consideration when designing the cable corridor. At the time the Applicant was consulting on two potential corridors across the Kent Street Land (known as the Northern and Southern options). Our client made representations through their agent that the Southern corridor would avoid the proposed Platinum Woodland area and was his preference. Indeed our client has planted saplings within the land and left a corridor unplanted for the cable corridor. Unfortunately the DCO corridor is much wider than the corridor left by our client.</p>	<p>The Land Interest states that the Applicant failed to take into consideration the Queens Green Canopy scheme but confirmed information on the area of planting was not supplied further to requests. Indeed, the plan supplied by the Land Interest showed planting in both the Southern and Northern cable route areas, so clarification was sought but no response was received answering that question. The Applicant therefore confirmed its position in the letter dated 28<sup>th</sup> March 2023: <i>"You have indicated that you would be agreeable in principle to our "southern" route as it would not sever the QGC in the same manner. You have not advised us that the Woodland Trust's position would equally apply were we to proceed on the "southern route"</i>.</p> <p>The Applicant assessed the two routes on this basis and for the reasons set out in the Applicant's letter dated 18<sup>th</sup> May 2023 (<b>Appendix B</b>) confirmed the Applicant's decision to proceed with the Northern Corridor.</p>
2.11.44	<p>19. Subsequently the Woodland Trust confirmed they were no longer able to support our client's plans to plant a Platinum Wood at Kent Street whilst there is a possibility of the woodland being threatened or damaged as a result of the Rampion 2 cable construction corridor.</p>	<p>The Applicant notes the Land Interests accusation that the Woodland Trust <i>"confirmed they were no longer able to support our client's plans to plant a Platinum Wood at Kent Street"</i>. Given that the Applicant confirmed that it considered the scheme compatible with the Queens Green Canopy planting, the Applicant has previously requested evidence of this rejection which will enable the Applicant to respond fully. The Applicant notes that the Woodland Trust has commented on the Proposed Development in [REP1-167] but does not refer to the land owned by the Land Interest.</p>
2.11.45	<p>20. The Applicant included both routes in their consultation material right up to their Autumn 2022 Statutory Onshore Consultation (attached at Appendix 2).</p>	<p>The Southern route requires that the 400kV cables from Oakendene to Bolney runs southward from Oakendene. For engineering reasons associated with the difficulty of running the cables south from Oakendene, this southern route was identified as being challenging during the original process for choosing the substation location. The applicant notes this option would require additional works in close proximity to a residential property.</p>
2.11.46	<p>21. A letter received from Vicky Portwain from the Applicant dated 18th May 2023 (Appendix 3) confirms the Applicant's decision to proceed with the Northern Corridor. The reasons</p>	<p>The letter from the Applicant dated 18<sup>th</sup> May 2023 explained the reasons for rejection and stated:</p>

Ref	Written Representation Comment	Applicant's Response
	<p>given are in paragraph 5 onwards including a “combination of engineering requirements and policy constraints for a small SSSI immediately to the west of Kent Street, reconfirmed that the southern route option would involve greater environmental impacts than for the northern route and that there was no justification to progress this route”.</p>	<p><i>Further to your communication of the above, Rampion 2 re-visited the potential for using the southern cable route option (as consulted upon in summer 2021) specifically for cables running from the Oakendene substation towards Bolney National Grid substation. A combination of the engineering requirements and policy constraint for a small Site of Special Scientific Interest (SSSI) immediately to the west of Kent Street, reconfirmed the conclusion that the southern route option would involve greater environmental impacts than for the northern route and that there was no justification to progress this route.</i></p> <p>Plan 42225-WOOD-CO-ON-PN-MD-0020 at <b>Appendix F</b> was enclosed with the letter of 18<sup>th</sup> May 23 (<b>Appendix B</b>) and shows a small square excluded from the DCO red line to the west of Kent Street. This small area of land accommodates a pond and was excluded from the DCO red line due to the presence of the pond and trees since the first statutory consultation. The Applicant has checked the status of the area excluded from the DCO red line and confirms that it is in agreement that it is not a SSSI and therefore the SSSI policy constraint is not applicable. During the consideration of the alternative routes to the south of the northern route, it was not considered appropriate to propose the inclusion of the area previously excluded from the DCO back into the DCO red line. in May 2023. Even if it had been deemed appropriate, the requirement for additional consultation on this third party land outwith the control of Green Properties would have resulted in impacts on overall application programme planned in the forthcoming months.. The engineering challenges referred to in the letter dated 18<sup>th</sup> May 23 remain valid and the Applicant points out that the northern route was also preferred due to associated amenity issues arising from the southern alternative as noted in E2.20. Plan 42225-WOOD-CO-ON-PN-MD-0020 at <b>Appendix F</b> shows a residential property approximately 150m from the likely trenchless crossing location for the ‘middle route’, however the trenchless crossing compound and drill would be in much closer proximity for the southern route. Further access requirements from further south along Kent Street for the trenchless crossing were also a factor.</p>
2.11.47	<p>22. We have checked Natural England’s Open Data Publication which is a record of all SSSI’s in England. According to Natural England’s maps there are no SSSI’s to the west of Kent Street or in the vicinity of the land.</p>	<p>The Applicant agrees that there are no Sites of Special Scientific Interest (SSSIs) in the vicinity of Kent Street. This is in line with the data on SSSI locations within and close to the draft Order Limits in <b>Appendix 22.2 Terrestrial ecology desk study, Volume 4</b> of the Environmental Statement [APP-180].</p>
2.11.48	<p>23. In addition to the binding commitment sought at paragraph 17, our client also seeks a modification to the DCO so that the cable corridor is located within the land left clear of saplings by our client.</p>	<p>The Land Interest requests a binding commitment by the Applicant to locate the cable within the land left clear of saplings. The Applicant requested a plan of the area which has been left clear of saplings on 14<sup>th</sup> March 2024 and will review this plan in due course.</p>
2.11.49	<p><b>Land take and severance during construction</b></p> <p>24. The Draft Order will grant rights for the Applicant to take possession of a linear strip of land at Kent Street of some 327 metres in length for an undefined period to install 2 cable circuits in an open cut trench within a linear strip of land up to 100 metres in width.</p>	<p>See the Applicant’s above response to <b>reference 2.11.6</b>.</p>
2.11.50	<p>25. The powers being sought are defined at Work No.19 on the Works Plans which is referred to in the Draft DCO as being the onshore connections works including the installation of two transmission cables and temporary construction consolidation sites, construction of a haul road and accesses and other rights. It is understood Work No.19 will grant permanent rights to the Applicant to all of the land in the DCO (i.e. across the entire 100 metre width).</p>	<p>See the Applicant’s above response to <b>reference 2.11.6</b>.</p>

Ref	Written Representation Comment	Applicant's Response
2.11.51	26. However, the Applicant confirms in their Cable and Grid Connection Document (Document Reference 5.5) the required permanent corridor width (permanent rights) is only 25 metres in maximum as a reasonable worst-case scenario. It is not clear how the extent of land not required permanently will be released from the permanent rights and in effect the Applicant is burdening more land than is needed for the operation of the Project. This is unsatisfactory and an ineffective way to use compulsory acquisition powers.	See the Applicant's above response to <b>reference 2.11.6</b> .
2.11.52	27. The DCO Land Plans affecting the Land at Kent Street (sheet 38) show the linear parcel of land effectively severing the holding into 2 halves. Article 25 of the Draft DCO confirms that all existing private rights over the Order land will be extinguished. There are no crossing points proposed or identified therefore permanently depriving the ability for our client to pass and repass over the cable corridor area.	<p>Whilst it will be necessary to temporarily suspend access to the construction corridor for safety reasons in accordance with Article 25(3) of the <b>Draft Development Consent Order (DCO) [PEPD-009]</b>, the Land Interest will retain ownership of the land subject to the new rights and restrictive covenant in favour of the Applicant. That ownership does not comprise a right which is capable of being extinguished (see the definition in Article 25(8)).</p> <p>Access across the cable construction corridor for farm management will be discussed with the Land Interest and agreed crossing points implemented for the construction period. This will need to be managed by the Applicant's contractor for safety reasons in accordance with regulatory requirements.</p> <p>The Applicant has arranged to meet with the Land Interest on 22<sup>nd</sup> March and is keen to discuss the Land Interest use and requirements at the Kent Street access to facilitate the ongoing use of the access by the Land Interest through the construction phase in line with <b>Outline Code of Construction Practice (CoCP) [PEPD-033]</b> which explains how construction and access will be managed. In summary access restrictions will be kept to a minimum, with a diversion provided if possible. Contractors will work with the Land Interest to accommodate retained access for farming requirements,</p>
2.11.53	28. In addition the access point and gateway serving the land from Kent Street is also included within the DCO limits and is therefore unavailable both during the construction period which is undefined and permanently due to the way Article 25 is intended to work.	<p>Whilst the gateway serving the land from Kent Street is included within the DCO limits, it is not proposed to restrict the Land Interest or any future Land Interest from accessing the land outside of the DCO via this access. The access will be available during the construction period and Article 25(5) expressly permits the Applicant to direct that any such right to use that access shall not be suspended whilst during temporary possession of the land for construction purposes. The detailed arrangements and layout of the Proposed Development access in this location and the retained Land Interest access will be detailed in the stage specific Traffic Management Plan in accordance with the Outline Traffic Management Plan the <b>Outline Construction Traffic management Plan (CTMP) [REP1-010]</b>. The Applicant refers to the principles of Private Means of Access (PMA) as set out in the <b>Outline Code of Construction Practice [PEPD-033]</b> Section 5.7.10.</p>
2.11.54	29. Our Client requires a binding commitment from the Applicant, which includes detail and agreement on how shared access arrangements would be safely managed. To date no offer of such a commitment has been made by the Applicant.	<p>The Applicant is willing to commit to facilitating an access for the Land Interest to continue ongoing farming operations. As stated in the <b>Outline Construction Traffic Management Plan [REP1-010]</b> Section 4.4, at temporary construction accesses which are using existing private farm tracks, traffic management systems will be introduced to facilitate construction access at these locations.</p> <p>Requirements can be discussed at the meeting on 22<sup>nd</sup> March 2023. The Applicant is willing to incorporate such a commitment into a voluntary agreement further to these discussions. The Applicant notes however that the detailed design would not be prepared until the DCO requirement discharge stage, prior to construction.</p>
2.11.55	<b>Unreasonable extent of powers</b>	See the Applicant's above response to <b>reference 2.11.7</b> .

Ref	Written Representation Comment	Applicant's Response
	30. Article 23 of the draft Order proposes the Applicant can have up to 7 years after the Order is made to serve acquisition notices. This period is unprecedented and wholly unreasonable in burdening private land for such a long period. Similar DCO Projects (e.g. Bramford to Twinstead Reinforcement) have requested a period of no more than 5 years after the Order is made to serve acquisition notices.	
2.11.56	31. The 7 year period requested by the Applicant suggests their application is premature and has no identifiable funding to pay for project.	See the Applicant's above response to <b>reference 2.11.7.</b>
2.11.57	<p><b>Compulsory acquisition – Clear idea of use of land</b></p> <p>32. DCLG Guidance: Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land ('CA Guidance') sets out the relevant tests. It states at Paragraph 9:</p> <p><i>"The applicant must have a clear idea of how they intend to use the land which it is proposed to acquire."</i></p>	See the Applicant's above response to <b>reference 2.11.6.</b>
2.11.58	33. The Applicant does not have a clear idea of how they intend to use the Land which is proposed to acquire. The Applicant is uncertain as to how the Land will be used and are applying for powers over a greater extent of land than is required.	See the Applicant's above response to <b>reference 2.11.6.</b>
2.11.59	34. The Applicant is applying for permanent rights over (at least) 100 metres width of land. The submission documents confirm that only 25 metres width is required.	See the Applicant's above response to <b>reference 2.11.24.</b>
2.11.60	<p>35. In addition the Applicant has confirmed in correspondence with our client (see Appendix 4) in a letter dated 27th January 2023 that:</p> <p><i>"In fact, we have now considered further the matter of our construction corridor width and have concluded that the section of the route between Oakendene and the NGET Bolney substation can be reduced further to a construction corridor of 30m width and 15m wide permanent easement"</i></p>	See the Applicant's above response to <b>reference 2.11.24.</b>
2.11.61	36. Clearly there is no justification for the DCO corridor at Kent Street as submitted by the Applicant which is supported by their own statements.	See the Applicant's above response to <b>reference 2.11.6.</b>
2.11.62	37. Our client received a letter from JBM Solar (owned by the Applicant's parent company) in July 2023 seeking an option agreement for a potential cable corridor for a solar array in the local area which may require a route over the Kent Street land to	See the Applicant's above response to <b>reference 2.11.8.</b>



Ref	Written Representation Comment	Applicant's Response
	connect into the Bolney substation. Our client finds the timing of this approach suspicious given the Applicant included a 100m width corridor over their land.	
2.11.63	38. We remind the Applicant that, if granted, the DCO will only provide permission for the Rampion 2 project and its associated cable infrastructure. It is not an opportunity to grab more land for future projects.	Noted, the Applicant has no further comments on this matter at this time.
2.11.64	39. Our client seeks a modification to the DCO to reduce the width of the construction corridor subject to Work No.19 to be reduced to no more than 30m in width.	The Land Interest seeks to reduce the DCO red line to no more than 30m. For the reasons set out in response to point 2.11.6, which include: <ul style="list-style-type: none"> <li>the wider area required for trenchless crossing, the precise siting of which will be confirmed following detailed design</li> <li>it is not possible to 'fix' the construction corridor at this stage due to pre-construction SI and ecological surveys prior to undertaking detailed construction design.</li> </ul>
2.11.65	<p><b>Compulsory Acquisition – reasonable efforts to reach agreement by negotiation.</b></p> <p>40. CA Guidance states:</p> <p><i>“Applicants should seek to acquire land by negotiation wherever practicable. As a general rule, authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail.”</i> (paragraph 25)</p>	Agreed.
2.11.66	41. Case law, other guidance and recent Inspector Reports following Public Inquiries confirms that such efforts should be reasonable.	Agreed. Furthermore, the Applicant considers that it has made meaningful attempts to engage with the Land Interest.
2.11.67	42. The Applicant failed to issue Heads of Terms (HOTs) for an agreement or attempt to engage with our client until January 2024 which was only triggered by the submission of our client's relevant representation. Terms were finally issued on 26th January 2024 and contain a number of points which are inconsistent with the DCO including the width of land over which rights are required.	See the Applicant's above response to <b>reference 2.11.21</b> .
2.11.68	43. Our Client does not consider the terms to be reasonable because they require even more onerous and restrictive rights to be created than provided for in the Draft DCO, and over a much larger area of Our Client's Land than the Order Limits (described in the HOTs as the 'Grantor's Property').	The Applicant is only seeking rights within the Grantor' Estate, which will not necessarily reflect the Land Interest's registered title. The Applicant acknowledges that the Grantor's Estate has yet to be agreed / defined, but this will be defined over the course of the Heads of Terms negotiations.
2.11.69	44. Examples of onerous obligations over the Grantor's Property in the HOTs include requirements to:	The Applicant is only seeking to acquire permanent rights over the Easement Strip, and temporary rights for the construction corridor and construction access routes within the Development Consent Order (DCO) Application Red Line

Ref	Written Representation Comment	Applicant's Response
	<p>6. Enter into an Option Agreement for a temporary Construction Corridor, Construction Access and other rights as necessary including an Easement Strip over the entirety of our Client's Property including dwelling houses and buildings.</p> <p>7. Unlimited rights to enter the entirety of the Client's Property as may reasonably required in connection with the Project.</p> <p>8. Seek the Grantee's consent before routine property management decisions, including disposing of any interest or letting in the Grantor's Property (not just in the Order Limits).</p>	<p>Boundary. This is equivalent to the packages of Cable Rights, Cable Restrictive Covenant and Construction Access in the DCO. For the avoidance of doubt, this does not include dwelling houses and buildings.</p> <p>The Applicant is only seeking rights within the Grantor's Estate, which will not necessarily reflect the Land Interest's registered title. The Applicant acknowledges that the Grantor's Estate has yet to be agreed / defined, but this will be over the course of the Heads of Terms negotiations.</p> <p>Again, the Land Interest will only require seeking the Applicant's consent, not to be unreasonably withheld or delayed in relation to any improvements or works being undertaken over the Easement Strip.</p> <p>Consent mechanisms regarding disposal of land subject to an easement are standard practice to ensure that the rights are fully protected.</p>
2.11.70	<p>45. Our Client is committed to constructive engagement with the Applicant to seek to agree terms by negotiation, however to date and in light of the onerous HOTS presented, do not consider the Applicant has made reasonable efforts to acquire the rights it seeks in the Land by agreement.</p>	<p>See the Applicant's above response to <b>reference 2.11.5</b> (Engagement in Meaningful Negotiations).</p>
2.11.71	<p>46. We also question the motive of the Applicant in only issuing heads of terms after the submission of Relevant Representations which raised this as a matter of concern.</p>	<p>See the Applicant's above response to <b>reference 2.11.21</b>. The motive of the Applicant is to secure voluntary agreements where possible. The agent representing the Land Interest when Heads of Terms were issued to the majority of key landowners between March and August 2023 was Guy Streeter from Savills. The Applicant understands that Guy Streeter was one of the agent's forming part of the agent group who exchanged dialogue on the Heads of Terms in summer 2023 (see Written Representation response by the Applicant to CLA (Country Land &amp; Business Association <b>[REP1-176]</b>).</p>
2.11.72	<p>47. We note in the Barking Vicarage Fields decision, the Inspector analysed whether the applicant in that case had followed the specific recommendations of compulsory purchase guidance when considering if reasonable efforts had been made to use compulsory purchase as a last resort. The applicant's failure to follow guidance in that case was a significant contributing factor in the CPO application being rejected.</p>	<p>The Applicant does not accept that it has failed to follow guidance.</p>
2.11.73	<p>48. We conclude the Applicant's failure to follow guidance throughout the planning process is a relevant consideration as to whether reasonable efforts have been made to use compulsory acquisition as a last resort.</p>	<p>See the Applicant's above response to <b>reference 2.11.72</b>.</p>
2.11.74	<p><b>Failure to consult with our Client</b></p> <p>49. As can be seen in from the above, a number of alternative suggestions to the cable corridor are being considered by our client in an attempt to alleviate the impact of the Scheme on the use and enjoyment of their property.</p>	<p>See the Applicant's above response to <b>reference 2.11.34</b>.</p>
2.11.75	<p>50. This includes a modification to the cable route to enable our client to participate in the Queen's Green Canopy and plant a Platinum Woodland on their land.</p>	<p>See the Applicant's above response to <b>reference 2.11.15</b>.</p>

Ref	Written Representation Comment	Applicant's Response				
2.11.76	51. It is clear from the correspondence received from the Applicant (see Appendix 4) that they have failed to follow through on their promises.	See the Applicant's above response to <b>reference 2.11.5</b> (Engagement in Meaningful Negotiations).				
2.11.77	52. It was not until the letter received from Vicky Portwain (see Appendix 3) in April 2023 that the Applicant finally revealed their reasons for pursuing the northern corridor. Although as we have established the reasoning appears to be on false pretences.	The Applicant is unable to respond to this claim as it is unclear as to what reasoning the Land Interest appears to claim are on false pretences. The Applicant has confirmed the reasons for the route choice in response to <b>reference 2.11.34</b> .				
2.11.78	<p><b>Use of HDD</b></p> <p>53. In addition to suggesting an amended corridor, our client has suggested of the Applicant employing HDD installation technique to mitigate the impacts of the scheme on the land at Kent Street.</p>	<p>The Applicant understands that the Land Interest did propose use of trenchless crossing through a large section of the 'middle route' to avoid construction impacts on the majority of the field. The principles for the application of trenchless crossings however are based on such crossings only being used when the criteria for the crossing is met. Section 4.2 of the <a href="#">Outline Code of Construction Practice [PEPD-033]</a> sets out the commitments relevant to trenchless crossings.</p> <p><b>Table 4-1 Commitments relevant to trenchless crossings</b></p> <table border="1"> <thead> <tr> <th>Commitment ID</th> <th>Embedded environmental measure proposed</th> </tr> </thead> <tbody> <tr> <td>C-5</td> <td>Main rivers, watercourses, railways and roads that form part of the Strategic Highways Network will be crossed by HDD or other trenchless technology where this represents the best environmental solution and is financially and technically feasible (see C-17).</td> </tr> </tbody> </table> <p>The Applicant is considering the use of HDD as a crossing technique only where there is an obstacle of environmental or physical nature that could not reasonably be overcome via open-cut trench construction methods without causing significant environmental damage. These obstacles include major roads, significant topographical changes as well as railways, watercourses and land with designated environmental protection statuses. Trenchless methods are associated with substantial additional cost as well as additional construction risks, which the Applicant is obliged to avoid as much as possible in order to deliver the scheme and provide value-for-money to the UK consumer.</p>	Commitment ID	Embedded environmental measure proposed	C-5	Main rivers, watercourses, railways and roads that form part of the Strategic Highways Network will be crossed by HDD or other trenchless technology where this represents the best environmental solution and is financially and technically feasible (see C-17).
Commitment ID	Embedded environmental measure proposed					
C-5	Main rivers, watercourses, railways and roads that form part of the Strategic Highways Network will be crossed by HDD or other trenchless technology where this represents the best environmental solution and is financially and technically feasible (see C-17).					
2.11.79	54. The plan at page 51 of Volume 4 Appendix 4.1 Crossing Schedule (Document Reference 6.4.4.1) show that HDD is being used to cross Kent Street and partially into our client's land.	Agreed.				
2.11.80	55. Our client would like the HDD to extend further east into the third field before resorting to open cut trenching as this will avoid the saplings.	See the Applicant's above response to <b>2.11.78</b> .				
2.11.81	56. This should be perfectly possible without incurring any additional costs as there is no HDD compound required with the cables simply being pulled upwards towards the trenched section.	The construction of trenchless cable crossings via HDD is a complex and costly undertaking, and the application of this method is therefore restricted to overcome major obstacles such as roads, terrain, major watercourses and valuable natural environmental features by principle. Significantly extending the crossing length of HDD adds substantial costs and prolongs the construction duration. The Applicant is obliged to avoid additional construction cost to provide value for money to the UK consumer.				
2.11.82	<b>Conclusion</b>	The Applicant agrees that temporary habitat loss will occur due to the installation of cable ducts.				

Ref	Written Representation Comment	Applicant's Response
	57. The project will have a detrimental impact on the use and enjoyment of our client's land by destroying saplings and permanent pasture habitats.	
2.11.83	58. In addition, significant amounts of land will be lost during the construction period and reinstatement of the land, this period could be up to 3 years.	The Applicant notes that a 30 m construction corridor is likely to be required with potential widening for HDD purposes. This is not considered to be significant in the context of the approximate 80-acre landholding.
2.11.84	59. Our written representation demonstrates there is no justification for a 100m width corridor and the DCO will need to be amended.	See the Applicant's above response to 2.11.6.
2.11.85	60. Our client has put alternatives to the Applicant to mitigate these impacts. He has been repeatedly ignored throughout the pre-examination period. It is only latterly the Applicant has provided scant information to justify their approach to their land, and on investigation this appears to be untrue.	The Applicant considers that the decision to progress the northern route is based on sound engineering and environmental reasons.
2.11.86	61. Planning Act Guidance related to the procedures for the compulsory acquisition of land (Sept 2013) confirms that Applicants should carry out early consultation with landowners to build up a good working relationship with those whose interests are affected by showing that the applicant is willing to be open and to treat their concerns with respect. We consider the Applicant has failed in their duty and has not treated our client with respect.	The Applicant has treated the Land Interest with respect since the first approach in October 2020. The extensive letters and phone calls with both the Land Interest and his different agents demonstrate the Applicant's attempts to engage and discuss the alternatives and communicate decisions. It was due to this respect for the Land Interest that Heads of Terms were not issued when this express request was made.
2.11.87	62. In respect of negotiations the Planning Act Guidance states:  <i>Applicants should seek to acquire land by negotiation wherever practicable. As a general rule, authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail.</i>	The Applicant continues to attempt to acquire by agreement where practicable and hopes that the Land Interest is similarly willing to engage in such discussions. .
2.11.88	63. The Applicant has failed to adhere to the guidance. There were no attempts to acquire our client's interest by agreement. Heads of Terms were only issued in January 2024, 4 months after the submission of the DCO and only after receiving our client's relevant representation. This is poor practice and follows the pattern established in consultation with our client.	Please see the Applicant's above response to 2.11.21.
2.11.89	64. Our client considers that there is not a compelling case in the public interest to authorise compulsory acquisition of their land in accordance with the Draft DCO.	The Applicant's <b>Statement of Reasons [PEPD-012]</b> sets out the compelling case in the public interest for the authorisation of compulsory acquisition powers in the DCO.
2.11.90	65. Our client seeks to amend the Draft DCO to reduce the width of the cable corridor and either relocate it further south to avoid the saplings or to include provisions to HDD underneath the land as suggested in paragraphs 54 to 57.	Please see the Applicant's above responses to 2.11.78 and 2.11.79.



Ref	Written Representation Comment	Applicant's Response
2.11.91	66. In addition the existing private field access from Kent Street (see plot 33/25) should not be extinguished by the DCO otherwise the entire block of land will be severed.	Please see the Applicant's above response to 2.11.52
2.11.92	67. The Order powers should be available no more than 5 years after the Order is made.	Please see the Applicant's above response to 2.11.7.

#### Appendix 1 Relevant Representations submitted on 7 September 2023

A copy of the Relevant Representation as submitted by Green Properties (Kent & Sussex) in September 2023.

#### Appendix 2 Autumn 2022 Statutory Consultation

A copy of the information shared by the Applicant for the Second Round of Statutory Consultation on Potential Onshore Cable Route Changes

#### Appendix 3 Letter from the Applicant dated 18 May 2023

A copy of a letter from the Applicant to the landowner regarding the Proposed Cable Route

#### Appendix 4 Correspondence from the applicant dated 27 January 2023

A copy of a letter from the Applicant to the landowner regarding the Proposed Cable construction corridor

**Table 2-12: Applicant's Response to HJ Burt [REP1-103]**

Ref	Comment	Applicant's Response
2.1.1	I act as a land agent acting for a number of owners and occupiers along the proposed cable route and also the intended construction or operational access routes to same. Whilst my various clients have a variety of concerns and issues about the key terms as offered to them in respect of the cable route and compound areas and which are being discussed with RED's agents, I also have several clients who have only been approached in respect of access (construction and operational) routes over their land.	<p>The Applicant notes that HJ Burt act for a number of Land Interests affected by the proposals and individual discussions are ongoing with those parties as noted.</p> <p>The Applicant notes that of the parties we understand to be represented by HJ Burt, 8 have submitted Relevant Representations and the Applicant responded to these at Deadline 1 (see <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a>).</p>
2.1.2	Despite their concerns about this being raised at an earlier stage of the consultation process as to how this may affect their businesses and occupation of the land, no adjustments have been included in the key terms and which are frankly derisory in their nature.	The Applicant welcomes the opportunity to discuss the Key Terms as they specifically relate to HJ Burt's individual clients. The Applicant has requested feedback on the Key Terms from HJ Burt in respect of his clients (via email on 20 December 2023 and 13 February 2024 and via a Letter in March 2024), and has requested feedback on any specific mitigation measures that require consideration.
2.1.3	I have for example one livery owner whose business will become largely unviable with the intended construction (and then operational) access crossing their modest holding and the potential loss of more than £25,000 p.a. income and where the proposed compensation for the 5 years construction access carving through their holding amounts to a derisory £12.54 per month for the duration of the scheme.	The Key Terms offered to affected land owners make provision for the payment of disturbance compensation as well as the principal consideration for the easement. The Applicant will welcome the opportunity to further discuss appropriate mitigation measures as they specifically affect the livery business concerned. Compensation payments for disturbance losses, and for the acquisition of land rights are assessed in accordance with the provisions of the Compulsory Purchase Compensation Code.
2.1.4	The same client has also been offered terms for an operational access route through their business premises and in return for a 99 years access route they have been offered the equivalent of £6.78 p.a. compensation!	Please see the response to <b>reference 2.1.3</b> above
2.1.5	On the same part of the construction route, another client will see his long tended old pasture holding split into two by the construction access and disruptive heavy plant cutting through his prized old meadows at the back of his house and all for a proposed compensation of £19.56 per month on RED's proposed linear payment.	<p>Please see the response to <b>reference 2.1.3</b> above.</p> <p>The Applicant will welcome the opportunity to further discuss appropriate mitigation measures as they specifically affect the farm management operations concerned.</p> <p>The Applicant is keen to have ongoing discussions with HJ Burt and the land interests that he represents to understand how best to mitigate any temporary severance of land during the construction period, which can include temporary accommodation works (e.g. fences, gates and crossing points).</p> <p>The Applicant will continue to engage further to understand HJ Burt's client's specific requirements to accommodate the grazing/ farm management operations and minimise disturbance wherever possible. This could include crossing points to be agreed with his client across the temporary construction access (Works No.13) to ensure parts of the field will remain available for use. Detailed cable routeing will be refined further to pre-construction surveys.</p> <p>The Applicant will seek to engage with HJ Burt and/or his clients regarding detailed construction access design and accommodation works in accordance with <a href="#">Outline Code of Construction Practice [PEPD-033]</a>.</p> <p><b>Fencing</b> - The Applicant confirms that the construction area within the Order Limits will be fenced off for the duration of construction.</p>

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Ref	Comment	Applicant's Response
2.1.6	None of this is commercially or morally right and whilst these issues have been raised with RED's representatives and agents and are being further discussed, I and my clients are frankly amazed and insulted by some of the terms proposed and hence make this written representation.	The Applicant notes the comments within this Written Representation and welcomes the opportunity to discuss the Heads of Terms as they specifically relate to HJ Burt's individual clients.

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**Table 2-13: Applicant's Response to James Smethurst**

Ref	Written representation comment	Applicant's response
2.1.1	<b>Onshore Work Plans/Compulsory Acquisition</b>	
2.1.2	<p>Rampion seem to be asking for rights over land to an excessive extent, and adequate explanation for this is hard to get from them. For example:</p> <ul style="list-style-type: none"> <li>• Why do they need a right over the whole of the A272 north of Oakendene for 'construction and operational access (plot number 33/19, works number 14) as opposed to just the verge on the south side. Why is the rest of the road any different to any other road they will travel on? . No satisfactory explanation has been given to them despite emails and meetings, nor to any of their neighbours.</li> </ul>	<p>The Applicant believes that James Smethurst may be an occupier of a title owned by Meera and Jeremy Smethurst (see the Applicant's response to relevant representation <b>Table LI22 Applicant's Response to Meera Smethurst [RR-236]</b>.</p> <p>The title referred to above borders an A road (the A272) which is adopted highway.</p> <p>The Applicant identified the owner of the aforementioned title (Jeremy and Meera Smethurst) as a presumed owner of part width of the subsoil of that highway comprising plot 33/19 (which is unregistered) as shown coloured blue on the <b>Land Plans Onshore – Revision B [PEPD-003]</b>.</p> <p>This party is not currently in the Book of Reference or Land Rights Tracker. It is not clear if the party has an interest in land. The Applicant will write to the party to seek clarification of the interest in land. In the event that the party does have a qualifying land interest it is understood that this would be in relation to an assumed subsoil interest in plot 33/19 which is adopted highway.</p> <p>This Written Representation response proceeds below on this basis (see below).</p> <p>The Applicant requires rights over the land / plot mentioned (33/19) for Works No.14 ("Construction and Operational Access") as shown on the <b>Onshore Works Plans [PEPD-005]</b> [ref also to the onshore land plans] to construct and maintain suitable and safe access from the A272 to the Oakendene Substation site (Access A-63) and the temporary construction compound in accordance with highway standards.</p> <ul style="list-style-type: none"> <li>- The DCO red line boundary in this location, includes sufficient land for visibility for the access from the Oakendene substation onto the A272. This was explained to the Land Interest at a face to face meeting at South Lodge on 4<sup>th</sup> October 2023. It was explained that:</li> <li>- the substation access onto the A272 from the south will be delivered at a confirmed point to be identified within the red line.</li> <li>- There will be a need for traffic management measures which will be set out in the stage specific Construction Traffic Management Plan (CTMP) to be finalised before any construction takes place. The Applicant explained that an <b>Outline CTMP [REP1-010]</b> had been prepared to set out the framework for the management and mitigation on the local highways network related to onshore construction traffic as a result of construction works associated with the onshore elements of the Proposed Development. It was explained that the document will be finalised with detailed arrangements in agreement with West Sussex County Council prior to the start of any construction.</li> </ul> <p>Potential signage and vegetation management is currently proposed at the A272 in this location. It is expected that the works will be delivered within the adopted highway pursuant to the street works powers in the draft Order, in which case there will not be any compulsory acquisition of rights in respect of the subsoil interests in Parcel 33/19. However, this will need to be confirmed via detailed design and engagement with the highway authority. Until then, it is necessary for the Applicant to seek authorisation for the compulsory acquisition of a package of construction and operational access rights to ensure that it is permitted to deliver any works and which go beyond the scope of the streetworks powers. In the event that it is necessary to exercise rights akin to an access easement over any part of Parcel 33/19, this would not have any impact on the assumed ownership</p>



Ref	Written representation comment	Applicant's response
2.1.3	<ul style="list-style-type: none"> <li>Why do they need the whole of the verges and road at the northern end of Kent Street for 'temporary construction access?' (plot 33/4-8, works number 13) as opposed to just the verges they will need to cross to gain access to the cable routes? How is this part of the road any different from any other road they will be using?</li> </ul>	<p>of subsoil owners' land interests. Nor would such parties experience any difference in their practical use of the part of the highway subject to the land rights and the part of the highway which is not subject to those rights.</p> <p>The Applicant requires rights over the land / plot mentioned for Works No.13 ("Temporary Construction Access") as shown on the <a href="#">Onshore Works Plans [PEPD-005]</a> to construct and maintain suitable and safe access from Kent Street Lane on to the cable construction corridor south of the Oakendene substation site (Access A-61).</p> <p>Relevant information to this has also been provided in the <a href="#">Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 3 – Further information for Action Point 14 and 16 – Construction Accesses [REP1-022]</a>. It is expected that the works will be delivered within the adopted highway pursuant to the street works powers in the draft Order, in which case there will not be any compulsory acquisition of rights in respect of the subsoil interests in Kent Street. However, this will need to be confirmed via detailed design and engagement with the highway authority. Until then, it is necessary for the Applicant to seek authorisation for the compulsory acquisition of a package of construction access rights to ensure that it is permitted to deliver any works and which go beyond the scope of the streetworks powers.</p>
2.1.4	<p>Why do they need such a wide piece of land for the cable route before it enters the substation area? (plot number 33/1, works number 9). There does not seem to be any adequate explanation of this in the DCO.</p>	<p>As shown in the <a href="#">Outline Code of Construction Practice Appendix A Crossing Schedule [PEPD-033]</a> on Sheet 26, the cable route construction into the Oakendene substation will be undertaken using Horizontal Directional Drilling (HDD) from Trenchless Compound location "TC27" to avoid impacts onto a watercourse and environmental features. The construction of HDD requires a larger working width than open cut trench cable installation methods as outlined in <a href="#">Chapter 4 The Proposed Development [APP045]</a> Section 4.5. James Smethurst does not have an interest in this Land</p>
2.1.5	<ul style="list-style-type: none"> <li>Why do they need such a wide piece of land to the west of the cable route for continued operational access at plot number 31/2-3, works number 14? Will it be permanently affected? This is prime quality meadowland.</li> </ul>	<p>James Smethurst does not have an interest in this Land. The Applicant requires additional corridor width at this location to achieve construction and operational access to the cable route (located within Works No. 9) via existing gaps in the vegetation on the western side of this corridor and to avoid impact on existing hedgerow and woodland vegetation and this has been communicated to the Affected Land Interest.</p>
2.1.6	<ul style="list-style-type: none"> <li>Why do they need such a wide splay of land to the north of Cratemans Farm for operational access? (plot number 31/5-6, works number 15). No adequate explanation for this was given at the ISH</li> </ul>	<p>As it was explained to the affected Land Interest at this location, the Applicant has sought a slightly wider width for operational access at 31/6 to accommodate flexibility to take into account land use and ground conditions. The wider width at 31/5 is required to provide operational access the cable route to the North East and South West of a dividing hedgerow. James Smethurst does not have an interest in this Land</p>
2.1.7	<p>In addition, at the onshore substation, plot number 33/9 is listed for both environmental mitigation and the substation construction (works numbers 16 and 17). How can the whole plot possibly be used for environmental mitigation? Has the entire plot been included in the environmental mitigation calculations (i.e. overestimating), and has the extensive destruction of habitats on the site also been included? (i.e. ensuring the negative balance is correct-similarly for any other mitigation site)</p>	<p>The proposed habitat creation works around the substation can be seen in the Indicative Landscape Plan provided within the <a href="#">Outline Landscape and Ecology Management Plan [APP-232]</a>. The habitats shown on this plan have been used to inform the assessment described within Chapter 22 Terrestrial Ecology and Nature Conservation [APP-063]. James Smethurst does not have an interest in this Land</p>

Ref	Written representation comment	Applicant's response
<b>2.1.8</b>	<b>Action Points Arising from ISH 1</b>	
<b>2.1.9</b>	<p>Having listened to the recordings of the February hearings, there appear to be a number of action points missing:</p> <ul style="list-style-type: none"> <li>• The applicant was warned that compulsory acquisition must be seen as a last resort and that progress must be made before the next hearing</li> </ul>	<p>The Applicant has provided a response to all the Action Points Arising from Issue Specific Hearing 1 [EV3-020] identified by the Examining Authority. These responses were either provided at Deadline 1 or are submitted at Deadline 2, in accordance with the deadlines identified in the document.</p> <p>The Applicant notes that this comment is directed at the Examining Authority, and will of course respond to any further Action Points or requests for further information issued by the Examining Authority</p>
<b>2.1.10</b>	<ul style="list-style-type: none"> <li>• The applicant was asked to provide a convincing explanation of why the Rampion 1 cable route had not been reused (followed from Andrew Griffith's OFH speech)</li> </ul>	2.1.9
<b>2.1.11</b>	<ul style="list-style-type: none"> <li>• Action point 10 was also to include the southern end of Kent Street, which also has conflicting maps</li> </ul>	<p>The Applicant's land acquisition strategy is to seek voluntary agreement where possible and use CA powers as a last resort. <a href="#">The Land Rights Tracker (PEPD-016)</a> shows the extensive engagement carried out by the Applicant.</p>
<b>2.1.12</b>	<ul style="list-style-type: none"> <li>• The applicant was to produce a plan to ensure access to Kings Lane /Moanfield Lane at all times, including for emergency access</li> </ul>	2.1.10
<b>2.1.13</b>	<ul style="list-style-type: none"> <li>• Traffic survey for Kent Street</li> </ul>	<p>The Applicant notes the query of why the cable for the existing Rampion Offshore Wind Farm (Rampion 1) cannot be used. This is addressed in paragraph 3.4.18 of the <a href="#">Chapter 3: Alternatives, Volume 2</a> of the ES [APP-044]: "It was concluded that it is not technically feasible to follow the original Rampion 1 onshore cable route as additional infrastructure cannot be physically accommodated at the Brooklands and due to environmental constraints at Tottington Mount (see Table 3-5). The option was therefore not a reasonable alternative."</p>
<b>2.1.14</b>	<ul style="list-style-type: none"> <li>• Peak weeks were to be made more specific to the road/ site under consideration</li> </ul>	2.1.11
<b>2.1.15</b>	<ul style="list-style-type: none"> <li>• The need for a holding bay as for Rampion 1 was to be considered</li> </ul>	<p>Figure 7.6.6c showing local access routes, Figure 7.6.9c showing routes from compounds to sites and Figure 7.6.13c showing LGV construction access routes in the <a href="#">Outline Construction Traffic Management Plan [REP1-010]</a> have been updated to reflect that construction traffic will not use Kent Street south of access A-61 and A-64.</p>
<b>2.1.16</b>	<ul style="list-style-type: none"> <li>• The pollution effects of traffic were to be more extensively considered, including noise</li> </ul>	2.1.12
<b>2.1.17</b>	<ul style="list-style-type: none"> <li>• Traffic management/safety on A272 if no traffic lights</li> </ul>	<p>Temporary road closures to facilitate the open cut trench crossing of Moatfield Lane (48a-48b) and Kings Lane (50a-50b) are shown within <a href="#">the Access, Rights of Way and Streets Plans [APP-012]</a>.</p>
<b>2.1.18</b>	<ul style="list-style-type: none"> <li>• More convincing drainage plans for the substation site</li> </ul>	<p>The strategy to maintain private means of access during this period is described in Paragraph 5.7.10 of the <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a>. The following general principles will apply to the managed or private means of access during the cable route construction:</p> <ul style="list-style-type: none"> <li>• Any access restrictions or effect on individual properties will be kept to a minimum and the Applicant will work with local stakeholders to develop individual solutions to keep disruptions as slow as is reasonably possible;</li> <li>• All crossings of private means of access will be developed to allow emergency access at all times;</li> <li>• Contractors will be required to accommodate reasonable requests for access during the working day by temporary plating of the trench unless a suitable diversion is provided around the works;</li> </ul>

Ref	Written representation comment	Applicant's response
		<ul style="list-style-type: none"> <li>• The trench will be plated or temporarily backfilled outside of construction working hours where feasible to restore access, unless a suitable diversion is provided around the works;</li> <li>• Any access restrictions or closures will be communicated to all residents and businesses with affected rights of access; and</li> <li>• A nominated point of contact on behalf of the applicant will be communicated to all residents and businesses at least three months before the start of construction.</li> </ul> <p>A final Code of Construction Practice will be required to be submitted and approved on a staged basis, in accordance with the <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a>, pursuant to requirement 22 of the <a href="#">draft DCO [PEPD-009]</a>.</p> <p>2.12.13</p> <p>The Applicant is currently reviewing options for the implementation of traffic management along Kent Street and accesses A-61 and A-64 to provide safe access for construction and general traffic. This may involve measures such the implementation of a speed limit reduction, passing places, or managed access via banksmen. A traffic management plan for Kent Street will be produced as required at Deadline 3.</p> <p>The outcomes of this review will be discussed with West Sussex County Council at the earliest opportunity with the aim of reaching an agreement in principle to the traffic management strategy. This would then be secured through a detailed CTMP for the stage of the authorised development comprising Kent Street which will be required to be submitted and approved by the highways authority before commencement within that stage in accordance with Requirement 24(1)(a) of the <a href="#">draft DCO [PEPD-009]</a>.</p> <p>2.1.14</p> <p><a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES <a href="#">[REP1-006]</a> and <a href="#">Appendix 23.2: Traffic Generation Technical Note, Volume 4</a> of the ES <a href="#">[REP1-008]</a> provide details of peak construction traffic on all links identified for assessment within the ES and all construction accesses.</p>
2.1.19	ExA Questions to Natural England	<p>2.1.15</p> <p>Given that the Oakendene compound and substation can be accessed directly from the A272 (part of the West Sussex County Council's lorry route network and the conclusions of the ES, the Applicant does not consider it necessary to implement a holding area for HGVs as part of the Proposed Development.</p> <p>2.1.16</p> <p>Traffic noise effects have been assessed on all links that could potentially give rise to significant effects using a Basic Noise Level approach in accordance with guidance from Calculation of Road Traffic Noise. The assessment determined n significant effects. On major (A-) roads the increase was negligible due to high levels of baseline flows On smaller roads, there were existing "low-flow" conditions that were predicted to remain with "peak week" traffic flows. That is not to say that</p>

Ref	Written representation comment	Applicant's response
		<p>increases in noise will not be audible. However, the absolute levels are considered by the assessment methodology to be below a level that would require more detailed assessment.</p> <p>2.1.17</p> <p>At peak construction activity, access A-62 (Oakendene Compound) will cater for 326 HGV two-way movements and 456 LGV two-way movements across a one-week period. This is the equivalent of 156 construction traffic two-way movements per day or 13 per hour (approximately 6 entering and 6 exiting the compound).</p> <p>At peak construction activity, access A-63 (Oakendene Substation) will cater for 326 HGV two-way movements and 564 LGV two-way movements across a one-week period. This is the equivalent of 178 construction traffic two-way movements per day or 14-15 per hour (approximately 7 entering and 7 exiting the access junction).</p> <p>Based on these peak construction traffic flows it is not anticipated that traffic signals will be required at access A-62 or A-63. It should also be noted, the Applicant is currently preparing preliminary designs for these access junctions which will adhere to Design Manual for Roads and Bridges and be subject to an independent Road Safety Road. These designs will be submitted to West Sussex County Council with an aim of reaching an agreement in principle on the proposed junction layouts prior to the end of the examination.</p>
2.1.20	<p>Agenda Item 4-Effects of the Proposed Substation at Cowfold/Oakendene: Q4-1:</p> <ul style="list-style-type: none"> <li>The whole area from the Oakendene substation site and down the cable route to Gratwicke is of ecological importance. It is undesignated but does contain priority habitats-see Written Representations from Janine Creaye, including photographic and video evidence, and CowfoldvRampion for deadline 1. Residents strongly believe this area should be designated; it has had no reason to be surveyed until now, meaning that desk top surveys seriously underrepresent the true picture.</li> </ul>	<p>The Applicant has undertaken extensive field surveys at the proposed substation location. Please refer to the following:</p> <ul style="list-style-type: none"> <li><a href="#">Appendix 22.3 Extended Phase 1 habitat survey report [APP-181]</a></li> <li><a href="#">Appendix 22.5 Hedgerow survey report [APP-183]</a></li> <li><a href="#">Appendix 22.6 Fisheries habitat survey report [APP-184]</a></li> <li><a href="#">Appendix 22.7 Great crested newt survey [APP-185]</a></li> <li><a href="#">Appendix 22.8 Passive and active bat activity report [APP-186]</a></li> <li><a href="#">Appendix 22.9 Hazel dormouse report 2020-2022 [APP-187]</a></li> <li><a href="#">Appendix 22.11 Badger, otter and water vole survey report [APP-189]</a></li> <li><a href="#">Appendix 22.12 Reptile survey report [APP-190]</a></li> <li><a href="#">Appendix 22.13 Breeding bird survey [APP-191]</a></li> <li><a href="#">Appendix 22.16 Arboricultural Impact Assessment [APP-194]</a></li> <li><a href="#">Appendix 22.17 Bat tree ground level visual assessment survey report [APP-195]</a></li> </ul> <p>Data provided by Janine Creaye are referenced within <a href="#">Appendix 22.2 Terrestrial ecology desk study [APP-180]</a> specifically paragraphs 3.1.2 and 4.5.6.</p>
2.1.21	<ul style="list-style-type: none"> <li>Sussex Biodiversity records office do not currently have a mechanism for designating new Local Wildlife Site in Sussex, due to lack of resources. However, they have said that they are willing to consider the site for</li> </ul>	<p>The Applicant notes this comment.</p>



Ref	Written representation comment	Applicant's response
	assessment in the future on the basis of the evidence we have presented, should funding become available. However, by the time the funding is available, the site may no longer exist as a result of the DCO proposals	
2.1.22	<p>Q4-2:</p> <ul style="list-style-type: none"> <li>Rampion have relied too heavily on desk top surveys to inform their wildlife surveys and have not listened to evidence from local people, despite being warned about the fact that desk top surveys may not reflect the reality if there has been no reason to survey a place before. Many of the ecological surveys were not done before the site was chosen, and when they have been done, there has been an overreliance on desk top studies and the use of designated sites to inform where surveys were undertaken. This has meant that not all studies were attempted on this site. Even when they were, there were incomplete surveys due to equipment failure, or the carrying out of surveys outside of correct seasons. Even more incomprehensible is the claim that they were incomplete due to 'lack of access'. Yet despite all this, this so called undesignated 'industrialised' location and the northern end of the cable route contain such a high proportion of all positive findings-great crested newts, important hedges and veteran trees, water voles, dormice, otter, badgers and nightingales. It is far more biodiverse than the alternative locations at Wineham, sadly already depleted by the earlier substations and the more open nature of the field systems.</li> </ul>	<p>Please see response to 2.1.20. The Applicant also notes that the biodiversity considerations at the Wineham Lane substation site also include great crested newts, reptiles and breeding birds. There is also woodland listed on the ancient woodland inventory immediately adjacent. This information can be viewed within the reports listed in response to 2.1.20.</p>
2.1.23	<p>I have both contributed to and fully agree with, the content of the document 'Cowfold Residents' Impact Statement on Rampion2'. This was submitted by CowfoldvRampion for deadline 1 on 28 February 2024. Please add this to my original WR submitted for this deadline.</p>	<p>The Applicant acknowledges this written representation. Please refer to the Applicant's response to the CowfoldvRampion written representation in <a href="#">Applicant's Response to Non-Prescribed Consultees' Written Representations (Document Reference: 8.53)</a> submitted at Deadline 2.</p>

**Table 2-14: Applicant's Response to Jeremy Smethurst**

Ref	Written representation comment	Applicant's response
2.18.1	<p>Please see attached my written representation for the 28th February deadline (deadline 1). In summary, it includes the following:</p> <p>Traffic impacts on</p> <ul style="list-style-type: none"> <li>• A272: Traffic flows and accident risks</li> <li>• Kent Street: New traffic modelling evidence</li> <li>• Dragons Lane</li> <li>• Picts Lane</li> </ul> <p>Flood Risk Assessment:</p> <ul style="list-style-type: none"> <li>• Detailed analysis of Rampion's FRA</li> <li>• Errors in the FRA document which affect adequacy of consultation and FRA assessment</li> </ul> <p>Photographic evidence of</p> <ul style="list-style-type: none"> <li>• Kent Street and Picts Lane in normal use</li> <li>• Picts Lane when delays on A272 cause drivers to use Picts Lane as a cut through. Similar photos of Kent Street previously submitted as RR168</li> </ul> <p>Video evidence of flooding at Oakendene: fields and tributary on southern boundary. See two attached videos</p>	<p>The Applicant acknowledges this written representation. Please see the detailed responses to <b>references 2.18.2 to 2.18.65</b> below.</p>
2.18.2	<p>Traffic:</p> <p>I do not feel that the traffic impacts have been understood by Rampion at all. If this proposal is allowed to happen, there will be years of chaos on the A272 and surrounding small lanes. This is all due to the lack of consultation with local residents, which led them to inadequately assess the impacts or the alternatives. When they have heard from residents, having already made the choice of substation site, they have not wanted to hear us.</p>	<p>The likely significant transport effects of the Proposed Development have been assessed in <b>Chapter 32: ES Addendum, Volume 2</b> of the ES [REP1-006] and <b>Appendix 23.2: Traffic Generation Technical Note, Volume 4</b> of the ES [REP1-008]. These assessments have been based upon the peak week for construction traffic at each receptor and concluded that the Proposed Development would generate only limited significant effects related to transport (on Michelgrove lane and Kent Street).</p>
2.18.3	<p>Their traffic modelling does not seem to really take into account the 1000s of LGVs and other support vehicles and workers cars. It is impossible to work out from DCO documents the numbers of LVs or private cars accurately. But based on Rampion 1, and fact that this is bigger, we estimate roughly 350 cars alone will come to the Substation site daily, and probably more working out of the compounds. But we need absolute clarification on all of this</p>	<p>Estimates of peak construction traffic flow, including LGVs, associated with the Proposed Development is included in <b>Chapter 32: ES Addendum, Volume 2</b> of the ES [REP1-006] and <b>Appendix 23.2: Traffic Generation Technical Note, Volume 4</b> of the ES [REP1-008]. In relation to construction LGV traffic, these have been split into three categories to allow consideration of LGV staff traffic, LGV delivery traffic and LGV construction traffic and provide a robust level of assessment. Whilst no routing restrictions have been placed on LGV staff traffic routing to and from the temporary construction compounds and onshore substation at Oakendene (as is normal for staff routing to a place of work), routes have been identified for all LGV delivery traffic and LGV construction traffic. This also assumes that all LGV construction traffic including deliveries will route to one of the temporary construction compounds first and then if needed onto work sites via Multi-Occupancy Vehicles to limit the amount of construction traffic traveling to individual work sites.</p>

Ref	Written representation comment	Applicant's response
2.18.4	<p data-bbox="359 447 439 478">A272</p> <p data-bbox="359 516 1537 751">The A272 behaves quite differently approaching Cowfold compared to the section going through Bolney further east. You can see that residents there are far less affected by the traffic at Bolney by the fact that there was no mention of the A272 in the Rampion 1 consultation, or in fact, the current submissions from residents of Twineham, Wineham or Bolney. Congestion backs up to Kent Street and beyond at peak times and whenever there is anything affecting the flow of traffic, even a delivery vehicle. Screenshots of the congestion on this stretch show some examples of what happens, see below.</p>	<p data-bbox="1567 296 2822 394">The assessments included within <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES [REP1-006] contained within have therefore fully taken account of predicted LGV construction traffic flows associated with the Proposed Development.</p> <p data-bbox="1567 447 2822 541">At peak construction, taking account of the construction traffic routing contained within the <a href="#">Outline CTMP [REP1-010]</a>, the impacts listed below have been identified for the A272 within Cowfold.</p> <ul data-bbox="1605 590 2822 1203" style="list-style-type: none"> <li data-bbox="1605 590 2822 779">• The A281 / A272 in the centre of Cowfold (Receptor 24): <ul data-bbox="1665 621 2822 779" style="list-style-type: none"> <li data-bbox="1665 621 2822 688">▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 3.5% and 3-4 HGVs per hour; and</li> <li data-bbox="1665 709 2822 779">▶ A total construction traffic peak week increase of 19 HGVs and 154 LGVs (12-13 per hour), equivalent to a 0.7% increase in total traffic flow.</li> </ul> </li> <li data-bbox="1605 800 2822 989">• The A272 Station Road west of Cowfold Village centre (Receptor 25): <ul data-bbox="1665 831 2822 989" style="list-style-type: none"> <li data-bbox="1665 831 2822 898">▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 4.6% and 3-4 HGVs per hour; and</li> <li data-bbox="1665 919 2822 989">▶ A total construction traffic peak week increase of 19 HGVs and 154 LGVs (12-13 per hour), equivalent to a 0.9% increase in total traffic flow.</li> </ul> </li> <li data-bbox="1605 1010 2822 1203">• The A272 Bolney Road east of Cowfold Village centre (Receptor E): <ul data-bbox="1665 1041 2822 1203" style="list-style-type: none"> <li data-bbox="1665 1041 2822 1108">▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 5.5% and 3-4 HGVs per hour; and</li> <li data-bbox="1665 1129 2822 1203">▶ A total construction traffic peak week increase of 19 HGVs and 147 LGVs (12-13 per hour), equivalent to a 0.8% increase in total traffic flow.</li> </ul> </li> </ul>
2.18.5	<p data-bbox="359 1377 507 1409">Accidents:</p> <p data-bbox="359 1446 1537 1614">The area of the A272 along the Oakendene manor and industrial estate stretch has a high incidence of accidents along it. A Freedom of Information request to the police showed that between 2021 and 2023 there were 8 accidents which came to the attention of the police between the A23 and Wineham Lane, compared to 30 from Wineham Lane to Cowfold over the same period.</p> <p data-bbox="359 1656 1537 1923">The number of exits and entrances to the Rampion sites will make the danger worse. It is also quite worrying that at the hearings Rampion did not appear to think that traffic lights would be necessary. I feel this is because they have realised that people are worried about the congestion and delays which will be caused by traffic lights. However, they really do not understand how dangerous it already is to be turning in and out of side roads on this part of the A272 and how long it can take at times. I will not infrequently wait for 5-10 minutes to turn right, out of my driveway even now, and if traffic is queuing to get into the village they will not be able to see past it to turn right towards the A23 at</p>	<p data-bbox="1567 1377 2822 1545">The likely significant effects of the Proposed Development, including highway safety, have been assessed in <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES [REP1-006] and <a href="#">Appendix 23.2: Traffic Generation Technical Note, Volume 4</a> of the ES [REP1-008]. This assessment concluded that the Proposed Development would not generate any significant effects related to highway safety.</p> <p data-bbox="1567 1587 2822 1713">At peak construction activity, access A-62 (Oakendene Compound) will cater for 326 HGV two-way movements and 456 LGV two-way movements across a one-week period. This is the equivalent of 156 construction traffic two-way movements per day or 12-13 per hour (approximately 6 entering and 6 exiting the compound).</p> <p data-bbox="1567 1745 2822 1881">At peak construction activity, access AA-63 (Oakendene Substation) will cater for 326 HGV two-way movements and 564 LGV two-way movements across a one-week period. This is the equivalent of 178 construction traffic two-way movements per day or 14-15 per hour (approximately 7 entering and 7 exiting the access junction).</p>

Ref	Written representation comment	Applicant's response
	the end of the day which means they will launch themselves blind into the oncoming traffic.	<p>Whilst the Applicant accepts that there will be a peak in construction worker movements at the start and end of each day aligned with the proposed construction working hours it is not anticipated that these movements will be significant enough to require traffic signals.</p> <p>The Applicant is currently preparing preliminary designs for each of the proposed compound location (A-05, A-63) and Oakendene substation (A-62), which will be designed in accordance with Design Manual for Roads and Bridges (DMRB) guidance and subject to an independent Road Safety Audit. The aim is to reach agreement in principle on the layout of each of these access junctions prior to the end of the Examination.</p>
2.18.6	Mud from the many vehicles on the sites will increase the dangers. Wheel washing might occur at Oakendene, but it cannot prevent the mud coming out of Kent Street onto the A272, from the haul road. And what about the other compound? Mud on Wineham Lane might be a nuisance, but mud affecting 18000 vehicles at 60mph on the A272 is dangerous.	Section 5.3 of the <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a> details the practical measures and monitoring procedures that will be implemented to manage the impact of mud in construction areas. This includes implementing a wheel wash system with rumble grids to dislodge accumulated dust and mud, prior to leaving site, where reasonably practicable.
2.18.7	I take issue with Rampion's comments at the Hearings that the access to the Oakendene industrial estate will not be an issue because it is already used by HGVs. This shows a lack of understanding of the true picture: the industrial estate is for small scale businesses, hence the majority of vehicles using the entrance are ordinary cars belonging to the people who work there and customers, plus the kind of small vans used by small independent tradesmen. Also a few LGVs. HGVs do visit, but this usage is currently small.	The Applicant maintains the view that HGVs use the Oakendene Industrial Estate having witnessed such vehicles entering the site during site visits completed in January 2024. To ensure that the current access can be used safely by construction traffic, the Applicant is currently preparing a preliminary design for this location which will be subject to Design Manual for Roads and Bridges standards and an independent Road Safety Audit. It is the Applicant's aim to reach agreement with West Sussex County Council on a suitable junction layout prior to the end of the examination.
2.18.8	This will not only increase the accident risk on this part of the A272 but will severely affect the businesses on the Industrial Estate as customers will be reluctant to come and deliver drivers will not want to be stuck in the congestion on the A272. Most people in Cowfold believe there is a real risk that the Oakendene Industrial Estate will not be able to survive if the substation is built here. In the Draft Horsham Plan, Policy 30 Lists Oakendene as a Key Employment area where Local Employment is to be safeguarded. Its loss would be a catastrophe for the local economy.	At peak construction activity, access A-62 (Oakendene Compound) will cater for 326 HGV two-way movements and 456 LGV two-way movements across a one-week period. This is the equivalent of 156 construction traffic two-way movements per day or 12-13 per hour (approximately 6 entering and 6 exiting the compound). Construction traffic movements during peak hours will also be limited through use of the Delivery Management System as outlined in the <a href="#">Outline Construction Traffic Management Plan [REP1-010]</a> . Based on these construction traffic flows no significant effects have been identified at Oakendene.
2.18.9	Their proposed core working hours are far too long with too many exceptions for extending them. The idea that they can add an extra hour onto each end of the day because vehicles will be coming back from some distance is also unacceptable. They must be made to have left the compounds by the end of the core working hours.	<p>Working hours are stated in Section 4 of <a href="#">Chapter 4: The Proposed Development, Volume 2 of the ES [APP-045]</a> and are outlined in Section 4.4 of the <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a>. Following receipt of Relevant Representations and information shared at Issue Specific Hearing 1, C-22 within the <a href="#">Commitments Register [REP1-015]</a> has been updated at the Deadline 1 submission to the following:</p> <p><i>'Core working hours for construction of the onshore components will be 08:00 to 18:00 Monday to Friday, and 08:00 to 13:00 on Saturdays, apart from specific circumstances that are set out in the Outline COCP, where extended and continuous periods of construction are required.'</i></p> <p><i>Prior to and following the core working hours Monday to Friday, a 'shoulder hour' for mobilisation and shut down will be applied (07:00 to 08:00 and 18:00 to 19:00). The activities permitted during the shoulder hours include staff arrivals and departures, briefings and toolbox talks, deliveries to site and unloading, and activities including site and safety</i></p>



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		<p><i>inspections and plant maintenance. Such activities shall not include use of heavy plant or activity resulting in impacts, ground breaking or earthworks.'</i></p> <p>This has been updated in the <a href="#">Outline Construction Traffic Management Plan [REP1-010]</a> for the Deadline 1 submission and will be updated in the <a href="#">Outline Code of Construction Practice [PEPD-033]</a> for the next submission of this document.</p> <p>As outlined in the <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a>, no activity outside these hours (including Sundays, public holidays, or bank holidays) will take place apart from under the following circumstances:</p> <ul style="list-style-type: none"> <li>• Where continuous periods (up to 24 hours, 7 days per week) of construction work are required for HDD (as HDD is a continuous activity that cannot be paused once started);</li> <li>• for other works requiring extended working hours such as concrete pouring which will require the relevant planning authority to be notified at least 72 hours in advance;</li> <li>• or the delivery of abnormal loads to the connection works, which may cause congestion on the local road network, and will require the relevant highway authority to be notified at least 72 hours in advance; or</li> <li>• as otherwise agreed in writing with the relevant planning authority.</li> </ul> <p>Any out of work hours beyond those listed above will be detailed by a Section 61 application of the Control of Pollution Act 1974 with agreement sought by the relevant Local Planning Authority. Commitment C-263 includes the production of a Noise and Vibration Management Plan (NVMP) during detailed design based on the principles in the <a href="#">Outline CoCP [PEPD-033]</a>, which is secured by Requirement 22 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>.</p>
2.18.10	<p>Residents are also very worried by the polluting effects of the construction traffic both in the AQMA and along the A272, and the noise. On the A272, Kent Street and the haul road, even if the pollution levels do not exceed the national limits, (which they might on the A272 in fact) there will nevertheless be a large change from the baseline, which must be taken into account. EN-1 para 5.2.9 <i>"The IPC should generally give air quality considerations substantial weight where a project would lead to a deterioration in air quality in an area, or leads to a new area where air quality breaches any national air quality limits. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of national air quality limits."</i></p>	<p><a href="#">Chapter 19: Air quality, Volume 2</a> of the ES <a href="#">[APP-060]</a> presents an assessment of air quality impacts from construction traffic. The assessment concludes that the Proposed Development will not result in significant impacts on air quality, as a result of increased traffic on the local road network. An air dispersion traffic modelling study of the potential impacts on the Cowfold Air Quality Management Area (AQMA) is presented in Section 1.4 within <a href="#">Appendix 19.1: Full results of construction road traffic modelling, Volume 4</a> of the ES <a href="#">[APP-174]</a> with the assessment in <a href="#">Chapter 19: Air quality, Volume 2</a> of the ES <a href="#">[APP-060]</a> concluding that there are no significant impacts confirmed by the <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES <a href="#">[REP1-006]</a>.</p>

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2.18.11 to 2.18.12	<p><b>Kent street</b></p> <p>In the chapter on traffic, you can see they had done traffic monitoring for Wineham Lane: and quote the normal daily total as around 948 vehicles a day, of which around 17 are HGVs.</p> <p>We have raised the issue that no traffic monitoring has been carried out by Rampion on Kent Street, a 3m wide lane which they propose to use to access the haul road. Having made a commitment not to use single track lanes 'where possible', they have instead increased the proposed use of this lane since the consultation began.</p>	<p>The impacts of the Proposed Development on Kent Street have been assessed within <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES [REP1-006]. This assessment concluded that the Proposed Development would generate significant environmental effects on Kent Street on fear and intimidation, pedestrian delay and pedestrian amenity. These effects however are anticipated to be short term in nature, related to the peak construction period on Kent Street.</p> <p>Given the single lane track nature of Kent Street and conclusions of the ES, the Applicant is currently reviewing options for the implementation of traffic management along Kent Street and accesses A-61 and A-64 to provide safe access for construction and general traffic. This may involve measures such as the implementation of a speed limit reduction, passing places, or managed access via banksmen. A traffic management plan for Kent Street will be produced as required at Deadline 3.</p> <p>The outcomes of this review will be discussed with West Sussex County Council at the earliest opportunity with the aim of reaching an agreement in principle to the traffic management strategy. This would then be secured through a detailed CTMP for the stage of the authorised development comprising Kent Street which will be required to be submitted and approved by the highways authority before commencement within that stage in accordance with Requirement 24(1)(a) of the <a href="#">draft DCO [PEPD-009]</a>.</p>
2.18.13	<p>In October, residents became aware of a traffic monitor on the lane, and assumed it was Rampion. However, it now appears it was placed there by Enso Energy, who have submitted plans to HDC and Mid Sussex DC for a Battery Storage Farm on Kent Street (Application number DC/24/0054).</p>	<p>Noted, the Applicant has no further comments on this matter at this time.</p>
2.18.14	<p>The graphs in Appendix B of the Construction Management Plan (Attached) show an average of 486 two-way movements a day during the week of Wed 18th October to Tuesday 24th. However, the <b>A272 was closed from 20-22nd</b> causing the mayhem experienced on Kent Street and Picts Lane during that time, when hundreds of vehicles went down Kent Street daily causing absolute chaos, traffic was jammed in the lane, vehicles were stuck or in ditches. And very few of these were HGVs. We have sent photographs of this previously.</p>	<p>Please see response to <b>2.18.11</b></p>
2.18.15	<p>There were 802 vehicles heading northbound alone on Kent Street on the 21st, 708 of them between 7am and 7pm. And high levels on the days either side. The road closure began on 20th around 1pm and continued until sometime in the afternoon on 22nd. This obviously radically increases the average daily numbers. There were relatively few HGVs and most were going in the same direction as can be seen from the graphs.</p>	<p>Please see response to <b>2.18.11</b></p>
2.18.16	<p>Excluding the 3 days of A272 closure, you can see that the daily numbers are more like 75-90 and looking at the vehicle classification graphs in Annex 2, the great majority of vehicles which normally use the road are cars, and a small number of LGVs, probably mainly tractors and horse boxes, with the occasional light delivery vehicle. Only 0-2 HGVs pass along the road on a normal day.</p>	<p>Please see response to <b>2.18.11</b></p>
2.18.17	<p>The increased traffic from Rampion's proposal would therefore represent a huge increase in all vehicle types, except for cars, , causing unacceptable congestion and</p>	<p>Please see response to <b>2.18.11</b></p>

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	<p>danger on this small road. The peak week estimates for Kent Street in Table 5-5 from Appendix 23.2 p55 are far worse than the Enso Energy figures and will be mainly LGVs and a vast increase in HGVs:</p> <p>Section 3 – Oakendene Industrial Estate Compound (Access A-62) A272 (E) – Kent Street (S) A-60 0 0 A-61 252 486 A-64 252 683</p> <p>Section 3 – Bolney Road / Kent Street onshore substation compound (Access A-63) A272 (E) – Kent Street (S) A-60 0 0 A-61 252 486 A-63 696 419 A-64 252 683</p> <p>Based on 5.5 working days a week, this represents at least 300 goods vehicles a day, over 200 of which would be HGVs. This would therefore be even worse in reality than the road closure experience in October, due to the vehicle size and the two-way traffic.</p>	
2.18.18	<p>There are no recorded accidents on this road, but farmers regularly pull vehicles out of ditches when they have tried to go round oncoming traffic, as was frequently the case on those road closure days.</p>	Please see response to <b>2.18.11</b>
2.18.19	<p>Below you can see a photograph showing the usual 'traffic' on Kent Street- a couple of walkers leading a miniature pony. This is a reflection of the high amenity value of this quiet lane and surrounding PRowWs to the surrounding community. The loss due to the lane traffic and the closure of numerous, connected PRowWs over several years will have a major impact on wellbeing locally.</p>	Please see response to <b>2.18.11</b>
2.18.20	<p><b>Dragons Lane</b></p> <p>A map from to another resident shows their intention to use the private road Dragons Lane to access the cable route, despite promises to the residents in the early stages of the consultation that the lane would not be used. This is extremely narrow, unmetalled and is the only access to their homes for the residents. The last half, to Cratemans, is extremely narrow indeed, with ponds and ditches either side. In recent responses they have said that Dragon's Lane is for operational use only. Is this just more conflicting information, or can we now rely on this as truth? How otherwise do they propose to access all the cable route and in particular the compound surrounding Cratemans? Have they actually thought about this; they are just flip-flopping as they realise they haven't thought this through properly. There are also major ecological and heritage concerns about the use of this road.</p>	<p>The Dragons Lane access (A-58) is defined in Table 23-25 within <b>Chapter 23: Transport, Volume 2</b> of the ES [APP 064] as an operational access only for the onshore cable route shown as part of Work No. 15 sheet 27 of the <b>Onshore Works Plans [PEPD-005]</b>. There is no route between Dragons Lane and the proposed substation. Paragraphs 23.4.21 and 23.4.22 within <b>Chapter 23: Transport, Volume 2</b> of the ES [APP 064] describe the expected operational and maintenance phase activities which includes periodic testing of the cable through attendance by up to three light vehicles such as vans in a day at any one location. Unscheduled maintenance or emergency repair visits for the onshore cable will typically involve a very small number of vehicles, typically light vans. Infrequently, equipment may be required to be replaced, then the use of an occasional HGV may be utilised, depending on the nature of the repair. (Paragraph 23.4.22 within <b>Chapter 23: Transport, Volume 2</b> of the ES [APP 064]).</p> <p>The Applicant has provided a response in Action Point 19, <b>Applicant's Response to Action Points Arising from Issue Specific Hearing 1 [REP1-018]</b> submitted at Deadline 1. The Applicant has provided details on how HGVs would negotiate Dragons Lane in exceptional circumstances during the operational phase of the Proposed Development.</p>
2.18.21	<p><b>Picts Lane</b></p> <p>Every time there is any congestion on the A272 Picts Lane, Bulls Lane and Longhouse Lane in the High Weald AONB are used as 'rat-runs' to try to avoid the traffic as indeed is Kent Street, which is something Rampion have not factored into their assessment of how they will use Kent Street.</p>	<p>The Applicant can confirm that Picts Lane, Bulls Lane and Longhouse Lane are not permitted construction traffic routes for the Proposed Development as defined within the <b>Outline Construction Traffic Management Plan (CTMP) [REP1-010]</b>.</p>

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2.18.22	<p><b>Flood Risk:</b></p> <p>Rampion underestimate the flood risks on this site and overestimate the potential to drain water away into the saturated water courses. There are inevitable impacts on water neutrality and any attempt to drain the site into the stream to the south must fail when the stream is already overflowing and will have effects downstream on the Adur valley. There is also the risk of flooding vulnerable properties on the north side of the A272.</p>	<p>Flood risk at the onshore substation site is considered to ensure the Proposed Development is able to operate as planned, as referred to in Section 6.5.12 of the <a href="#">Appendix 26.2: Flood Risk Assessment, Volume 4</a> of the Environmental Statement (ES) [APP-216]. The indicative onshore substation site layout has been developed accordingly, taking risk of flooding into account. The Applicant is confident the precautionary approach in the <a href="#">Appendix 26.2: Flood Risk Assessment, Volume 4</a> of the ES [APP-216] and <a href="#">Design and Access Statement [AS-003]</a> will ensure the onshore substation will not be at flood risk, nor increase flood risk elsewhere (addressed through the adherence to National Grid Target Guidance (C-230) secured via the <a href="#">Design and Access Statement [AS-003]</a> and Requirement 8 within the <a href="#">Draft Development Consent Order [PEPD-009]</a>. The assessment of flood risk and outline design was prepared in accordance with West Sussex County Council (WSCC) and Horsham District Council (HDC) advice, as recorded in meeting minutes included in Annex A of the <a href="#">Appendix 26.2: FRA, Volume 4</a> of the ES [APP-216].</p> <p>The <a href="#">Outline Operational Drainage Plan [APP-223]</a> outlines the approach to manage surface water drainage and runoff through the operational phase of the project, following the drainage hierarchy and puts forwards a range of relevant sustainable drainage systems (SuDS) features. The SuDS attenuation basins are sited outside of the 0.1% AEP extent associated with the unnamed watercourse to the south of the substation, and therefore their storage capacity and function is not anticipated to be compromised during a flood event. In addition, there is significant flexibility in how the final design of the onshore substation could be delivered as set out paragraphs 2.4.10 to 2.4.13 of the <a href="#">Outline Operational Drainage Plan [APP-223]</a>. Therefore, there is deemed to be sufficient flexibility within the current outline strategy such that it can be revised and adapted at the detailed drainage design phase. The final Operational Drainage Plan must accord with the <a href="#">Outline Operational Drainage Plan [APP-223]</a> and is secured via Requirements 17 and 18 of the <a href="#">Draft Development Consent Order (DCO) [PEPD-009]</a>.</p> <p>With regard to the potential risk to vulnerable properties on the north side of the A272, these properties are situated upslope of the substation site. As outlined in paragraph 5.10.9 of the <a href="#">Outline Code of Construction Practice [PEPD033]</a>, a Construction Phase Drainage Plan will be developed by the contractor(s) to determine potential location specific risks in relation to the water environment and identify appropriate measures to avoid or reduce risk. The Construction Phase Drainage Plan is secured via Requirement 22 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>. In addition, the following embedded environmental measures (as outlined in Table 5-9 of the <a href="#">Outline Code of Construction Practice [PEPD-033]</a>) are of relevance to ensure that the existing functionality and conveyance capacity of the drainage ditches and culvert beneath the A272 culvert are maintained to ensure no detrimental impact to upslope flood risk. Key measures are C-28, C-30, C-73, C-119, C-175, C-126, C-130, C-179, C-181, and C-183.</p>



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2.18.24	<p>CowfoldvRampion are sending photographs in their LIR of repeated episodes of flooding throughout the winter months at the site and around the Cowfold Stream. I attach videos to this WR of the fastflowing water in the tributary at the southern end of the substation site during one of these flooding episodes; it is clear there is nowhere for additional water from the construction site to go.</p>	<p>As summarised in <a href="#">Chapter 26: Water environment, Volume 2</a> of the ES [APP-067], the likely impact of the Proposed Development on flood risk receptors has been assessed to be not significant.</p> <p>With respect to water neutrality, water required during the operation and maintenance of the unmanned onshore substation will be limited to supply of basic welfare facilities, with the Applicant currently intending to source potable water and water for fire suppression systems from outside of the Sussex North Water Zone. Construction water will similarly be sourced from outside the Zone. In this way water neutrality will be achieved for both the construction and operation phases of the Proposed Development, and potential adverse effects on the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar site due to increased abstraction in the Sussex North Water Supply Zone avoided.</p> <p>HDC's suggestion that construction and / or operational water use in the Sussex North Water Zone could potentially be 'screened-out' altogether implies that part or all of the water use within the Zone could instead be potentially permitted to be sourced from the mains. The Applicant is not reliant on this mitigation but welcomes further discussions with HDC.</p>
2.18.25	<p>From the Oakendene Historic Parkscape assessment, <b>done in Oct 2021</b>, doc ref 25.5 3.3.4, during the historic environment site walkover (see <a href="#">Section 1.3</a>) in October 2021, it was observed that drainage was fairly poor with the ground conditions being generally wet and particularly waterlogged near the southern boundary adjacent to the stream where ground levels are lower, and also along certain field boundaries where surface water was observed. Yet Rampion did not take this into account when assessing the site for suitability. Instead, they seem to have put the substation exactly where the Historic Parkscape assessors pointed out the wettest area was.</p> <p>In the June 22 ETG, MB, the HDC drainage engineer, advised that as long as the substation was positioned outside the 0.1% AEP surface water flood extent, he would not be concerned. Yet this is exactly where they have put it, as they have realised it can't go on the doorstep of Oakendene manor, or right up against the A272, or over the high voltage cable, they have pushed it down into the bottom corner, where the flooding is worst!</p> <p>There is an error in the information provided by the applicant in the Flood risk assessment (document 6.4.26.2), which prevents proper assessment of the evidence. Firstly, in the Sources of Information and Consultation section on Page 9, it is clear that HDC were not involved in the meetings about this topic until June 2022, when the substation site had virtually been chosen. The action summary from the April 2022 meeting, which included Mid Sussex DC and WSCC, but not HDC, includes the following: "Wood agreed to check and communicate which districts the substation option sites are in (MSDC or Horsham Council)." GD actioned -"Bolney Rd/ Kent Street</p>	<p>Anecdotal information regarding waterlogged ground at the southern boundary of the site (where ground levels are lower) is noted. This area at the southern boundary of the site is situated within the floodplain of the unnamed watercourse (Cowfold Stream tributary) and therefore naturally prone to waterlogging. In accordance with the advice received from Horsham District Council (HDC) and West Sussex County Council (WSCC) as noted in Paragraph 5.7.14 of <a href="#">Appendix 26.2: Flood Risk Assessment, Volume 4</a> of the Environmental Statement (ES) [APP-216], the substation footprint and associated sustainable drainage (SuDS) features are situated outside of the Environment Agency's Risk of Flooding from Surface Water (RoFSW) 0.1% Annual Exceedance Probability (AEP) extent as shown in Figure 26.2.6a of <a href="#">Appendix 26.2: Flood Risk Assessment, Volume 4</a> of the ES [APP-216]. The substation therefore avoids the region of lower ground prone to waterlogging along the southern boundary of the site within the watercourse floodplain.</p> <p>Additional surface water flood risk across the substation site (non-related to the flood risk associated with the southern watercourse) as indicated in Figure 26.2.6a of <a href="#">Appendix 26.2: Flood Risk Assessment, Volume 4</a> of the ES [APP-216] would be adequately dealt with via the drainage infrastructure for the site, as set out in the <a href="#">Outline Operational Drainage Plan [APP-223]</a>. As set out in paragraphs 2.4.10 to 2.4.13 of the <a href="#">Outline Operational Drainage Plan [APP-223]</a>, there is significant flexibility in how the final design of the onshore substation could be delivered. Therefore, there is deemed to be sufficient flexibility within the current outline strategy such that it can be revised and adapted at the detailed drainage design phase to address any further concerns regarding winter flooding. As stated in Paragraph 6.5.6 of the <a href="#">Appendix 26.2: Flood Risk Assessment, Volume 4</a> of the ES [APP-216], final design and</p>

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	<p>Substation Option lies within HDC and the Wineham Lane North Option lies within MSDC" In other words, up to that point they did not know that Oakendene was in Horsham district and had not been engaging with HDC about the site options, only Mid Sussex, skewing the decision-making process. Another problem is that, apart from the list of attendees and the Action Summaries, the minutes of the two meetings are identical. They appear to relate to the June meeting, as MB from Horsham, who appears in them, was not listed in the April meeting. Obviously, we have no indication of what was discussed in April, when it dawned on them they should have been including Horsham. This is another example of the poor attention to detail in the DCO submission.</p> <p>This lack of realisation by Rampion that Oakendene fell within Horsham district may also explain why HDC do not appear to have been involved in substation related discussions about noise and vibration, or soils and agriculture, until 2022, whilst they may have been taking part in cable route discussions before that. This may have helped sway Rampion 's 'marginal' decision to choose Oakendene.</p>	<p>sizing of drainage mitigation measures will be determined at the detailed drainage design stage in liaison with WSCC (as Lead Local Flood Authority (LLFA)).</p> <p>The Applicant acknowledges and apologises for the fact that the meeting minutes for the 22 June 2022 meeting held with WSCC, Arun District Council (ADC) and HDC are erroneously duplicated in Appendix A of <a href="#">Appendix 26.2: FRA, Volume 4</a> of the ES [APP-216] for the 1 April 2022 meeting following page 1. The Applicant notes therefore that the respondents have not been party to all the relevant meeting minutes.</p> <p>With regard to flood risk, WSCC as the LLFA was consulted in April 2022 to gain feedback on the Preliminary Environmental Information Report (PEIR). The Applicant was made aware in advance of the meeting that Mid Sussex District Council (MSDC) also had a flood risk and drainage officer, who was informally consulted by WSCC on flood risk matters in the MSDC area, and thus the invitation was extended to them. At that meeting in April, the Applicant was subsequently made aware that an informal agreement between WSCC and HDC also existed, and thus held an additional consultation meeting to gain feedback on the PEIR proposals from HDC. This being an informal arrangement, however, LLFA responsibilities have always remained with WSCC, who attended both meetings. It should be added that both meetings were positive and the approach to the application was agreed, as reflected in the minutes. The Applicant will consider resubmitting the Flood Risk Assessment with the correct minutes for the April meeting in full.</p>
2.18.26	<p><b>Further analysis of Flood Risk Assessment (Doc Ref 6.4.26.2)</b></p> <p>Some of the meetings of the FRA ETGs are minuted, other minutes are said to be in the consultation document, 5.1, but I am unable to find them anywhere.</p>	<p>A complete set of meeting minutes can be found within the <a href="#">Evidence Plan (Part 1 of 11)</a> [APP-243].</p>
2.18.30	<p>Table 1-1: the links do not show exact information, just generic links to the website. It is very difficult/impossible to find the information claimed.</p>	<p>This is noted. In some instances a direct link to the specific dataset referenced cannot be provided, given it is embedded within a user interface.</p>
2.18.31	<p>Table 1-2 looks at the definition of flood zone categories. It seems to me that, based on the photographic, video and local knowledge evidence, that the Oakendene site, particularly along the stream tributary area and lake, should be classified as not just at risk of surface water flooding, but as Flood Zone 3b, or at very least 3a. (in particular, see the movement in the flood video). The flooding at this site happens repeatedly, several times each year. The Cratemans area must be recognised as 3b.</p>	<p>The unnamed Cowfold Stream tributary to the south of the substation site is not included within the formal Environment Agency Flood Zone designations (as shown in the Flood Map for Planning) given that is an Ordinary Watercourse (non-Main River).</p> <p>Therefore, assessment of fluvial flood risk from this watercourse within <a href="#">Appendix 26.2: Flood Risk Assessment, Volume 4</a> of the Environmental Statement (ES) [APP-216] has been based on the Environment Agency's Risk of Flooding from Surface Water (RoFSW) mapping as noted in response ref. 2.18.22 above. The 1% Annual Exceedance Probability (AEP) RoFSW extent can be used as a proxy for Flood Zone 3, and the 0.1% AEP extent can be used as a proxy for Flood Zone 2.</p> <p>The final substation footprint and associated SuDS features have been sited outside of the 0.1% AEP RoFSW extent associated with this watercourse as shown in Figure 26.2.6a of <a href="#">Appendix 26.2: Flood Risk Assessment, Volume 4</a> of the ES [APP-216].</p>
2.18.32	<p>NPS EN-1 regulations, table 2-2:</p>	<p>Climate change has been incorporated into the assessment of all relevant flood risk as detailed in Section 5.7 of <a href="#">Appendix 26.2: Flood Risk Assessment, Volume 4</a> of the Environmental Statement (ES) [APP-216].</p>


Ref	Written representation comment	Applicant's response
	I believe the proposals at the substation site fail to meet most of the regulations in this table, especially those regarding climate resilience (4.9.11, 4.9.13).	<p>The approach to assessment of fluvial flood risk to the substation site and incorporation of climate change is detailed in Paragraphs 5.7.13 to 5.7.15. As stated, "...The onshore substation footprint has been sited outside of the 0.1 percent AEP flood extent (defined by the RoFSW) which is considered suitably precautionary as a proxy for the one percent AEP plus 28 percent flood extent from the minor watercourses involved."</p> <p>Climate change has also been considered with respect to the surface water drainage strategy, as detailed in Section 2.3 of the <a href="#">Outline Operational Drainage Plan [APP-223]</a>. As stated in Paragraphs 2.3.1 to 2.3.3, a precautionary approach has been taken in the attenuation storage assessment considering the 'Upper End' climate change allowance for peak rainfall intensity. This is a more conservative allowance than the 'Central' allowance as recommended in the Planning Practice Guidance for consideration of flood risk to third parties. This approach was taken to demonstrate flexibility in the outline design which will be capable of addressing a more extreme event than explicitly required by current guidance,</p>
2.18.33	<p>Land drainage:</p> <p>Rampion recognise that land drainage will be disrupted but propose to say how they will deal with this only once consented. (para 4.4.26 and 7) This is not good enough given the true state of the fields and watercourses as has been demonstrated.</p>	As outlined in <a href="#">reference 2.18.22</a> , there are a number of commitments to ensure that the existing land drainage regime and existing watercourse conveyance is not compromised.
2.18.34	<p>Sequential test:</p> <p>The arguments given for why the substation site choice has passed the sequential test for assessment of flood risk (Paras 9.1.29-9.1.40, and see figure 26.2.5e) do not seem to be valid. The assessment was largely desk top. If they had truly engaged with the Cowfold residents early in the consultation, they would have heard how the reality is not as the gov.uk website suggests. Assessment of the maps they used and of the findings for Rampion 1 would have shown them that the water drains away from the Wineham substation area and towards Oakendene. Land surveys were not carried out before choice was made.</p>	<p>As noted in Paragraph 9.1.36 of Section 9.2 of <a href="#">Appendix 26.2: Flood Risk Assessment, Volume 4</a> of the Environmental Statement (ES) [APP-216], the Oakendene substation site was recognised to be at marginally higher risk of surface water flood risk than the Wineham Lane site. However, Paragraph 9.1.37 concludes that surface water flood risk at both sites would be comparable, following the implementation of surface water flood risk mitigation and drainage design. The <a href="#">Outline Operational Drainage Plan [APP-223]</a> sets out the strategy for managing surface water flood risk across the site and is secured via Requirement 17 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>.</p> <p>Final selection of the Oakendene substation site was therefore driven by other technical and engineering constraints, as noted in Paragraph 9.1.38.</p>
2.18.35	<p>There was no reason for the government site to be updated as there are no dwellings there, so the flooding was unlikely to have been brought to anyone's attention; it is private land. The lack of updating for the smaller water courses such as this is recognised in the EA meeting minutes on page A3, item 24 "<i>AJ advised that there is less certainty for the smaller watercourses as these are visited less often.</i>"</p>	<p>This is noted. The meeting minutes referenced refer to advice received from the Environment Agency with regard to works within the floodplain and the long duration winter flooding that is known to occur on watercourses in the region. The Environment Agency noted that there is less certainty with regard to smaller watercourses, such as the unnamed watercourse to the south of the Oakendene substation site.</p> <p>The approach to assessment of fluvial flood risk to the Oakendene substation site is noted in response ref. 2.18.22 above, considering the Environment Agency Risk of Flooding from Surface Water (RoFSW) 0.1% Annual Exceedance Probability (AEP) extent in agreement with advice from West Sussex County Council (WSCC) and Horsham District Council (HDC).</p> <p>The Oakendene substation footprint and associated sustainable drainage (SuDS) features thereby avoid the floodplain of the unnamed watercourse to the south of the site.</p>





Ref	Written representation comment	Applicant's response
2.18.36	There ARE documented episodes of flooding of properties on North of A272 so Rampion were misinformed by WSCC; again, reasonable consultation with local people at an earlier stage would have brought this to their attention.	<p>This anecdotal information is noted. As noted in the meeting minutes held between the applicant and representatives of West Sussex County Council (WSCC) and Horsham District Council (HDC) on 22 June 2022 (provided in Appendix A of <a href="#">Appendix 26.2: Flood Risk Assessment, Volume 4</a> of the Environmental Statement (ES) [APP-216]), HDC advised to the Applicant that there were no recorded incidents of flooding at the Oakendene substation site.</p> <p>The Applicant would like to make clear that this was not interpreted to mean that no flooding occurs at the site, but that there are noted records of flooding at the site itself. This is understandable given the rural nature of the site. Assessment of flood risk at the site has followed a precautionary approach as set out in <a href="#">reference 2.18.22</a>. The Applicant also refers to the embedded mitigation measures in <a href="#">reference 2.18.22</a> to ensure that there is no detrimental flood risk impact to these properties upslope of the site.</p>
2.18.37	Indeed, their own map (Figure 26.2.6a) shows the risk of surface water flooding to be quite significant. Section 5.3, para 7-10 discusses the surface water flood risk on site. I dispute what is said in table 5-8; whilst this may be true for the whole Oakendene site, much of the highest risk areas ie 9,5% of the site, lies within the actual substation footprint (see map) There are too many 'it is thought that' statements-actual consultation would have cleared this up easily	<p>Surface water flow paths intersecting the site are detailed in Paragraph 5.3.6 of <a href="#">Appendix 26.2: Flood Risk Assessment, Volume 4</a> of the Environmental Statement (ES) [APP-216].</p> <p>Please refer to <a href="#">reference 2.18.25</a>, which notes that surface water flow paths and associated flood risk across the site would be adequately dealt with via the drainage infrastructure for the site, as set out in the <a href="#">Outline Operational Drainage Plan [APP-223]</a>.</p>
2.18.38	Yet even so, they admit in paragraph 6.5.3: "Regions of high risk of surface water flooding are anticipated within the onshore substation footprint, coincident with several surface water flowpaths which drain from north to south across the site. In the absence of appropriate mitigation, aspects of the onshore substation and associated infrastructure may be at risk of flooding from both surface water run-on and run-off." However, their Outline Drainage Plan does not adequately address this.	<p>The Indicative SuDS Plan is provided in Appendix A of the <a href="#">Outline Operational Drainage Plan [APP-223]</a>, which sets out the proposed sustainable drainage (SuDS) features for managing existing surface water flow paths across the site and surface water runoff.</p> <p>It is unclear on what basis the <a href="#">Outline Operational Drainage Plan [APP-223]</a> is not deemed to be adequate.</p> <p>The outline drainage strategy presented within the <a href="#">Outline Operational Drainage Plan [APP-223]</a> is based on several conservative assumptions (regarding the maximum design parameters for the substation, impermeability and climate change allowance). Therefore, there is deemed to be significant flexibility within the current outline drainage plan such that it can be revised and adapted at the detailed drainage design phase to address any further specific concerns such as those raised in relation to winter flooding and any potential associated loss of basin storage.</p>
2.18.39	<p>Cowfold Stream:</p> <p>In the minutes of the meeting between Rampion and the EA (page A3), item 24, the EA asks that cable works in flood zone 3 should be carried out between late summer and early Autumn. How will this also work with avoidance of the breeding birds and reptiles at Cratemans and yet allow the haul road to function? How will the haul roads be useable and how will the risk of contamination of the water from vehicles, the nearby storage compound and soil storage be addressed?</p>	<p>With respect to pollution risk, surface water drainage through the construction phase of the project for instance will be managed through the <a href="#">Outline Code of Construction Practice [PEPD-033]</a> and via the Construction Phase Drainage Plan (as outlined in Table 3-1 which will accompany the stage-specific CoCP to be submitted post-consent and approved by the local authority). Paragraph 5.10.9 states that "<i>Details of construction phase drainage will be developed by the Contractor(s) and will be presented in a Construction Phase Drainage Plan and approved as part of the stage specific CoCP. Details of the Construction Phase Drainage Plan will be subject to consultation with WSCC and other relevant consenting authorities prior to the start of construction</i>". This will be secured as part of the construction phase drainage plan via Requirement 22 (c) of the <a href="#">Draft Development Consent Order [PEPD-009]</a>.</p>



Ref	Written representation comment	Applicant's response
2.18.40	They also asked them to investigate the re-use of the Rampion1 cable route, rather than go through the flood plain areas. There does not appear to be a follow up on that.	<p>Relevant embedded environmental measures relevant to construction within the <b>Commitments Register [REP1-015]</b> include C-8 (refuelling), C-73 (drainage design), C-76 (pollution prevention plans), C-149 (oil capture), C-150 (plant maintenance), C-151 (contractor responsibilities) and C-167 (tanks and pipes).</p> <p>Some of these measures equally apply during the operational phase. In addition, C-153 requires the development of an Operations and Maintenance Plan with a Pollution Incident Control Plan for implementation during the operational phase. This is secured by requirement 27 of the <b>Draft Development Consent Order [PEPD-009]</b></p>
2.18.41	From what is possibly the June 2022 meeting with WSCC, ADC and HDC: <i>“RC advised that the Oakendene sub-station would be covered in this meeting, being in the Horsham District;” the Wineham Lane North substation option site had been covered in an earlier meeting with Mid Sussex DC, but HDC were not there.</i>	<p><b>Chapter 3: Alternatives, Volume 2</b> of the <b>Environmental Statement (ES) [APP-044]</b> details how the design of the Proposed Development has evolved and demonstrates that all aspects of site selection, site access and future access requirements have been incorporated into the design of the Proposed Development to minimise and mitigate adverse impacts. The chapter explains the reasonable alternatives considered for the onshore cable corridor and the reasons for selection of the preferred option. At this stage, the description of the Proposed Development is indicative and a ‘design envelope’ approach has been adopted which takes into account the Planning Inspectorate’s Advice Note Nine: Rochdale Envelope (Planning Inspectorate, 2018).</p> <p>The Wineham Lane substation is situated within the Mid Sussex District Council (MSDC) administrative area, and hence not within the jurisdiction of Horsham District Council (HDC).</p>
2.18.42	“RC talked through the Risk of Flooding from Surface Water (RoSWF) maps to identify potential sources of flood risk. The flood risk from the southern watercourse which is a tributary of the Cowfold stream was discussed. RC noted that, to date, the Environment Agency’s 0.1% AEP surface water flood extent had been used as the area for the substation footprint to avoid. MB advised that as long as the substation was positioned outside the 0.1% AEP surface water flood extent, he would not be concerned.” Yet much of the substation appears to be in that zone.	<p>The advice received from Horsham District Council (HDC) relates solely to the flood extent associated with the unnamed watercourse to the south of the Oakendene substation site. As shown in Figure 26.2.6a of <b>Appendix 26.2: Flood Risk Assessment, Volume 4</b> of the ES <b>[APP-216]</b>, the substation footprint has been sited outside of this extent.</p> <p>Please refer to <b>reference 2.18.25</b> regarding management of the additional surface water flow paths that intersect the site.</p>
2.18.43	Macquarie have had a majority stake in Southern Water since 2021. Macquarie Asset Management’s website tells us how Southern Water’s Clean Rivers and Seas Taskforce is working to reduce pollution, and address challenges posed by climate change. Yet, in particular by failing to take the true extent of flooding in the site into account, at Oakendene they risk contamination of waterways by oil spillages as at the Rampion 1 station, leaks from cables, herbicides and battery storage fires; waste water will be poured into the Adur tributaries and flooding downstream will be affected by this and the cutting trenches around the Cowfold Stream.	<p>Please refer to <b>reference 2.18.22</b> regarding approach to flood risk assessment at the substation site.</p> <p>With respect to pollution risk, surface water drainage through the construction phase of the project for instance will be managed through the <b>Outline Code of Construction Practice (CoCP) [PEPD-033]</b> and via the Construction Phase Drainage Plan (as outlined in Table 3-1 which will accompany the stage-specific CoCP to be submitted post-consent and approved by the local authority). Paragraph 5.10.9 states that <i>“Details of construction phase drainage will be developed by the Contractor(s) and will be presented in a Construction Phase Drainage Plan and approved as part of the stage specific CoCP. Details of the Construction Phase Drainage Plan will be subject to consultation with WSCC and other relevant consenting authorities prior to the start of construction”</i>. This will be secured as part of the construction phase drainage plan via Requirement 22 (c) of the <b>Draft Development Consent Order [PEPD-009]</b>.</p>

Ref	Written representation comment	Applicant's response
	<p>Mr Smethurst submitted a number of photographs and other supporting information to illustrate the points made in his Written Representation, above.</p>	<p>Relevant embedded environmental measures relevant to construction within the <b>Commitments Register [REP1-015]</b> include C-8 (refuelling), C-73 (drainage design), C-76 (pollution prevention plans), C-149 (oil capture), C-150 (plant maintenance), C-151 (contractor responsibilities) and C-167 (tanks and pipes).</p> <p>Some of these measures equally apply during the operational phase. In addition, C-153 requires the development of an Operations and Maintenance Plan with a Pollution Incident Control Plan for implementation during the operational phase and is secured through requirement 27 of <b>the Draft Development Consent Order [PEPD-009]</b>.</p> <p>The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.</p>
<p>2.18.44</p>	 <p>Kent Street on a normal day</p>	<p>The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.</p>

Ref	Written representation comment	Applicant's response
2.18.45	<p data-bbox="368 298 635 327">Picts Lane on a normal day</p>  <p data-bbox="368 848 635 877">Rat run chaos – Picts Lane</p> 	<p data-bbox="1555 298 2798 365">The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.</p>



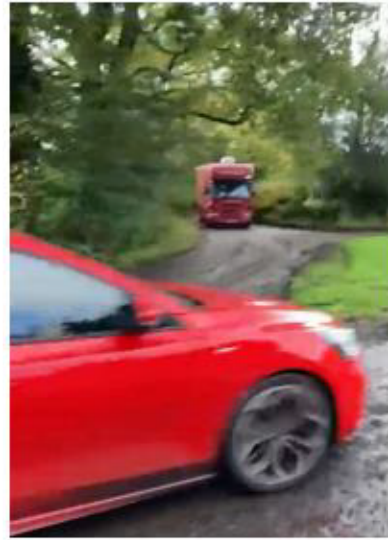
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Ref	Written representation comment	Applicant's response
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2.1.46

More Rat run chaos – Picts Lane



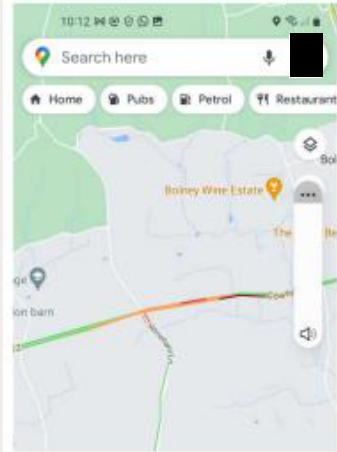
The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.



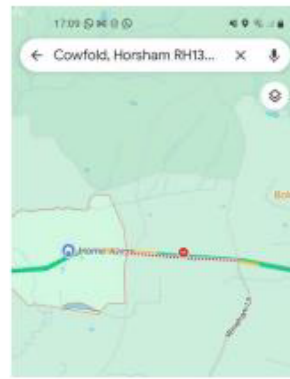
**Ref**      **Written representation comment**      **Applicant's response**

2.1.47

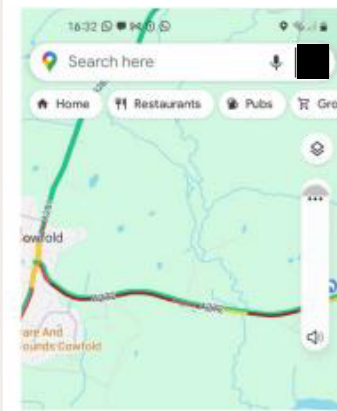
Screenshots of Google Maps showing A272 Traffic Problems



24 Jul 2023 – 10:12



22 Oct 2023 – 17:09 (A272 closed)



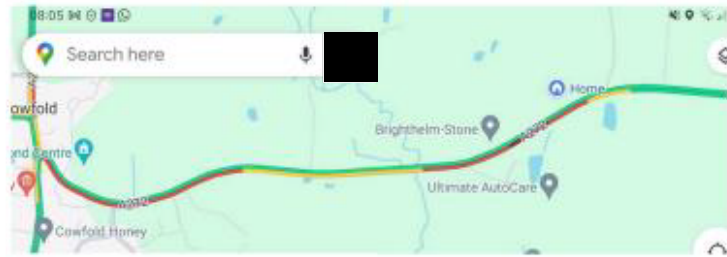
18 Jan 2024 – 16:32

The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.

**Ref**      **Written representation comment**

**Applicant's response**

**2.1.48**



6 Feb 2024 – 08:05




6 Feb 2024 – 16:07



6 Feb 2024 – 17:30

The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.

Ref	Written representation comment	Applicant's response
2.1.49		<p>The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.</p>
2.18.50	<p>USED FROM HERE:</p> <p>There has been no traffic modelling for the impact on Kent Street. We now have some, done by Enso Energy, [whom Rampion will know all about]. It shows that: the daily numbers are around 75-90, less than a tenth of WL, and looking at the vehicle classification graphs they show, the great majority of vehicles which normally use the road are cars, and a small number of LGVs, mainly tractors and horse boxes, with the occasional light delivery vehicle. <b>Only 0-2 HGVs pass along the road on a normal day.</b></p> <p>The increased traffic from this proposal would therefore represent a huge increase in all vehicle types, causing unacceptable congestion and danger on this small road.</p> <p>The monitoring happened to also cover 3 days when the A272 was closed and hundreds of vehicles went down Kent Street daily causing absolute chaos, traffic was jammed in the lane, vehicles stuck or in ditches. And very few of these were HGVs. <b>It should be noted that the peak week estimates for Kent Street in Table 5-5 from Appendix 23.2</b></p>	<p>The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.</p>

Ref	Written representation comment	Applicant's response
2.18.51	<p><b>are in the same sort of region ie several hundred a day of BOTH LGVs and HGVs! Absolute insanity.</b></p> <p>Well-being use of prows. Come from wide area. Cycling. Bridleway. All appreciate. All will be closed</p> <p>Look at RRs (all) and expand eg kent st, consultation no longer same proposal etc</p> <p>Traffic, kent st burden, picts lane. No traffic assessment for kent st</p> <p>Traffic chaos on A272 and surrounding lanes, all doue to inadequate consultation with local residents, led to failure to adequately assess impact or alternatives</p> <p>No mention of A272 in R1, or current submissions from Twineham</p>	<p>The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.</p>
2.18.52	<p><b>IPC decision making</b></p> <p>5.2.8 Many activities involving air emissions are subject to pollution control. The considerations set out in Section 4.10 on the interface between planning and pollution control therefore apply.</p> <p>5.2.9</p> <p>5.2.10 In all cases the IPC must take account of any relevant statutory air quality limits. Where a project is likely to lead to a breach of such limits the developers should work with the relevant authorities to secure appropriate mitigation measures to allow the proposal to proceed. In the event that a project will lead to non-compliance with a statutory limit the IPC should refuse consent.</p>	<p>The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.</p>
2.18.53	<p>?MES to say: Concern that R do not appear to think TLs necessary</p> <p>From Sue:</p> <p>2 The flood risk for the communities downstream due to building on a flood plain</p> <p>3 The potential pollution of the River Adur through diesel spillages, as experienced during Rampion</p> <p>1</p> <p>4 The potential pollution of the surrounding watercourses, via the Cowfold stream which feeds the River Adur, due to all the weedkiller that will be frequently used on-site.</p> <p>5 We understand that all underground cables have an oil sleeve to cool them, and that they leak not infrequently. We understand that a boom was needed in the past, in order to clear a leak from Oakendene lake. If permission is granted at Oakendene, there will be three underground cables, which could potentially leak into the surrounding water course and contaminate the River Adur.</p>	<p>The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.</p>



Ref	Written representation comment	Applicant's response
2.18.54	And add pictures of Wineham and mention dry etc and why( if not in here, MUST go in CVR)-are in LIR	The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.
2.18.55	Add Janine latest photos and all 3 sets photos nov to Dec-are in	The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.
2.18.56	<b>As well as improving operational performance to meet its existing regulatory obligations, Southern Water is also focused on additional actions to mitigate the causes of the 98 per cent of pollution incidents that are outside the direct control of the company, which result from rain-water run-off from highways and urban areas and groundwater entering the sewer network</b>	The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.
2.18.57	Southern Water's Clean Rivers and Seas Task Force is collaborating with community and industry stakeholders to pilot new partnership delivery approaches to address this problem and retain more water in what is a water-stressed region. If supported by these partners, the initiative could address the challenges posed by climate change, population growth and ageing infrastructure while establishing Southern Water as a leader in tackling key sectoral challenges	The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.
2.18.58	Yet with their other hand, Macquarie are involved in Rampion 2 as co-owners, and will be putting water courses at risk, similarly also high risk of contamination from BSF proposal at Kent Street.	The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.
2.18.59	Add Macquarie ownership of southern water and irony of working to prevent contamination. See water doc ISHs	The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.
2.18.60	<p>I refer you to the above Rampion DCO document. Firstly, in the Sources of Information and Consultation section on Page 9, it is clear that HDC were not involved in the meetings about this topic until June 2022, when the substation site had virtually been chosen, Indeed, the June minutes say that the announcement about the substation is imminent. The action summary from the April 2022 meeting , which included Mid Sussex DC and WSCC, but not HDC, includes the following:</p> <p>"Wood agreed to check and communicate which districts the substation option sites are in (MSDC or Horsham Council)."</p> <p>GD actioned -"Bolney Rd/ Kent Street Substation Option lies within HDC and the Wineham Lane North Option lies within MSDC"</p> <p>In other words, up to that point they did not know that Oakendene was in Horsham district and had not been engaging with HDC about the site options , only Mid Sussex, thus skewing the decision making process. They may have been engaging with Horsham about the cable route and flood risk assessment, however.</p>	The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.
2.18.61	Also, apart from the list of attendees and the Action Summaries, the minutes of the two meetings are identical. I assume they relate to the June meeting, as MB from Horsham was not listed in the April meeting, but can't be certain. Obviously, we have no indication	The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.

Ref	Written representation comment	Applicant's response
	of what was discussed in April. This is another example of the poor attention to detail in the DCO submission.	
2.18.62	This lack of realisation by Rampion that Oakendene fell within Horsham district may also explain why HDC do not appear to have been involved in substation related discussions about noise and vibration, or soils and agriculture, until 2022, whilst they may have been taking part in cable route discussions before that. This may have helped sway Rampion 's 'marginal' decision to choose Oakendene. Page 9 , AnnexA : meeting held 22/3/22 with Environmental Agency.	The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.
2.18.63	<p>WSSC and <b>Mid Sussex</b> 1/4/22 Minutes of this meeting (Annex A, page A21) confirm Woods to check whether Horsham should be involved in SS discussions, so clearly weren't. The minutes of this meeting are shown on page A21:However , apart from the list of attendees and actions summaries, they are identical to the minutes for 22/6/22</p> <p>Wood agreed to check and communicate which districts the substation option sites are in (MSDC or Horsham Council).</p> <p>GD actioned - Bolney Rd/ Kent Street Substation Option lies within HDC and the Wineham Lane North Option lies within MSDC.</p>	The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.
2.18.64	In other words, They did not know at that point that HDC were responsible for the Oakendene area, and HDC were not present	The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.
2.18.65	<p><b>Flood Zone: 3a High Probability</b> Land having a 1 in 100 or greater annual probability of river flooding; or Land having a 1 in 200 or greater annual probability of sea flooding. 1% (fluvial) 0.5% (tidal) 1 in 100 (fluvial) 1 in 200 (tidal)</p> <p><b>Flood Zone: 3b Functional Floodplain</b></p>	The Applicant has responded to the points of the Written Representation, above, and has no additional comments to make in respect of the supporting information.

Ref	Written representation comment	Applicant's response
	<p>This zone comprises land where water has to flow or be stored in times of flood. Local planning authorities should identify in their Strategic Flood Risk Assessments areas of functional floodplain and its boundaries accordingly, in agreement with the Environment Agency. AEP 5%, Annual flood risk 1:20</p>	

**Table 2-15: Applicant's Response to Lynette Regan [REP1-126]**

Ref	Comment	Applicant's Response
2.15.1	<p>My partner and myself, own a van at Brookside Holiday Camp. Our van is adjacent to the drainage ditch and the boundary on the side of the park that will be most impacted by any service road though the field, between the Brookside park and Lyminster village.</p> <p>We are Australian, live in Australia and love to spend your beautiful English summers in our van. However, if work should go ahead using the road through this field during the summer months I fear the amount of dust the traffic will generate in an average English summer. However, if it should turn dry for even a few weeks then the dust will be chokingly thick in a very short time.</p> <p>These people, ourselves included come and stay at the park for the clean fresh air that generally prevails. For those of us well back from the main road it is generally reasonably quiet and will be more quiet once the new bypass is open. Not so, with massive great trucks thundering backwards and forwards going into and out of the works area.</p> <p>Also, a major concern to us is the impact the heavy vehicles will have on our van. The vibrations from heavy vehicles could cause damage to both the standing and the van.</p> <p>Should damage be done to any of the vans or van standings on the park what procedures are in place for compensation to the owners of such property? There must be responsibility taken by the construction people and those that operate the supply services to compensate owners of property that gets damaged due to this work.</p> <p>If this proposed access road goes ahead as planned then surely work can be scheduled at a time when it will cause the least disruption to park visitors and summer tourists and holiday makers. That would be over the late autumn and winter months, say from November to March when it is less likely to create a dust storm, and the noise less likely to impact on visitors to the park.</p> <p>Brookside is about the very best holiday park in the area, are you going to destroy that?</p>	<p>The Applicant notes the Interested Party is an occupant of the Brookside Caravan Park on an annual licence basis. Brookside Carvan Park is not within the Order Limits. There are highway works proposed which affect a small area of the freehold owner's assumed sub-soil ownership to the adopted highway in Plot 4/11, but this land is outside of the caravan park itself and does not affect its occupation or use.</p> <p>The Applicant therefore does not believe the Interested Party has an interest in land. In the unlikely event that they have a sufficient land interest which is capable of being the subject to a Section 10 injurious affection claim for diminution in value of the land interest as a result of the works, they may be able to bring a compensation claim in due course, to be assessed in accordance with the Compulsory Purchase Compensation Code.</p> <p>For the avoidance of doubt, a caravan is an asset and does not represent a compensable interest in land for these purposes.</p> <p>The Applicant notes the Affected Party's concern in relation to damage being caused to the vans or van standings on the park. The Applicant's construction corridor does not directly adjoin the Carvan Park and it is therefore unlikely that the proposed construction works will cause any damage to the vans or van standings.</p> <p><b>Transport</b></p> <p>The proposed routing strategy is detailed in the <a href="#">Outline Construction Traffic Management Plan (CTMP) [REP1-010]</a> which has been updated at the Deadline 1 and is secured by Requirement 24 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>. The closest construction access junction to Brookside Caravan Park on the western side of the A284 is A-12 located approximately 60m north of the Caravan Park boundary as shown on Sheet 7 of the <a href="#">Access, Rights of Way and Street Plans [APP-012]</a>. For clarity, access A-11 located immediately north of the Caravan Park boundary is for operational purposes only as shown on sheet 5 within the <a href="#">Onshore Works Plans [PEPD-005]</a>. Operational access requirements will be minimal with scheduled maintenance of the onshore cable route required every 2-5 years generating approximately three LGVs for one day. Some unscheduled or emergency repair visits may also be required but this also typically involve a very small number of LGVs.</p> <p>As detailed in Table 5-3 and 6-2 of the <a href="#">Outline CTMP [REP1-010]</a> (which has been updated at the Deadline 1 submission) A-12 is a construction access which will generate 878 HGV two-way movements and 456 LGV two-way movements across the whole four-year construction programme. This compares to a daily HGV flow on the A284 of approximately 700 vehicles. At peak construction the Proposed Development will generate 234 HGV two-way movements, which is approximately 47 HGVs per day (assuming 5-day week) or one every 14 minutes (assuming a 12-hour working day). The peak in LGVs is 60 LGV two-way movements in a week, which is 12 a day, and 1 per hour.</p> <p>A-13 is an operational and construction access on the eastern side of the A284. As detailed in Table 5-3 and 6-2 of the <a href="#">Outline CTMP [REP1-010]</a> (which has been updated at the Deadline 1 submission) at access A-13 there will be up to 562 HGV two-way movements and 480 LGV two-way movements. If access A-13 is used for all construction traffic movement over A-15 during the peak week of construction activity, there will be 130 HGV two-way movements and 96 LGV two-way</p>



Ref	Comment	Applicant's Response
		<p>movements. This is the equivalent to 26 HGV two-way movements per day or 2-3 per hour and 19 LGV movements per day and 1-2 per hour. However, it is noted that there is optionality at this location for the contractor to use either Access A-13 or A-15 (north of Lyminster) or a combination of both. Given that access A-15 provides access directly from Lyminster bypass (currently under construction) and adheres to Commitment C-157 to avoid routing HGV traffic through smaller settlements (<a href="#">Commitments Register [REP1-015]</a> (which has been updated at the Deadline 1 submission) it is considered that use of Access A-13 is unlikely by the contractor.</p> <p>The closest receptor to the Caravan Park identified within the <a href="#">Chapter 23: Transport, Volume 2</a> of the ES <a href="#">[APP-064]</a> and <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES <a href="#">[REP1-006]</a> (submitted at Examination Deadline 1) is Lyminster village (receptor 7), located 250m north of the Caravan Park access, because of residents living in properties adjacent to the highway and pedestrian traveling along the A284. Whilst the Caravan Park was not identified as a sensitive receptor itself, it will experience the same impacts as those identified for Lyminster. Table 23-36 identified a worst-case increase in HGV traffic of 7.1% during construction of the and therefore concluded that the proposed development would not generate any significant environmental effects on the A284. This level of impact is also identified within the sensitivity test which will be used within <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES <a href="#">[REP1-006]</a> (which has been submitted at the Deadline 1 submission). As such the Proposed Development will not generate any significant environmental effects in relation to traffic at this location.</p> <p><b><u>Air Quality</u></b> Air quality and dust emissions relating to construction activities and the construction access roads in the Brookside Caravan Park area have been considered in <a href="#">Chapter 19: Air quality, Volume 2</a> of the ES <a href="#">[APP-060]</a>. The duration of activities on the nearby Trenchless Crossing ID TC-05 is estimated to be 4.7 weeks and therefore construction activities are very short term in the locality of the caravan park.</p> <p>Air dispersion modelling of emissions to air from the Trenchless Crossing activities have indicated that air quality impacts on receptor R65 (representing the caravan park) are negligible. The qualitative dust assessment concluded that with no mitigation in place the risk of dust soiling from construction traffic is Low. This finding that without dust controls there would be a Low risk of impact has informed the dust management measures that would be implemented as part of the Proposed Development (see Table 19-36 of <a href="#">Chapter 19: Air quality, Volume 2</a> of the ES <a href="#">[APP-060]</a>). These measures are expected to ensure that the risk of impact is reduced to negligible levels. These measures have informed the <a href="#">Outline Code of Construction Practice [PEPD-033]</a> and are secured via Requirement 22 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>.</p> <p><b><u>Noise and Vibration</u></b> Noise sources relating to the onshore construction works and construction road traffic have been considered in <a href="#">Chapter 21: Noise and vibration, Volume 2</a> of the ES <a href="#">[PEPD-018]</a>. During the construction phase, the noise generated at Brookside Caravan Park will be in relation to the trenchless crossing (where the major noise sources will be located to the east of the A284), and the trenched cable route and associated haul route (located approximately 50 m north of the nearest caravan).</p> <p>The noise from the trenchless crossing (under the A284) works was assessed as Trenchless Crossing ID TC-05 at the building at the eastern boundary of the caravan park as Receptor ID</p>

Ref	Comment	Applicant's Response
		<p>HDD05-SW. This assessment can act as a proxy for the worst case levels on the site (as the closest point). The predicted unmitigated levels at the building were 63dB. This mean that noise will be audible for the duration of the trenchless crossing works (currently assessed as being 1.7 weeks' duration of construction activity), however, this is not significant with reference to the code of practice for noise on construction sites, British Standard 5228 part 1:Noise (British Standards Institution (BSI), 2014).</p> <p>The haul route will be used during the onshore trenching works. The onshore trenching works will be in the overall vicinity of the caravan park for 4.7 weeks, individual occupiers may be subject to a high magnitude of noise for approximately 2 days as the works pass by, however, this temporary nature of disturbance, means that such noise will not be significant in EIA terms.</p> <p>Whilst the onshore trenching works are undertaken, the haul road will be used by up to 3 HGVs per hour. The mitigation provided by locating this route 50m or more from caravans, means that there will be no significant noise or vibration from such vehicle movements this is secured through requirement 22 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>, although the vehicles are likely to be audible above the ambient noise from the A284. Following the receipt of Relevant Representations, a new commitment (C-287) has been added to the <a href="#">Commitment register [REP1-015]</a> and <a href="#">Outline Code of Construction Practice [PEPD-033]</a> (updated for the Deadline 1 submission) and is secured through requirement 22 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>. This requires the Applicant to install an acoustic barrier on the edge of the works north of Brookfield Caravan Park. The barrier will be of a suitable dimension and sited appropriately to manage noise impacts at this location for the duration of the construction phase.</p> <p>Unmitigated construction phase noise is predicted to be below the threshold for significance at the caravans on Brookside Caravan Park. The use of the <a href="#">Outline Code of Construction Practice [PEPD-033]</a> and associated management plans, and the embedded design, i.e. locating the haul route with a separation of at least 50 m, will further minimise, although not eliminate disturbance from noise.</p> <p>The operational only access immediately to the north of the caravan park will not give rise to significant levels of noise. Infrequent vehicle pass-bys (for periodic testing or unscheduled maintenance, as described above) would not be out of character for the area, given that agricultural vehicles would be expected to access the field and that there is an A-road adjacent to the east boundary of the caravan park.</p>

**Table 2-16: Applicant's Response to Henry Smethurst**

Ref	Written representation comment	Applicant's response
2.15.1	Traffic information for the two alternatives of Oakendene and Wineham Lane is crucial for understanding the true impact of their proposals. There is no evidence that this was done in anything other than a very simplistic way before the site was chosen.	Please see summary in 2.15.2
2.15.2	So far Rampion have not provided any credible evidence of how the construction traffic entering and leaving both compounds, the substation site and Kent Street will impact on the flow of traffic on the A272, or how it will affect Kent Street. Nor have they shown how traffic turning in and out of these sites will be managed and the effect this will have. At the very least such an assessment must include:	<p>The Applicant has provided a response to each point below.</p> <p><b><u>Assessment of the Proposed Development</u></b> The assessment of effects of the Proposed Development on the transportation infrastructure, including the strategic and local road network, Public Right of Ways, Sustrans national cycle network, has been undertaken in <a href="#">Chapter 23: Transport, Volume 2</a> of the ES [APP-064] and <a href="#">Chapter 32: ES Addendum [REP1-006]</a>. The ES has concluded that the Proposed Development will generate only limited significant effects during the construction phase, related to peak construction activity at two locations (Michelgrove Lane and Kent Street).</p> <p><b><u>Construction Traffic Flow Impact on the A272 and within Cowfold</u></b> At peak construction, taking account of the construction traffic routing contained within the <a href="#">Outline Construction Traffic Management Plan [REP1-010]</a>, the impacts listed below have been identified for Cowfold as assessed within <a href="#">Chapter 32: ES Addendum [REP1-006]</a>:</p> <ul style="list-style-type: none"> <li>• At A281 south of Cowfold (Receptor 23): <ul style="list-style-type: none"> <li>▶ An HGV peak week increase of 12 HGVs per day, equivalent to an increase of 7.5% and approximately one HGV per hour; and</li> <li>▶ A total construction traffic peak week increase of one HGV per day and 71 light goods vehicles (LGVs) per day (5-6 per hour), equivalent to a 1.1% increase in total traffic flow.</li> </ul> </li> <li>• The A281 / A272 in the centre of Cowfold (Receptor 24): <ul style="list-style-type: none"> <li>▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 3.5% and 3-4 HGVs per hour; and</li> <li>▶ A total construction traffic peak week increase of 19 HGVs and 154 LGVs (12-13 per hour), equivalent to a 0.7% increase in total traffic flow.</li> </ul> </li> <li>• The A272 Station Road west of Cowfold Village centre (Receptor 25): <ul style="list-style-type: none"> <li>▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 4.6% and 3-4 HGVs per hour; and</li> <li>▶ A total construction traffic peak week increase of 19 HGVs and 154 LGVs (12-13 per hour), equivalent to a 0.9% increase in total traffic flow.</li> </ul> </li> <li>• The A272 Bolney Road east of Cowfold Village centre (Receptor E): <ul style="list-style-type: none"> <li>▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 5.5% and 3-4 HGVs per hour; and</li> <li>▶ A total construction traffic peak week increase of 19 HGVs and 147 LGVs (12-13 per hour), equivalent to a 0.8% increase in total traffic flow.</li> </ul> </li> </ul>

Ref	Written representation comment	Applicant's response
		<p>As a result of these increases the ES concluded that the Proposed Development will not generate any significant effects along the A272 or A281 within Cowfold. These assessments were also completed using a robust assumption that approximately 25% of all HGV traffic routes through Cowfold to account for potential delivery of material or equipment to / from locations directly west of Cowfold. This is despite commitment C-157 and C-158 (<a href="#">Commitments Register [REP1-015]</a> and <a href="#">Outline CTMP [REP1-010]</a>) discouraging traffic from routing through the Cowfold AQMA</p> <p>These commitments ensure that HGV construction traffic will route along the A27 and A23 to gain access to the A272 east of Cowfold wherever possible, thereby avoiding the village centre. Therefore, only accesses A-52, A-56 and A-57 will require construction traffic to route through Cowfold Village centre. As calculated by using data included in Table 5-3 of the <a href="#">Outline CTMP [REP1-010]</a> which has been updated at the Deadline 1 submission, the impact of this commitment is the removal of up to 22,000 two-way HGV trips (11,000 HGVs) from Cowfold Village centre over the construction phase.</p> <p>Further to this, the Applicant has provided details of peak construction predicted to use the Oakendene Compound and Substation:</p> <ul style="list-style-type: none"> <li>At peak construction activity, access A-62 (Oakendene Compound) will cater for 326 HGV two-way movements and 456 LGV two-way movements across a one-week period. This is the equivalent of 156 construction traffic two-way movements per day or 12-13 per hour (approximately 6 entering and 6 exiting the compound).</li> <li>At peak construction activity, access AA-63 (Oakendene Substation) will cater for 326 HGV two-way movements and 564 LGV two-way movements across a one-week period. This is the equivalent of 178 construction traffic two-way movements per day or 14-15 per hour (approximately 7 entering and 7 exiting the access junction).</li> </ul> <p>It should also be noted that these construction traffic peak for accesses A-62 and A-63 occur at different stages of the construction programme.</p> <p><b><u>Construction Traffic Flow Impact on Kent Street</u></b></p> <p>The likely significant transport effects of the Proposed Development on Kent Street have been assessed in <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES <a href="#">[REP1-006]</a> and <a href="#">Appendix 23.2: Traffic Generation Technical Note, Volume 4</a> of the ES <a href="#">[REP1-008]</a>. This assessment concluded that the Proposed Development would generate significant environmental effects on Kent Street on fear and intimidation, pedestrian delay and pedestrian amenity. These effects however are anticipated to be short term in nature, related to the peak construction period on Kent Street.</p> <p>Given the single lane track nature of Kent Street and conclusions of the ES, the Applicant is currently reviewing options for the implementation of traffic management along Kent Street and accesses A-61 and A-64 to provide safe access for construction and general traffic. This may involve measures such the implementation of a speed limit reduction, passing places, or managed access via banksmen. A traffic management plan for Kent Street will be produced as required at Deadline 3.</p> <p>The outcomes of this review will be discussed with West Sussex County Council at the earliest opportunity with the aim of reaching an agreement in principle to the traffic management strategy. This would then be secured through a detailed CTMP for the stage of the authorised development comprising Kent Street which will be required to be submitted and approved by the highways authority before commencement within that stage in accordance with Requirement 24(1)(a) of the <a href="#">draft DCO [PEPD-009]</a>.</p>



Ref	Written representation comment	Applicant's response
2.15.3	1 Full traffic surveys for both alternative sites	<p>The construction of the onshore cable has the potential to temporarily affect the public rights of way infrastructure. An <b>Outline Public Rights of Way Management Plan [APP-230]</b> has been developed which sets out the approach to managing the use of public rights of way during construction. The final Public Rights of Way Management Plan is secured through Requirement 20 of the <b>Draft DCO [PEPD-009]</b>.</p> <p>Based on the proposed location of the onshore substation and routing of the onshore cable corridor, plus the incorporation of appropriate embedded environmental measures, no significant effects have been identified in relation to transport receptors from Rampion 2 construction, operation and maintenance, and decommissioning.</p> <p>The construction access and permanent access to the onshore substation site will be from the A272 only (not via Kent Street) details of which are set out in the <b>Outline Construction Traffic Management Plan (CTMP) [PEPD-035a]</b> updated at Deadline 1 and secured through requirement 24 of the <b>Draft DCO [PEPD-009]</b>. Kent Street remains proposed for use as a temporary construction access (A-61 and A-64) for onshore cable corridor works only. Environmental measures will be implemented to manage the potential effects from construction traffic. These are detailed in the <b>Outline CTMP [PEPD-035a]</b>.</p>
2.15.4	2 Traffic modelling for the above locations with assumptions made	<p>Traffic data used to inform the assessments of the Proposed Development are detailed within <b>Chapter 23: Transport, Volume 2</b> of the ES <b>[APP-064]</b> and <b>Chapter 32: ES Addendum [REP1-006]</b>. The Applicant also notes that West Sussex County Council are content with baseline traffic data used in the assessment of the Proposed Development as confirmed in their Relevant Representation <b>[RR-418]</b>.</p> <p>The impacts of the Proposed Development has been assessed within <b>Chapter 23: Transport, Volume 2</b> of the ES <b>[APP-064]</b> and <b>Chapter 32: ES Addendum [REP1-006]</b> using peak construction traffic flows defined in <b>Appendix 23.2: Traffic Generation Technical Note, Volume 4</b> of the ES <b>[REP1-008]</b>. Assumptions made in calculating predicted construction traffic generation and assessments is included within these documents.</p>
2.15.5	3 The proposed Traffic Management Scheme for Oakendene/Kent St (note: this was not necessary for Rampion 1 when entering or leaving Wineham Lane)	<p>Given the single lane track nature of Kent Street and conclusions of the ES, the Applicant is currently reviewing options for the implementation of traffic management along Kent Street and accesses A-61 and A-64 to provide safe access for construction and general traffic. This may involve measures such the implementation of a speed limit reduction, passing places, or managed access via banksmen. A traffic management plan for Kent Street will be produced as required at Deadline 3.</p> <p>The outcomes of this review will be discussed with West Sussex County Council at the earliest opportunity with the aim of reaching an agreement in principle to the traffic management strategy. This would then be secured through a detailed CTMP for the stage of the authorised development comprising Kent Street which will be required to be submitted and approved by the highways authority before commencement within that stage in accordance with Requirement 24(1)(a) of the <b>draft DCO [PEPD-009]</b>.</p>
2.15.6	4 Traffic Impact Assessment for both proposed sites	<p>It was agreed as part of the stakeholder engagement completed with West Sussex County Council and National Highways prior to submission of the DCO application that the Traffic Generation Technical Note provided a appropriate level of assessment for the Proposed Development. This is detailed within paragraph 23.3.24 of <b>Chapter 23: Transport, Volume 2</b> of the ES <b>[APP-064]</b>.</p>

Ref	Written representation comment	Applicant's response
2.15.7	5 Detailed analysis or breakdown of RTAs at the two alternative locations.	The likely significant transport effects of the Proposed Development, including highway safety, have been assessed in <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES [REP1-006] and <a href="#">Appendix 23.2: Traffic Generation Technical Note, Volume 4</a> of the ES [REP1-008]. This assessment concluded that the Proposed Development would not generate any significant effects related to highway safety.
2.15.8	6 Details of the number of both vehicles and actual movements of HGV's, LGV's and private workers' vehicles over the construction period entering the proposed substation site, compounds and turning in and out of Kent Street.	Estimated construction traffic flows for all assessed highway links is included in <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES [REP1-006] and <a href="#">Appendix 23.2: Traffic Generation Technical Note, Volume 4</a> of the ES [REP1-008]. This is provided for heavy goods vehicles (HGVs) and light good vehicles (LGVs) as a total for each access junction and peak week for each access junction and each highway link, including Kent Street.
2.15.9	7 How many "peak weeks"? and how many vehicles during those peak weeks at both Oakendene access points and Kent St?	The peak construction week assessed <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES [REP1-006] and <a href="#">Appendix 23.2: Traffic Generation Technical Note, Volume 4</a> of the ES [REP1-008] represents the week which has the highest construction traffic flows across the whole construction programme. <a href="#">Chapter 23: Transport [APP-064]</a> , and <a href="#">Chapter 32: ES Addendum [REP1-006], Volume 2</a> of the ES also provided assessments of the following scenarios noting that the peak week assessed in <a href="#">Chapter 32: ES Addendum [REP1-006]</a> provides the worst case assessment: <ul style="list-style-type: none"> <li>• Peak Week 70: Construction traffic associated with the peak week of four-year construction programme (as summarised in Table 23-36 of Chapter 23: Transport, Volume 2 of the ES [APP-064]);</li> <li>• Section-based peak weeks: As part of the Proposed Development, the entire onshore cable corridor was split into three sections as presented in Figure 23.2, Volume 3 of the ES [APP-107] and summarised in Table 23-37 of Chapter 23: Transport, Volume 2 of the ES [APP-064]</li> <li>• Annual Average Weekday Traffic (AAWT) for year 1, 2, 3 and 4 of the construction programme (as summarised in Table 23-38 of Chapter 23: Transport, Volume 2 of the ES [APP-064].</li> </ul>
2.15.10	8 Traffic numbers and management plan for Kent Street and the haul roads	Estimated construction traffic flows for all assessed highway links is included in <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the ES [REP1-006] and <a href="#">Appendix 23.2: Traffic Generation Technical Note, Volume 4</a> of the ES [REP1-008]. This is provided for heavy goods vehicles (HGVs) and light good vehicles (LGVs) as a total for each access junction and peak week for each access junction and each highway link, including Oakendene and Kent Street.
2.15.11	9 Assessment of the increased numbers of all construction vehicles on the AQMA in Cowfold and the impact on traffic flows and pollution at this point, based on an understanding that the traffic is not free flowing through the village Inadequate evidence for why the Rampion 1 cable route could not be used:	The air quality modelling for Cowfold Air Quality Management Area (AQMA) was updated and provided in <a href="#">Chapter 32: ES Addendum, Volume 2</a> of the Environmental Statement [REP1-006]. The updated assessment modelled the second year of construction; the year with the highest development traffic according to the revised traffic data for the Proposed Development presented in <a href="#">Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006]</a> . The AADT flows used take into account the heavy goods vehicle (HGV) routing through the Cowfold AQMA and have assumed queuing traffic is present in the key junction within Cowfold. The updated traffic data did not change the outcome of the assessment provided in <a href="#">Chapter 19: Air quality, Volume 2</a> of the ES [APP-060].
2.15.12	At a meeting at the Arun Yacht Club in November 2022, all the RWE staff were adamant that the existing Rampion 1 cable route could not be added to because of a bottleneck that is tight in one area where there are residences. People at	The Applicant notes the query of why the cable for the existing Rampion Offshore Wind Farm (Rampion 1) cannot be used. This is addressed in paragraph 3.4.18 of the <a href="#">Chapter 3: Alternatives, Volume 2</a> of the ES [APP-044]: "It was concluded that it is not technically feasible to follow the original Rampion 1 onshore

Ref	Written representation comment	Applicant's response
	the meeting felt that the views were all rehearsed, something which the Cowfold residents have also experienced when discussing anything with Rampion .	cable route as additional infrastructure cannot be physically accommodated at the Brooklands and due to environmental constraints at Tottington Mount (see Table 3-5). The option was therefore not a reasonable alternative.”
2.15.13	A resident asked whether the bottle neck could be got round by horizontal drilling. He said that was not possible for the distance involved. It would seem that in fact it can, but would require proper engineering study. In other words, it would be simpler for Rampion to use a route through new ground, and possibly cheaper. This should not be a valid reason for discounting it.	<p>The consideration of construction risk, the expected construction duration and associated costs are valid principles for discounting engineering options. As the developer of electricity infrastructure for the UK public, the Applicant is obliged to reduce construction and operational costs as far as possible to provide value for money to the consumer. This includes the avoidance of complex engineering solutions where possible as these can also present additional risk to the delivery of the scheme.</p> <p>Regarding Land Interest's specific point raised with regards to the Rampion 1 cable corridor: The Applicant can confirm that there is insufficient horizontal space to install the four circuits applied for by Rampion 2 following the Rampion 1 cable route due to several pinch points along the route, including the landfall, making it unviable for consideration as the Rampion 2 cable route.</p>
2.15.14	This response is also interesting because at the Hearings the only explanation they came up with, regarding why they could not reuse Rampion 1's cable route, was that they didn't own it any more. It seems they respond 'off the cuff' or to suit their audience. They really must be asked to give a proper answer on this.	Please see summary in Section 2.15.12
2.15.15	<p><b>Job losses:</b> Around 150 businesses are concerned for their future resilience in Cowfold if this project goes ahead, in particular at least 70 on the Oakendene industrial estate which will almost certainly close.</p> <p>There are thousands of tourism-related jobs on the south coast which will also be at risk.</p> <p>Concern has also been raised about how few jobs there will be from Rampion 2 and in particular how few of those will benefit local people. Rampion have placed an article in the local paper advertising their apprenticeship programme. It gives the impression that there will be lots of new opportunities locally.</p> <p>However, looking at Rampion's website, it appears that to date only 10 apprenticeships have been made available nationally and further positions will be based on the business need to match apprentice training to staff attrition. This is hardly going to compensate for the job losses in Cowfold, let alone the rest of the county.</p>	<p>The assessment within <a href="#">Chapter 17: Socio-economics, Volume 2</a> of the ES [APP-058] explores the impact on tourism and finds that overall, when all influencing factors are considered, the effect of the Proposed Development on the volume and value of tourism across Sussex is expected to be negligible across employment, gross value added, volume and value of the tourism economy, access to and enjoyment of onshore recreation activity, which is considered not significant in EIA terms.</p> <p>In addition to this, the Applicant has included a number of commitments specifically included to maximise the benefits of all project phases (construction, operation, and decommissioning) on the local economy and the local employment benefits:</p> <ul style="list-style-type: none"> <li>• C-34 RED will identify opportunities for companies based or operating in the region to access supply chain for the Proposed Development.</li> <li>• C-35 RED will work with local partners and seek to maximise the ability of local people to access employment.</li> </ul> <p>To further facilitate these commitments, the Applicant has developed an <a href="#">Outline Skills and Employment Strategy [PEPD-037]</a>. The strategy sets out the approach that will be adopted by the Applicant, with the aim of promoting skills and employment opportunities for local economic benefit within the Sussex area. Based on engagement undertaken to date, a key ambition of the Applicant is to focus on providing sustainable careers, rather than just jobs.</p>

**Table 2-17: Applicant's Response to Meera Smethurst**

Ref	Written representation comment	Applicant's response
<b>2.1.1</b>	<b>Adequacy of Consultation:</b>	
<b>2.1.2</b>	The inadequacy of the consultation with Cowfold residents is fundamental to the argument that they have not sufficiently assessed the site before choosing it, properly understood the implications of this choice economically, socially or environmentally, or adequately considered the alternatives. Please see attached the CowfoldVRampion resident's action group Adequacy of Consultation submission, which was previously sent in to PINS earlier in the process and details extensive evidence of their failings	The Applicant acknowledges this written representation. Please refer to the Applicant's response to the CowfoldVRampion written representation in <a href="#">Applicant's Response to Non-Prescribed Consultees' Written Representations (Document Reference: 8.53)</a> submitted at Deadline 2.
<b>2.1.3</b>	Almost no Section 42 letters were received by those who should have had them around the substation and northern cable route, until after the decision was made to use Oakendene. See the signed document in the AoC report, Item 8, attachment 3, p 77. Rampion argue that everyone got at least one during the consultation. This is meaningless with regards to Cowfold as the key decision ie to choose Oakendene, was already made. Indeed, some residents on Moanfield Lane only received one as late as April 2023, long after the consultation has closed altogether!	The <a href="#">Consultation Report [APP – 027]</a> sets out multiple consultation exercises undertaken by the Applicant and the regard had to those consultation responses received. Issues pertaining to Cowfold are drawn together from page 35 of the <a href="#">Consultation Report [APP-026]</a> . For further information please see <a href="#">Appendix 15 Promotion of Rampion 2 Consultations in and around Cowfold 2021-2022</a> .  The application has passed the adequacy of consultation test and has progressed into Examination.
<b>2.1.4</b>	It is clear from the leaflets and publicity in the attached AoC Report that they were highly misleading with respect to the intended location of the substation until the site had actually been chosen.	Please see response to item 2.1.3
<b>2.1.5</b>	On 7th March 2023 I wrote to Chris Tomlinson asking for postcode data for the responses received during the consultations. My intention was to draw up a map to show that almost no responses had been received from Cowfold during the preconsultation exercise or the first statutory consultation. He refused, and said that the information would be provided when the DCO was submitted. I can see no evidence of this in the DCO documents. I am therefore led to the conclusion that they did not have proper regard for the responses in the consultation report as they are obliged to do, because that must surely include a lack of response. In addition, they have been highly selective in their choice of consultation responses to include, see CowfoldVRampion LIR for examples.	Please see response to item 2.1.3
<b>2.1.6</b>	<b>Due Diligence:</b>	
<b>2.1.7</b>	Many of the claims made by Rampion do not stand up to scrutiny. PCS have highlighted many of these regarding the offshore claims and output claims. Rampion 1 has also failed to fulfil its promise.	The Applicant notes the comment
<b>2.1.8</b>	The substation site was chosen, not on the basis of proper engineering, economic or ecological assessment as they claimed, as it is now clear that many of these studies were not done before the choice was made, indeed many were not done until this year, some have yet to be properly carried out, with claims made about inability to access sites.	Section 3.6 of <a href="#">Chapter 3: Alternatives, Volume 2</a> of the Environmental Statement (ES) <a href="#">[APP-044]</a> provides the information on the onshore substation site selection process. <b>Section 3.6</b> describes the site selection process and the reasons for other sites being discounted based on the multi-disciplinary factors identified in the paragraph above. 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



Ref	Written representation comment	Applicant's response
	Landowners tell us they were not asked and that they would have allowed access if approached.	<p><b>Chapter 3: Alternatives, Volume 2</b> of the ES [APP-044]. Significant weight was also given to the environmental constraints and related policy in the overall balance of the decision. This Applicant has also developed further embedded environmental measures that have been presented in the application including the design principles in the <b>Design and Access Statement [AS-003]</b>, <b>Outline Landscape and Ecology Management Plan [APP-232]</b> and <b>Outline Operational Drainage Plan [APP-223]</b> secured by requirements 8, 12 and 18 of the <b>Draft DCO [PEPD-009]</b> respectively.</p> <p>The Land Interest states that “Landowners tell us they were not asked and that they would have allowed (surveys) if approached”. The statement does not identify who the Land Interests were and therefore the Applicant is not able to respond to this statement.</p>
2.1.9	No credible evidence has been given by Rampion of why they could not use the Rampion 1 cable route, as opposed to it being less convenient for them to do so.	<p><b>Chapter 3: Alternatives, Volume 2</b> of the <b>Environmental Statement (ES) [APP-044]</b> details how the design of the Proposed Development has evolved and demonstrates that all aspects of site selection, site access and future access requirements have been incorporated into the design of the Proposed Development to minimise and mitigate adverse impacts. The chapter explains the reasonable alternatives considered for the onshore cable corridor and the reasons for selection of the preferred option. At this stage, the description of the Proposed Development is indicative and a ‘design envelope’ approach has been adopted which takes into account the Planning Inspectorate’s Advice Note Nine: Rochdale Envelope (Planning Inspectorate, 2018).</p>
2.1.10	<b>Ecology:</b>	
2.1.11	If you don’t accurately catalogue what is there to begin with, how can you meaningfully propose mitigations and compensations to replace what is lost, and how can anyone judge whether what they propose is adequate to do so?	<p>The Applicant acknowledges this written representation. Please refer to the Applicant’s response to the CowfoldVRampion written representation in <b>Applicant's Response to Non-Prescribed Consultees' Written Representations (Document Reference: 8.53)</b> submitted at Deadline 2.</p>
2.1.12	The poor record of reinstatement following Rampion 1, the downgrading of evidence compared to the weight similar evidence was given in Rampion 1(see SWT comments) and the downplaying of environmental impacts generally, makes it very difficult to assess the overall harm this proposal will do; if you have no good baseline, how can you assess the true harm? It also makes it hard to assess their proposals for biodiversity net gain (BNG); especially as the unmitigable ecological impacts appear to have been taken out of the calculations.	<p>The <b>Outline Landscape and Ecology Management Plan [APP-232]</b> provides information on proposed reinstatement. Following discussions with the local authorities this document will be updated with more information on management, monitoring and remedial actions at Deadline 3.</p>
2.1.13	They also say that if there are unforeseen extra losses of habitats, they will be making up for it in the BNG. That isn’t acceptable, it is just conflating the mitigations and BNG. Also, maps submitted by Janine Creaye show far more extensive scrub around the cable route near Cratemans and the Cowfold Stream than they say. It will not be possible to create the cable trench and haul road without vastly more destruction of the nightingale territories than the Rampion maps suggest. The extent of this destruction is NOT ‘unforeseen’, as she has been highlighting this issue to Rampion since the informal consultation. Their decision not to do formal surveys for nightingale or reptiles is inexcusable. They should have been done BEFORE the choice of substation was made as they had been made aware of them. Leaving them out of their records prior to examination could be seen as a cynical manipulation of the examination process.	<p>The Applicant acknowledges this written representation. Please refer to the Applicant’s response to the CowfoldVRampion written representation in <b>Applicant's Response to Non-Prescribed Consultees' Written Representations (Document Reference: 8.53)</b> submitted at Deadline 2.</p>

Ref	Written representation comment	Applicant's response
2.1.14	Our experience of habitat loss at this site is that once lost the nightingales do not return, despite efforts to reinstate habitats.	Nightingale typically inhabit scrub or woodland (usually with coppice). Scrub, by its nature, is typically a successional habitat that changes suitability over time. It is notable that the reduction of scrub control at a Ministry of Defence Site (Lodge Hill in Kent) resulted in a marked increase in nightingale over a relatively short timeframe. Therefore, reinstatement will, over time, provide suitable habitat for nightingale. What is key, is that the losses are localised and relatively small in extent. Nightingale in the area would always retain suitable extent of habitat to persist at current densities or greater densities.
2.1.15	They are not even proposing species-specific habitat restoration. The Weald to Wave Scrubland Superheroes project points out that "Historically, scrubland was a thriving sanctuary for native wildlife across the UK. However, over centuries, steady clearance has threatened these important ecosystems and led to a decline in many iconic species that rely on the dense thorny habitat." How can it make sense then, to destroy yet more of our precious habitats when alternatives exist?	The <a href="#">Outline Landscape and Ecology Management Plan [APP-232]</a> describes the creation of wet woodland in the detention basins by the substation. This habitat is likely to be willow dominated and provide suitable habitat structure for nightingale as is described.
2.1.16	They repeatedly say no veteran trees will be removed. But they are very selective about what is classed as a veteran tree. We have provided photographs of several trees on the Oakendene site which are earmarked for removal, which would appear to fit the criteria. In fact, they class two of them, and another close by, as 'almost veteran'. There are also many trees, which though technically not veteran, if they stood alone, are nevertheless highly important as habitats by virtue of their location and connection to other important features. -as trees within hedges, or in scrub, therefore providing corridors and safe habitats for a huge range of species.	Veteran trees have been defined according to BS5837:2012 with regard to both Natural England and Forestry Commission standing advice and National Planning Policy Framework (see <a href="#">Appendix 22.16 Arboricultural Impact Assessment [APP-194]</a> ).
2.1.17	We also dispute the argument that the Cowfold stream is of poor quality as we have photos of beautiful demoiselles there, which are not only rare but only like pure water, and attempts to clear banks would be detrimental to their habitats	The <a href="#">Appendix 26.3: Water Framework Directive compliance assessment, Volume 4</a> of the ES <a href="#">[APP-217]</a> indicates that the Cowfold Stream Water Framework Directive (WFD) Water Body is currently designated as having Poor ecological status with macrophytes and phytobenthos and phosphate identified as the elements preventing the attainment of Good status. The Cowfold Stream is also currently designated as failing chemical status with mercury and its compounds and polybrominated diphenyl ethers (PBDEs) identified as the failing classification elements.
2.1.18	<b>Hedges:</b>	
2.1.19	With regards to the Agenda Item 5ii), Hedgerow /tree load and retention, I wish to make the following points:  This should also be viewed in conjunction with the tree loss documented by Janine Creaye in her WR for the Feb 28th Deadline. In January 2023, under the refreshed 25-year environment plan, the Government announced a target to create or restore 30,000 miles of hedgerows by 2037, and recognizes them as distinctive and historic landscape features.	All hedgerow and tree losses are being reviewed and will be detailed in an update of the vegetation retention plans shown in the <a href="#">Outline Code of Construction Practice [PEPD-033]</a> and the <a href="#">Arboricultural Impact Assessment [APP-194]</a> . This information will be provided at Deadline 3.
2.1.20	All the Oakendene Hedgerows and those along the cable route from Gratwick to Oakendene have been there for well over 30 years and many meet the criteria for Important Hedges. They are protected by law from removal without consent.	The Applicant notes the survey results in <a href="#">Appendix 22.5 Hedgerow survey report [APP-183]</a> .
2.1.21	Healthy hedgerows are unsung heroes. Their roots absorb excess water and help to reduce the risk of flooding. The loss of so many trees and hedges must therefore be taken	The Applicant agrees with this statement.

Ref	Written representation comment	Applicant's response
	into account when assessing the flood risk and the impact on design at Oakendene. They are also home to countless iconic British species, from the humble hedgehog to bats, turtle doves and yellowhammers.	
2.1.22	Hedges are also home to precious pollinators, without which we would all go hungry. Over 1,500 invertebrates, including bees, beetles, spiders and hoverflies, have been identified in hedgerows in the UK. Spring-flowering trees and shrubs, such as blackthorn and hawthorn, which are often found in hedgerows, can be important sources of spring foraging for wild bee species in intensively managed landscapes. It is no wonder that Oakendene and the Cratemans area are home to such an array of wildlife. It must be remembered that all are closely interconnected in a complex ecosystem which is currently in harmony with itself and if we interfere with one part, we upset the whole balance.	The Applicant notes the comment.
2.1.23	The National Trust highlights that since 1945, the UK's hedgerow network has shrunk by about 50%. That is concerning because hedgerows are not just an iconic feature of our landscapes, but critical habitats for our wildlife that clean our air and help with carbon capture and reducing flooding. How can it be sensible to allow the wanton destruction of so much hedgerow when a less destructive alternative exists?	The Applicant notes that the delivery of Biodiversity Net Gain (BNG) (see <a href="#">Appendix 22.15 Biodiversity net gain information [APP-193]</a> ) will result in the establishment of greater lengths of hedgerow.
2.1.24	According to the Government's independent adviser on climate change, the Climate Change Committee, hedgerows are key to meeting our legally binding commitment to reach net zero by 2050. The committee has recommended increasing the length of hedgerows by 40% by 2050. Studies suggest that England's hedges could already hold as much as 9 million tonnes of carbon. Unmanaged hedgerows are estimated to sequester over 140 tonnes of carbon per hectare, compared with 169 tonnes for a 30-year native woodland	The Applicant notes the comment.
2.1.25	We have lost nearly 118,000 miles of hedgerows in the UK since the 1950s. We have a duty to ensure any green energy project helps towards our climate goals in the least damaging way possible.	The Applicant notes the comment.
2.1.26	In addition, under the new regulations, there will be a no-cutting period which would ensure that hedgerows are not cut back during the important bird nesting season from early spring to late summer. Any reduction or loss of the no-cutting period would place severe additional pressures on farmland bird species that are already facing spiraling declines. This must be imposed on Rampion as they lay their cable too, and juggled with the other restrictions imposed by nature, such as flooding and the wildflower meadows. The no cutting period would benefit not just birds, but bees and other pollinators. Their complete loss of course, at Oakendene and along the haul route, is not seasonal, it is permanent and the certainty of that loss must be weighed in the balance against the possible benefits claimed for Rampion.	The Applicant draws attention to commitment C-21 (see <a href="#">Commitments register [REP1-015]</a> ) which seeks to ensure vegetation removal is undertaken outside of the breeding period. This commitment is secured through Requirement 22 of the <a href="#">draft Development Consent Order [PEPD-009]</a> that ensures agreement of stage specific Code of Construction Practice documents.
2.1.27	Hedgerows are essential to our agricultural heritage and the protection of our natural environment and landscape, as well as being essential carbon sinks to help us meet our COP and convention on biological diversity commitments. Their loss will inevitably result in loss of the range of species and their overall numbers. The planting of a few trees and hedges cannot replace what is lost in the lifetime of the wind farm.	The Applicant notes the comment.

**Table 2-18: Applicant's Response to Michael Stevens**

Ref	Written representation comment	Applicant's response
2.28.1	<p>My Interested Party Reference – 200452.</p> <p>Further to your letter/email of 7 February 2024, your ref: EN10117, regarding the above Application, I wish to reiterate my serious concerns about the above proposed development, which I ask that are taken into serious consideration in respect of this Application.</p> <p>Further to my previous emails and telephone conversations in 2022 and 2023, I wish to restate my several objections and concerns in this regard, as follows:</p> <p>CARAVAN (REDACTED), Brookside Caravan Holiday Camp</p> <p>Back in April 2022, my wife and I booked an AirBnB in Lyminster, as a getaway for a few days,(REDACTED). We live in a busy area near Aylesbury, and were looking for a location away from this bustle.</p> <p>We were attracted by the location of Lyminster, with its easy access to Arundel and Littlehampton, and the proposed completion of a new Lyminster Bypass, to make the area even quieter.</p> <p>We saw the nearby Brookside Caravan site, with a sign advertising Caravans for sale, and arranged to visit the site and the available caravans. We particularly liked (REDACTED) being sited on the NORTH side of the Caravan Park, and being just (REDACTED) infrom the very end, making it pleasantly secluded, away from any potential road traffic noise, and from other passing residents also. So, we went ahead with purchasing (REDACTED) - for the above reasons.</p> <p>I will point out that AT NO TIME during our discussions over this purchase with Brookside owners and staff, that NO MENTION WHATSOEVER WAS MADE TO US OF THE RAMPION 2 proposals, potentially so close to our proposed purchasing (REDACTED)</p> <p>Therefore we proceeded with purchasing CARAVAN (REDACTED) on 7 April 2022.</p> <p>Therefore, will you please record our specific and urgent concerns in respect of this Rampion 2 Extension Development, as follows:</p>	<p>The Applicant notes the Interested Party is an occupant of the Brookside Caravan Park on an annual licence basis. Brookside Carvan Park is not within the Order Limits. There are highway works proposed which affect a small area of the freehold owner's assumed sub-soil ownership to the adopted highway in Plot 4/11, but this land is outside of the caravan park itself and does not affect its occupation or use.</p> <p>The Applicant therefore does not believe the Interested Party has an interest in land. In the unlikely event that they have a sufficient land interest which is capable of being the subject to a Section 10 injurious affection claim for diminution in value of the land interest as a result of the works, they may be able to bring a compensation claim in due course, to be assessed in accordance with the Compulsory Purchase Compensation Code.</p> <p>For the avoidance of doubt, a caravan is an asset and does not represent a compensable interest in land for these purposes.</p>
2.28.2	-Any future resale and Value of our Caravan (REDACTED) will be NEGATIVELY/PERMANENTLY AFFECTED by Rampion 2.	See the Applicant's above response to 2.28.1.
2.28.4	-Expenditure made by us on Caravan (REDACTED) since purchase to Upgrade and Refurbish Caravan (REDACTED) will be WASTED and UNRECOVERABLE.	See the Applicant's above response to 2.28.1.
2.28.5	-We were TOTALLY UNAWARE of the Rampion 2 proposed development so close to Caravan (REDACTED), and would NOT have purchased this had we known.	The Applicant notes that this is a point for the Interested Party to discuss directly with the Caravan Park owner, as the Applicant has been in correspondence with the Caravan Park owner since July 2021.



Ref	Written representation comment	Applicant's response
2.28.6	<p>-We purchased this caravan on site for HEALTHY PEACE &amp; QUIET – this will be NEGATIVELY AFFECTED by Rampion 2, both during construction and maintenance actions/access thereafter.</p>	<p>Further to the Applicant's above response to 2.28.1, the Interested Party does not have a category 1, 2 or 3 interest in land and therefore there was no requirement for the Applicant to consult with the Affected Party.</p> <p>The Applicant has publicised the consultations and the application in accordance with statutory requirements. Copies of the consultation information packs were left at the Caravan Park reception desk, on 17<sup>th</sup> October 2022, and site notices were erected where the public right of way meets the A284 (Lyminster Road) located immediately to the North of the Caravan Park, during the consultation period (from 18<sup>th</sup> October 2022 to 29<sup>th</sup> November 2022).</p> <p><b><u>Noise and vibration</u></b></p> <p>Noise sources relating to the onshore construction works and construction road traffic have been considered in <a href="#">Chapter 21: Noise and vibration, Volume 2</a> of the ES <a href="#">[PEPD-018]</a>. During the construction phase, the noise generated at Brookside Caravan Park will be in relation to the trenchless crossing (where the major noise sources will be located to the east of the A284), and the trenched cable route and associated haul route (located approximately 50 m north of the nearest caravan).</p> <p>The noise from the trenchless crossing (under the A284) works was assessed as Trenchless Crossing ID TC-05 at the building at the eastern boundary of the caravan park as Receptor ID HDD05-SW. This assessment can act as a proxy for the worst case levels on the site (as the closest point). The predicted unmitigated levels at the building were 63dB. This means that noise will be audible for the duration of the trenchless crossing works (currently assessed as being 1.7 weeks' duration of construction activity), however, this is not significant with reference to the code of practice for noise on construction sites, British Standard 5228 part 1:Noise (British Standards Institution (BSI), 2014).</p> <p>The haul route will be used during the onshore trenching works. The onshore trenching works will be in the overall vicinity of the caravan park for 4.7 weeks, individual occupiers may be subject to a high magnitude of noise for approximately 2 days as the works pass by, however, this temporary nature of disturbance, means that such noise will not be significant in EIA terms.</p> <p>Whilst the onshore trenching works are undertaken, the haul road will be used by up to 3 HGVs per hour. The mitigation provided by locating this route 50m or more from caravans, means that there will be no significant noise or vibration from such vehicle movements this is secured through requirement 22 of the <a href="#">Draft DCO [PEPD-009]</a>, although the vehicles are likely to be audible above the ambient noise from the A284. Following the receipt of Relevant Representations, a new commitment (C-287) has been added to the <a href="#">Commitment register [APP-254]</a> and <a href="#">Outline Code of Construction Practice [PEPD-033]</a> (updated for the Deadline 1 submission) and is secured through requirement 22 of the <a href="#">Draft DCO [PEPD-009]</a>. This requires the Applicant to install an acoustic barrier on the edge of the works north of Brookfield Caravan Park. The barrier will be of a suitable dimension and sited appropriately to manage noise impacts at this location for the duration of the construction phase.</p> <p>Unmitigated construction phase noise is predicted to be below the threshold for significance at the caravans on Brookside Caravan Park. The use of the <a href="#">Outline Code of Construction Practice</a></p>

Ref	Written representation comment	Applicant's response
		<p><b>[PEPD-033]</b> and associated management plans, and the embedded design, i.e. locating the haul route with a separation of at least 50 m, will further minimise, although not eliminate disturbance from noise.</p> <p>The operational only access immediately to the north of the caravan park will not give rise to significant levels of noise. Infrequent vehicle pass-bys (for periodic testing or unscheduled maintenance, as described above) would not be out of character for the area, given that agricultural vehicles would be expected to access the field and that there is an A-road adjacent to the east boundary of the caravan park.</p> <p><b><u>Air quality</u></b></p> <p>Air quality and dust emissions relating to construction activities and the construction access roads in the Brookside Caravan Park area have been considered in <b>Chapter 19: Air quality, Volume 2</b> of the ES <b>[APP-060]</b>. The duration of activities on the nearby Trenchless Crossing ID TC-05 is estimated to be 4.7 weeks and therefore construction activities are very short term in the locality of the caravan park.</p> <p>Air dispersion modelling of emissions to air from the Trenchless Crossing activities have indicated that air quality impacts on receptor R65 (representing the caravan park) are negligible. The qualitative dust assessment concluded that with no mitigation in place the risk of dust soiling from construction traffic is Low. This finding that without dust controls there would be a Low risk of impact has informed the dust management measures that would be implemented as part of the Proposed Development (see Table 19-36 of <b>Chapter 19: Air quality, Volume 2</b> of the ES <b>[APP-060]</b>). These measures are expected to ensure that the risk of impact is reduced to negligible levels. These measures have informed the <b>Outline Code of Construction Practice [PEPD-033]</b> and are secured via Requirement 22 of the <b>Draft DCO [PEPD-009]</b>.</p> <p><b><u>Terrestrial ecology and nature conservation</u></b></p> <p>Terrestrial ecology and nature conservation receptors relating to the proposed Development have been considered in the <b>Chapter 22: Terrestrial ecology and nature conservation, Volume 2</b> of the ES <b>[APP-063]</b>. As presented in <b>Figure 7.2.1b (B) Hedgerow retention and treeline retention plan</b>, page 152 of the <b>Outline Code of Construction Practice [PEPD-033]</b>, in this location a length of hedgerow will be temporarily removed. This is on the A284 roadside and allows construction traffic to access the working area without using the existing field access that is adjacent to the caravan park. Onshore cable works are temporary, and the hedgerow would be reinstated. Given level of loss and extent of habitat in the area (and location at the roadside) breeding birds would be expected to remain present in the area. The onshore cable works are confined to arable fields when in vicinity of the caravan park. Water voles, hedgehogs, rabbits, and foxes would all be able to coexist, particularly as the areas being worked on would not be particularly attractive to these species (i.e. they will be located closer to hedgerows and other cover). Further information regarding the embedded environmental measures to avoid, prevent or reduce the terrestrial ecology and nature conservation impacts arising during the construction of the Proposed Development are presented in the <b>Outline Code of Construction Practice [PEPD-033]</b> secured through requirement 22 of the <b>Draft DCO [PEPD-009]</b>.</p> <p><b><u>Landscape and Visual Impacts</u></b></p>

Ref	Written representation comment	Applicant's response
		<p>The likely significant landscape and visual effects of the Proposed Development have been assessed in the Environmental Statement <a href="#">Chapter 18: Landscape and visual impact, Volume 2</a> of the ES [APP-059]. Wherever practicable, likely adverse effects have been avoided or minimised through embedded environmental measures in the design of the Proposed Development, taking into account the findings of the Environmental Statement, consultation with stakeholders and national and local policy requirements.</p> <p>The likely significant onshore landscape and visual impacts (see Table 1-44 of <a href="#">Appendix 18.4 Visual Assessment, Volume</a> of the ES [APP-170]) linked to the onshore cable corridor are limited to the construction phase and impacts will be temporary.</p> <p>The landscape and visual effects are set out in Table 1-44 of <a href="#">Appendix 18.4 Visual Assessment, Volume</a> of the ES [APP-170]. No significant effects on visual receptors have been identified within Brookside Caravan Park or along its boundary. Non-significant effects will be limited to the construction phase and impacts will be temporary.</p>
2.28.7	-Construction works will weaken the narrow strip of land at the rear of our CARAVAN (REDACTED), causing likely subsidence into deep ditch at rear of our CARAVAN (REDACTED).	See the Applicant's above response to 2.28.6.
2.28.8	-Imposition of Construction and subsequent Maintenance from vehicle, machinery/vehicle noise and pollution.	See the Applicant's above response to 2.28.6.
2.28.9	<p>ALSO:</p> <p><b>-Ditch at Rear of Caravan.</b></p> <p>When we purchase CARAVAN (REDACTED), we were advised by the Brookside team that the ditch at the rear of our Caravan was a DRY DITCH for most of the year, but became an overflow from the nearby Brook and from the site during winter weather and rains, but it posed no threats or problems to the caravan. This ditch is in no way reinforced or caulked on either side, and there are just various bushed, rambling plants, and some intermittent small trees on either bank. During the summers of 2022 and 2023, we have cleared the weeds, nettles, and the narrow area at the rear of Caravan 63, but we fear that your proposed construction works will weaken this ditch bank, and potentially undermine our Caravan base, which could result in its permanent subsidence and collapse.</p>	The Applicant notes the Affected Party's concern in relation to the ditch at the rear of the caravan park. The Applicant's construction corridor does not directly back onto the ditch and it is therefore unlikely that the proposed construction works will have any impact on the ditch.
2.28.10	<p>ALSO:</p> <p><b>Planning or Development signs</b></p> <p>NONE OF THE USUAL PLANNING/DEVELOPMENT signs/notices were or have ever been posted ANYWHERE in the vicinity of this field, to alert potential or existing caravan buyers or owners of this major development for Rampion 2. Minor domestic planning proposals would require posting of such advice signs to alert</p>	<p>See the Applicant's final paragraph in the above response to 2.28.5.</p> <p>The project has been subject of multiple rounds of iterative consultation with local people and environmental authorities. This process, and evidence of regard had to consultation responses, is set out in the <a href="#">Consultation Report [APP-027]</a>.</p>

Ref	Written representation comment	Applicant's response
	existing and proposed neighbours. Why NO SIGNAGE for such a major development ?	



**Table 2-19: Applicant's Response to National Grid Electricity Transmission Plc [REP1-057]**

Ref	Comment	Applicant's Response
2.18.1	<p><b>Introduction</b></p> <p>1. This written representation is submitted on behalf of National Grid Electricity Transmission Plc ("NGET") in respect of the Development Consent Order ("DCO") application for the proposed Rampion 2 Offshore Windfarm ("Project") made by Rampion Extension Development Limited ("Promoter"). This document should be read in conjunction with National Grid's relevant representation.</p>	<p>The Applicant's response to NGET's relevant representation Table 2.37 National Grid Electricity Transmission PLC [RR-032] (see <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a>) identifies the NGET land interests in and around Bolney substation and the rights required for the Proposed Development.</p> <p>The Applicant notes however that rights are required for the Proposed Development in the following land plots where NGET hold an interest along the length of the cable route as well as the Bolney NGET substation area.</p> <p>14/6, 15/1, 16/1, 17/1, 17/2, 17/3, 18/5, 18/9, 19/1, 32/2, 32/5, 32/15, 32/16, 33/1, 33/2, 33/5, 33/7, 33/8, 33/9, 33/10, 33/12, 33/13, 33/14, 33/15, 33/16, 34/15, 34/16, 34/19, 34/20, 34/21, 34/22, 34/23, 34/24, 34/25, 34/26, 34/27, 34/28, 34/29, 34/30, 34/31, 34/32, 34/33, 34/34, 34/35, 34/37</p> <p>The Proposed Development "Works" are required on these plots as follows:</p> <ul style="list-style-type: none"> <li>9. Cable installation works.</li> <li>10. Temporary construction compound.</li> <li>13. Temporary construction access.</li> <li>14. Construction and operational access.</li> <li>15. Operational access.</li> <li>17. Environmental mitigation.</li> <li>18. Road rights.</li> <li>19. Onshore connection work.</li> </ul>
2.18.2	<p>2. The Project adversely affects National Grid's existing infrastructure and there are proposals to permanently acquire National Grid's land and rights in its land. While National Grid has, and will continue, to liaise with the Promoter to resolve these issues, it objects to the Project in its current form.</p>	<p>The Applicant does not accept that the Proposed Development adversely affects National Grid's existing infrastructure and is progressing discussions with NGET to establish the appropriate structure of voluntary commercial agreements. The latest communication indicates a solution that addresses NGET's concerns regarding their existing infrastructure and is subject to more detailed discussions.</p>
2.18.3	<p><b>NGET</b></p> <p>3. NGET owns, operates and maintains the high-voltage electricity transmission network in England and Wales. The transmission system transports large amounts of energy across the country, connecting energy generators such as wind farms, nuclear or combined cycle gas turbine facilities with distribution systems which take energy on to the homes and businesses across England and Wales.</p>	<p>Noted.</p>
2.18.4	<p>4. NGET operates under a transmission licence issued by the Office of Gas and Electricity Markets ("Ofgem"). NGET is subject to regulation by Ofgem and to its duties under the Electricity Act 1989</p>	<p>Noted.</p>
2.18.5	<p>5. NGET is a statutory undertaker within the meaning of section 127(8) of the Planning Act 2008 ("<b>PA 2008</b>"). All the land in respect of which the Promoter proposes to secure powers of compulsory acquisition (of interests</p>	<p>NGET's agent has confirmed that the land identified for the connection works "Bolney Extension" is currently not identified by NGET as operational land. The Applicant notes that there are third party assets in the non-operational land identified as being required within the DCO order limits.</p>

Ref	Comment	Applicant's Response
	or rights) or of temporary possession was acquired by NGET for the purposes of this undertaking.	
2.18.6	6. In these circumstances, section 127(2) and (5) provide that any order granting development consent for the Project may only include provision authorising the compulsory acquisition of NGET's land or rights therein if this can be done without serious detriment to the carrying on of NGET's undertaking (whether by the provision of replacement land or otherwise) or any detriment in consequence of the acquisition of a right can be made good. The Promoter has made no case in this regard. As matters stand, serious detriment to NGET's undertaking would result from the Project	<p>As set out in the <a href="#">Statement of Reasons [APP-021]</a>, the Applicant is of the view that any exercise of compulsory purchase powers under the Order would not cause a detriment to NGET's undertaking and that a proportionate approach to acquisition is being taken.</p> <p>The proposed interference with the NGET's rights is for a legitimate purpose and is necessary and proportionate to that purpose.</p> <p>The protective provisions under discussion and included in the <a href="#">Draft Development Consent Order [PEPD-009]</a> [Document 3.1C] set out comprehensive protections for NGET's apparatus notwithstanding the inclusion of compulsory powers of acquisition in the <a href="#">Draft Development Consent Order [PEPD-009]</a>.</p>
2.18.7	<p><b>Affected Infrastructure</b></p> <p>7. NGET has a number of substations and a high voltage electricity overhead transmission line within or in close proximity to the proposed Order Limits, including the following:</p> <p>a. Bolney 400kV Substation, together with associated cables and apparatus;</p> <p>b. 4VM 400kV overhead line (Bolney – Ninfield 1 and Bolney – Ninfield 2), together with associated cable fibre; and</p> <p>c. 4VF 400kV overhead line (Bolney – Lovedean 1 and Bolney – Lovedean 2), together with associated cable fibre.</p>	<p>The Applicant is in discussions with National Grid Electricity Transmission Plc (NGET) to agree set of protective provisions so that there are reasonable and proportionate checks and balances in place on the face of the Order to ensure that in the delivery of the authorised works, suitable protections are in place as regards the impacts on NGET's apparatus.</p>
2.18.8	8. These assets form an essential part of the electricity transmission network in England and Wales.	Noted.
2.18.9	9. As a responsible statutory undertaker, NGET's primary concern is to meet its statutory obligations and ensure that any development does not adversely affect its ability to meet those obligations. As such, NGET has a duty to protect its position in relation to infrastructure and land which is within or in close proximity to the draft Order Limits.	Noted. The purpose of protective provisions is to ensure the delivery of the Project without serious detriment to National Grid Electricity Transmission Plc (NGET)'s ability to meet its statutory obligations.
2.18.10	10. NGET's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order Limits must be maintained at all times and access to inspect and maintain such apparatus must not be restricted.	Noted. The protective provisions set out a clear process to ensure National Grid Electricity Transmission Plc (NGET)'s ongoing ability in this respect.
2.18.11	11. NGET will require protective provisions to be included within the draft DCO for the Project to ensure that its interests are adequately protected and to ensure compliance with relevant safety standards. NGET is liaising with the Applicant in relation to such protective provisions, along with any supplementary agreements which may be required.	<p>The Applicant is engaged in ongoing discussions and negotiations with National Grid Electricity Distribution in respect of suitable protective provisions and anticipates being in a position to include final and agreed protective provisions in the <a href="#">Draft Development Consent Order [PEPD-009]</a> shortly, and certainly within the timeframe of the Examination.</p>

Ref	Comment	Applicant's Response
<b>2.18.12</b>	<b>Powers of Compulsory Acquisition</b>	<p>The Applicant is liaising with National Grid Energy Transmission Plc (NGET) to agree a suite of voluntary agreements to acquire the necessary land rights and put in place appropriate contractual arrangements for the delivery of the connection works to Bolney extension and acquire the required permanent easement.</p> <p>The applicant is in detailed discussions with NGET and its agents to agree sufficient rights to deliver the works detailed in Work No.17 and Work No. 20.</p> <p>The Applicant's response to the Relevant Representation Table 2.37 National Grid Electricity Transmission PLC [RR-032] <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a> outlines that a grid connection offer and associated documents were issued by NGET in 2019. As part of the connection offer, NGET has responsibility to provide a design for the project connection which NGET has confirmed is to comprise of 2 connection bays to the east of Bolney substation. Please see the Cable and Grid Connection Statement [APP-034]. The Applicant looks forward to the progression of this design which will confirm the land rights and connection contract requirements. The delivery of the final connection design will also assist in clarifying impacts on other parties existing and proposed assets. The Applicant will continue engaging and progressing these voluntary agreements which will result in the avoidance of the need to use CA powers in relation to NGET's interests.</p>
<b>2.18.13</b>	<b>Work No. 17</b>	<p>The Applicant is liaising with National Grid Energy Transmission Plc (NGET) to provide appropriate commitment to locations of landscape mitigation in the form of boundary reinforcement planting. The Applicant notes that this is not operational land.</p>
<b>2.18.14</b>	<b>Work No. 20</b>	<p>The applicant will receive the empty bays built by NGET as part of the extension works, however, the furnished assets will be installed the applicant. The furnished assets will then be retained by the applicant and ultimately the off taker of the cable infrastructure for the operational duration of the windfarm.</p>
<b>2.18.15</b>	<b>Restriction on Compulsory Powers</b>	<p>The Applicant is engaged in ongoing discussions and negotiations with National Grid Electricity Distribution in respect of protective provisions to ensure that there are suitable protections are in place as regards the impacts on NGET's apparatus.</p> <p>However, as set out above, the Applicant is of the view that any exercise of compulsory purchase powers under the Order would not cause a detriment to NGET's undertaking.</p>

Ref	Comment	Applicant's Response
<b>2.18.16</b>	<b>Benefit of the Order</b>	
	<p>16. The Promoter's Statement of Reasons acknowledges at paragraph 9.9.5.6 that NGET will carry out the substation extension works described in Work No. 20. While it is accepted that Article 5(7)(a) of the draft DCO allows the Promoter to transfer the benefit of the Order to NGET without any requirement for consent from the Secretary of State, NGET considers that the DCO should expressly grant it the power to carry out those works. Further, the DCO should also provide for NGET to consent the works under the Town and Country Planning Act 1990 or (to the extent these are available) permitted development rights if it considers that this would be preferable.</p>	<p>The Order will confer on the Applicant (as undertaker) the power to carry out the Authorised Development. In order for any third party to benefit from this power, it must be transferred to them and that is the purpose of Article 5 of the <b>Draft Development Consent Order [PEPD-009]</b> [Document 3.1C].</p> <p>Article 3 of the <b>Draft Development Consent Order [PEPD-009]</b> confers development consent for the Authorised Development in accordance with s115 of the Planning Act 2008. It is not the purposes of the <b>Draft Development Consent Order [PEPD-009]</b> to import any other planning regime into its provisions and do to so is not considered appropriate by the Applicant and in any event, at this stage would increase the scope of the <b>Draft Development Consent Order [PEPD-009]</b>.</p>



**Table 2-20: Applicant's Response to National Trust**

Ref	Comment	Applicant's Response
<b>1. Lease and Easement of Land at Washington</b>		
1.1	<p>These written representations relate to National Trust land at Washington comprising land parcels identified in the Book of Reference as follows;</p> <p>Book of reference numbering            Visibility splays / highways land = 21/32, 21/33 and 21/36            Construction access (aka dairy meadow) = 21/37            Jockey's meadow = 22/7            And additionally land at Climping,            Climping = 1b/3, 4, 5 and 1/5 and 1/6</p>	<p>The Applicant has confirmed the temporary and permanent rights and restrictive covenants required for the Land Plots in its response to relevant representation Table LI49 Applicant's Response to The National Trust [RR-390] of <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a> submitted at Deadline 1.</p>
1.2	<p>From the Book of Reference, it is noted that exclusive possession is required on some or all of these land plots at Washington. The National Trust has been discussing easement agreements with the applicant in respect of these land parcels for some time, but it is now understood that exclusive possession of part of the land is needed and will therefore require the provision of a lease over that land during the construction phase of the development in addition to a longer term easement.</p>	<p>The Applicant has communicated its requirements for the construction access since the first statutory consultation in 202. The Heads of Terms issued to the National Trust in March 2023 confirmed the requirement for the Applicant's temporary use of the construction access land. The Applicant has recently received copies of the tenancy agreements relating to the land at Washington which has helped both parties agree the structure of the suite of voluntary land agreements required to secure the necessary rights by voluntary agreement (see response to <b>reference 1.8</b>). The requirement for a short lease of this land was incorporated into the Heads of Terms in February 2024.</p>
1.3	<p>Section 4(1) of the National Trust Act 1907 establishes the National Trust "for the purposes of promoting the permanent preservation for the benefit of the nation of lands and tenements (including buildings) of beauty or historic interest and as regards land for the preservation (so far as practicable) of their natural aspect features and animal and plant life."</p>	
1.4	<p>One of the key statutory provisions that enables the Trust to fulfil this charitable object is the ability to declare land that is considered of significant historic interest or natural beauty "inalienable" pursuant to section 21 National Trust Act 1907. This means that the National Trust commits to holding the land forever, for the benefit of the nation, and so that land cannot be voluntarily disposed of by the National Trust. The land at Washington was declared inalienable, pursuant to section 21 (2) National Trust Act 1907 on 14<sup>th</sup> October 1942.</p>	
1.5	<p>The developer has been made aware that the exception to this is that National Trust land can be compulsorily acquired or transferred under threat of compulsory acquisition. However, such is the status of inalienable land that the Planning Act 2008 adds a layer of scrutiny when such a transaction is in prospect. Should the National Trust object to a compulsory acquisition of inalienable land or rights over inalienable land and not withdraw its objection before the confirming authority reaches the point of deciding whether to confirm it, the application must be referred to Special Parliamentary Procedure.</p>	<p>The Applicant is aware of the inalienable status of the land and has been engaging with the National Trust regularly since first contact in March 2021 prior to the first statutory consultation in Summer 2021. More recently the Applicant has been actively working with the Land Interest to agree a suite of voluntary agreements for all National Trust land interests since.</p>
1.6	<p>When deciding whether or not to maintain its objection the National Trust will take into account a number of considerations including the impact on the inalienable land as a whole and any associated benefits and mitigations which are offered to reduce or nullify the harm the development will cause. The National Trust will also</p>	<p>Packs of information including Works Plan extracts, likely construction details and mitigation proposals have been sent to the National Trust on request. The Applicant understands that the National Trust need to take into various factors when considering the proposed DCO but would</p>

Ref	Comment	Applicant's Response
	seek to ensure that any mitigations or benefits are secured by legally binding obligations on the acquiring authority and/or other parties	<p>note that the National Trust will retain ownership of the inalienable land and the proposed development is not expected to give rise to any significant impacts to this land.</p> <p>Section 12.3 of the <b>Applicant's Statement of Reasons (SoR) [APP-021]</b> provides a detailed explanation of the land rights sought and their impacts. The land over which the Applicant is seeking a short term lease from the National Trust is proposed to be subject to temporary possession powers and is referred to in paragraphs 12.3.6-12.3.13 of the <b>Statement of Reasons [APP-021]</b>.</p> <p>It is noted by the Applicant that the construction access works are temporary and for the cable route, trenchless methods are proposed with little impact above ground. The proposed construction access will be reinstated to grazing land further to the completion of the works with hedgerow planting restored.</p> <p>There is no proposed restriction of access on 'Jockeys Meadow' which is the land used for public recreation . Public access can be maintained as a trenchless crossing methodology is proposed through this location.</p>
1.7	To date, the parties have engaged in meaningful discussions and hope to reach a positive conclusion but there are a number of issues to resolve, not least the interaction between the proposed development and the existing tenancy, the details of which are explained below.	Heads of Terms for voluntary agreements with the National Trust were issued in 9 March 2023.. Discussions on Heads of Terms for voluntary agreements are well progressed and we understand are with National Trust board for approval.
1.8	The land at Washington is held under a tenancy agreement by the Lorica Trust. Although the lease arrangements reserve an ability to grant wayleaves and easements over the land to the National Trust, these reserved rights are not extensive enough to accommodate the rights now requested by the applicant, in particular, they do not extend to recovering possession of all or part of the land to re-let it.	The Applicant has issued Heads of Terms (HOTs) to the National Trust tenant – The Lorica Trust for a lease of the construction access land owned freehold by National Trust. The Applicant is progressing negotiations on the HOTs, having recently met with the Lorica Trust to discuss. Both parties are working towards a voluntary agreement.
1.9	In any event, and in the interests of being a good landlord, the Trust is keen to ensure as far as possible that the development does not interfere with Lorica's operations on the land without their informed consent.	<p>The Lorica Trust</p> <p>The Lorica Trust obtained the lease for East Clayton Farm in 2004. The Trust is a Charity who converted the farm outbuildings on the northern side of the A272 into individual living units for 8 young adults with 24/7 care needs. The farmhouse was turned into flats for 5 people moving on from homelessness. These buildings are around 1km to the north of the cable route and not impacted by the Proposed Development.</p> <p>Land to the north and south of the A272 and is used for farming, conservation and outdoor education. Land to the south of the A272 is proposed to be used as a temporary construction access. This land is currently used for sheep grazing and nature conservation. Whilst there will be a loss of grazing for the construction of the 6m wide access and bellmouth, crossing points will be installed to facilitate the use of both sides of the access for grazing throughout the construction period. The location of the crossing points will be agreed with the Lorica Trust.</p> <p>The Applicant understands that the Lorica Trust carries out outdoor educational visits for schools on land owned by National Trust. Outdoor education will be able to continue on parts of East</p>

Ref	Comment	Applicant's Response
		<p>Clayton Farm, including Jockey's meadow for the temporary construction period. The Applicant is progressing discussions with the Lorica Trust regarding a voluntary agreement for a lease of the construction access land leased by them and owned by the National Trust.</p> <p>The Applicant understands that the Lorica Trust has been liaising with West Sussex County Council regarding a new pelican crossing of A272 between the main East Clayton farm buildings to north of the A272 and the agricultural land to the south. The detailed design and arrangements for the Proposed Development access bellmouth onto the A272 will be prepared as part of the stage specific Construction Traffic Management Plan in accordance with the <b>Outline Construction Traffic management Plan (CTMP) [REP1-010]</b> and submitted to WSCC. The Proposed Development access designs that the Applicant will be providing to WSCC for review will be accompanied by a safety audit. The Applicant will take into account the status of the WSCC/ Lorica crossing when preparing access designs.</p> <p>The Applicant continues to use reasonable endeavours to progress negotiations with the Lorica Trust and notes that the Land Interest has not submitted a Relevant Representation.</p>
1.10	Therefore, it is necessary for a sublease to be agreed between the tenant (the Lorica Trust) and the applicant, and for the National Trust to consent to such a subletting. These discussions are on-going.	The Applicant and the Land Interests agree in principle to the voluntary agreement arrangements for the rights required for the Proposed Development. As noted above, detailed discussions are ongoing.
1.11	As a consequence of the change in provision in regard to the Washington land the National Trust will register to be heard at the CAH1 hearing listed for the 21 <sup>st</sup> May 2024.	As noted above, the Applicant does not believe that there has been a change in provision as it was proposed in the PEIR (Rampion Extension Development (RED), 2021) consultation documents that construction accesses would be fenced. However an agreement with regard to the structure of the voluntary agreements has been reached. The Applicant notes the attendance registered by National Trust. The Applicant will seek to close out outstanding commercial arrangements prior to the hearing to reduce time incurred by both parties and the Examining Authority (ExA).
<b>2. Covenanted Land at Climping Beach</b>		
2.1	Separately, the land at Climping forming part of the DCO application, which is affected by the National Trust's restrictive covenant (pursuant to section 8 the National Trust Act 1937) has also been subject to ongoing negotiations.	
2.2	At the present time a provisional agreement has been reached as to the scope of the covenant suspension and the appropriate mitigations to the proposed land use, subject to contract and governance.	The Applicant understands that the Climping Covenant agreement is in an agreed form ready for respective board approvals, however the National Trust is proposing that all voluntary agreements are signed at the same time.

**Table 2-21: Applicant's Response to Network Rail [REP1-060]**

Ref	Comment	Applicant's Response
<b>1 Introduction</b>		
2.20.1	1.1 This written representation is submitted on behalf of Network Rail Infrastructure Limited (Network Rail) in response to the application by Rampion 2 Extension Development Limited (Rampion 2) for The Rampion 2 Offshore Wind Farm DCO (the DCO).	
2.20.2	<p>1.2 The Book of Reference identifies Network Rail:</p> <ul style="list-style-type: none"> <li>- as the freehold owner of plot 3/4, described as "2352 square metres of land being railway track (Brighton to Littlehampton Line) lying to the north of River Arun and to the south of allotment gardens in the parish of Littlehampton CP." The proposed onshore (underground) cable route, forming part of the authorised development described in Schedule 1 to the DCO, will, if authorised, cross under Network Rail's operational infrastructure in this location.</li> <li>- As the freehold owner of plot 3/23, described as 4262 square metres of land being railway track (West Coastway Line) and drain lying north of Brook Barn Farm and to the north of allotment gardens in the parish of Littlehampton CP.</li> <li>- As the freehold owner of plot 3/24, described as 2724 square metres of land being scrubland, lying north of Brook Barn Farm and to the north of allotment gardens in the parish of Littlehampton CP.</li> <li>- As having rights over plot 3/18 (in respect of rights and restrictive covenants contained within conveyance dated 31 May 1928 registered under title WSX437617), described as 84 square metres of land being private road and verge (Tatlow Close) and overhead electricity and telecommunication lines, lying south of Brook Barn Farm and east of allotment gardens in the parish of Littlehampton CP.</li> </ul>	<p>Details of the proposals in this location are shown on Sheet 33 of the <a href="#">Onshore Works Plans [PEPD-005]</a>.</p> <p>The Land Interest's title affected by the Proposed Development are: plot 3 / 4, plot, 3/23 and 3/24. The Applicant understands that the Land Interest also has an interest by way of rights and restrictive covenants in plot 3/ 18. These are shown on the <a href="#">Land Plans Onshore [PEPD-003]</a> (sheet 3)</p> <p>The Plots above are included within the Order Limits as Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants are required. A package of permanent rights for the cable installation and permanent easement and restrictive covenant are sought. Operational access rights are also sought for plot 3/18. These are defined in Schedule 7 to the <a href="#">Draft Development Consent Order (DCO) [PEPD-009]</a>.</p>
2.20.3	1.3 The proposed onshore cables route would start with landfall at Climping Beach, traverses the South Downs National Park to the East of the Arun river and would connect to the National Grid Substation at Bolney. The planned export cable will cross underneath Network Rail's asset and connect to the National Grid substation.	
2.20.4	1.4 The DCO includes the power to compulsory acquire the Rights (by the creation of New Rights) (as defined in the Book of Reference) and imposition of restrictive covenants over Plot 3/4, 3/18, 3/23 and 3/24 as set out in Schedule 7 of the draft DCO.	
2.20.5	1.5 Network Rail objects to any compulsory acquisition of rights over operational railway land and objects to the seeking of powers to carry out works in the vicinity of the operational railway until relevant agreements (including asset protection) have been entered into by Rampion 2 to ensure that Network Rail's interests as operator of the national rail network are properly protected and that Network Rail's ability to carry out its obligations as a statutory rail undertaker are not affected by the DCO.	The Applicant is currently engaged in positive discussions with Network Rail to deal with the overarching framework agreement which will govern the protective provisions as well as the asset protection arrangements. The Applicant envisages that the version of the provisions in the <a href="#">Draft Development Consent Order [PEPD-009]</a> will be updated once that framework agreement has been finalised during the course of the Examination.
2.20.6	1.6 Network Rail submitted a Section 56 Representation on 31 October 2023.	



Ref	Comment	Applicant's Response
2.20.7	1.7 Network Rail welcomes the inclusion of its protective provision in its favour in the submission draft of the DCO. However, the protective provisions included in the draft order are not the agreed version or Network Rail's standard protective provision. To ensure the safe and efficient operation of the railway network, it is essential that the development proceeds in consultation and agreement with Network Rail and that the form of the protective provisions annexed to these written representations is included in the final form of the Order instead.	The parties are engaged in ongoing discussions to agree protective provisions. These will be included in the <a href="#">Draft Development Consent Order [PEPD-009]</a> once these have been agreed.
2.20.8	1.8 Network Rail is continuing to discuss with Rampion 2 arrangements to ensure that the proposed development can be carried out while safeguarding Network Rail's undertaking. Any agreed arrangements are subject to the outcome of Network Rail's internal clearance process which is detailed in section 3 below.	The applicant is seeking to agree a Basic Asset Protection Agreement (BAPA). This will be progressed in conjunction with Network Rail.
2.20.9	1.9 In order to ensure that interests are protected, Network Rail requests the examining authority recommend the attached form of protective provisions is included as Part 3 of Schedule 10 to the DCO.	The protective provisions remain under discussion to ensure that the provisions agreed strike a proportionate balance between allowing the Project to proceed and the protection of Network Rail's undertaking.
<b>2 The Status of Network Rail</b>		
2.20.10	2.1 Network Rail owns, operates and maintains the railway infrastructure of Great Britain. Network Rail operate the railway infrastructure pursuant to a network licence (the Network Licence) granted under section 8 of the Railways Act 1993. The Network Licence contains a set of conditions under which Network Rail must operate. Network Rail's duties under the Network Licence are enforceable by the Office of Rail Regulation (ORR).	
2.20.11	2.2 Under the terms of the Network Licence, Network Rail is under a duty to secure the operation, maintenance, renewal and enhancement of the network in order to satisfy the reasonable requirements of customers and funders. If the ORR were to find Network Rail in breach of its Licence obligations, including this core duty, then enforcement action could be taken against Network Rail.	
2.20.12	2.3 Network Rail considers there is no compelling case in the public interest for the compulsory acquisition of rights over its land and Rampion 2 should negotiate matters by private agreement to secure the necessary powers by consent. As a statutory undertaker, the Secretary of State is obliged to have regard to S127 of the Planning Act 2008 where compulsory purchase powers are proposed in relation to operational land.	<p>There is a clear need for rights and restrictive covenants over land to enable the Applicant to construct and maintain the authorised development.</p> <p>The Applicant wishes to progress discussions with Network Rail to reach agreement as to the relevant rights over land.</p> <p>In the current absence of a concluded agreement it remains necessary for powers to compulsorily acquire rights and restrictive covenants over the relevant land to be included in the Order in conjunction with the protective provisions which are currently being negotiated with Network Rail.</p>
<b>3 Network Rail Clearance</b>		
2.20.13	3.1 Clearance is a two stage process by which Network Rail's technical and asset protection engineers review a proposal before clearance can be granted for a proposal to proceed. Clearance may be granted to subject to conditions and requirements.	The Applicant has submitted a Clearance application and is working with Network Rail to achieve clearance.

Ref	Comment	Applicant's Response
2.20.14	3.2 Network Rail is in the process of applying for clearance. Until the outcome of the clearance process is known Network Rail is unable to comment fully on the impact of the proposals on its operational railway.	
2.20.15	3.3 Network Rail intends to keep the Examining Authority and Rampion 2 informed regarding the clearance process at the relevant examination deadlines.	
<b>4 Powers sought by Rampion 2 and the impact on Network Rail</b>		
2.20.16	<p>4.1 The draft Order seeks powers to compulsorily acquire new rights and impose restrictive covenants over plots 3/4,3/18, 3/23 and 3/24 which are plots of land either owned by Network Rail for the purpose of its statutory undertaking and is used for that purpose or where Network Rail have rights. Those rights are wide ranging, and include:</p> <ul style="list-style-type: none"> <li>i. Cable Rights – all rights necessary for the purposes of the constructions, installation, retention, operation, maintenance and decommissioning of the authorised development comprising works no. 8,9 and 19, including works (a)-(y) listed at Schedule 7.</li> <li>ii. Cable Restrictive Covenant – A restrictive covenant over the land for the benefit of the remainder of the Order land to do such works as listed at (a)-(g) of Schedule 7.</li> </ul> <p>Operational Access Rights - All rights necessary for the purposes of the operation, maintenance and decommissioning of the authorised development including the works listed at (a)-(j) of Schedule 7.</p>	The Applicant has no further comment on this matter at this time.
2.20.17	4.2 Network Rail does not consider that the scope of those rights is acceptable; the rights will have a detrimental impact on Network Rail's undertaking. The precise impact of the works on the railway line is being assessed and the carrying out of any works is subject to the clearance process as explained above. Even if the impact of the physical works is considered acceptable, the rights sought are very wide-ranging and exercisable over the entirety of the aforementioned plots. For example, they are not limited to subsoil, or the subterranean tunnel within which the cable will be located.	The Applicant is seeking a separate land agreement to negate the need to use Compulsory Acquisition powers and has been engaging with Network Rail to progress this. The Applicant was informed by Network Rail in early 2023 that their preference would be to use a Network Rail precedent key terms template and the Applicant is awaiting this document. The nature of the agreement should address the concerns of Network Rail raised in relation to the exercise of rights over land. However in the event that a voluntary agreement is not in place, the protective provisions which are currently being negotiated are designed to enable the rights be exercised in a way which protects Network Rail's assets.
2.20.18	4.3 Network Rail considers that the Secretary of State, in applying section 127 of the Planning Act 2008, cannot conclude that the acquisition of New Rights and imposition of restrictive covenants can be exercised without detriment to the carrying on of Network Rail's undertaking, nor can any detriment to the carrying on of the undertaking, in consequence of the acquisition of the rights, be made good by the use of other land belonging to, or available for acquisition by, Network Rail.	See response to <b>reference 2.20.17</b> above.
2.20.19	4.4 Network Rail is concerned that Article 5(7)(c) enables the benefit of the provisions of the Order to be transferred or leased to any person without the approval of the Secretary of State where the timeframe for all compensation claims has passed and all claims have been settled. After that point the benefit of the powers could be transferred without any scrutiny of the standing of the transferee by Secretary of State. However, that overlooks that there are provisions in the DCO and Network Rail's protective provisions (including paragraph 13 (maintenance of	The Order powers can only be delivered subject to and in accordance with the protective provisions which the Applicant is currently seeking to agree with Network Rail. Therefore any transferee of the benefit of the Order may only implement the powers in accordance with those protective provisions.

Ref	Comment	Applicant's Response
	the authorised development), 14 (illuminated signs etc) and 16 (indemnity) for which there is an on-going liability. Network Rail request that Article 5(7)(c) is deleted.	
<b>5 Protective Provisions</b>		
2.20.20	5.1 Network Rail engaged with Rampion 2 prior to submission of the Order regarding Network Rail's required form of protective provisions. These were shared with Rampion 2's legal representatives on 29 March 2023.	The Applicant is currently engaged in positive discussions with Network Rail to deal with the overarching framework agreement which will govern the protective provisions as well as the asset protection arrangements. The Applicant envisages that the version of the provisions in the dDCO will be updated once that framework agreement has been finalised during the course of the Examination.
2.20.21	5.2 In order to properly protect its undertaking Network Rail requires the form of protective provisions at Annex A to this document to be included in the final form of the Order. For reference, the amendments against the submitted draft of the Order are shown on the comparison document at Annex B.	As above.
<b>6 Conclusion</b>		
2.20.22	6.1 Network Rail is liaising closely with Rampion 2, and subject to the clearance being obtained, is willing to enter into private agreements to govern the carrying out of the proposed works.	Noted.
2.20.23	6.2 The discussions relate to the following documents: (a) Network Rail's standard protective provisions for inclusion in the DCO; (b) a property agreement (easement) to govern the installation, operation and maintenance of the cable (subject to Network Rail's clearance process); and (c) a framework agreement that describes and attaches the document referred to above, the protective provisions, clearance conditions and any necessary basic asset protection agreement, asset protection agreement or other engineering documents required for the benefit and protection of Network Rail's assets	Noted.
2.20.24	6.3 Without those agreements and satisfactory protective provisions being in place Network Rail considers the proposed development, if carried out in relation to the aforementioned plots, would have serious detrimental impact on the operation of the railway and would prevent Network Rail from operating the railway safely and efficiently and in accordance with its Network Licence. Until such agreements are in place, and clearance has been obtained, Network Rail is unable to withdraw its objection to the DCO.	Noted, as set out above the parties remain in discussions to agree these.
2.20.25	6.4 In the event that insufficient progress is made regarding the protective provisions and private agreements, Network Rail would like to reserve its position to request to be heard in an appropriate hearing to explain the impact of the proposals on its railway undertaking.	Noted.

**Table 2-22: Applicant's Response to Paul Lightburn**

Ref	Written representation comment	Applicant's response
1.	<p>As a resident living close to Cowfold I fully endorse the paper submitted on behalf of the residents of Council titled "Cowfold Residents' Impact Statement on the Rampion 2 Windfarm Development Consent Order (DCO) Proposal." This statement demonstrates how unsuitable the site at Oakendene is for an industrial sized substation. The applicant has failed to demonstrate why this should be the preferred site. Document: APP-044 Rampion 2 Wind Farm Category 6: Environmental Statement Volume 2, Chapter 3: Alternatives Ecodoc number: 004866025-01 states that Oakendene was selected "on balance", but the relative environmental and social impacts between the 2 sites were not compared and balanced appropriately, as described in Cowfold Residents' Impact Statement. The decision appeared to be subjectively arrived at. The applicant has also failed to demonstrate why the Rampion2 cable could not follow a route parallel to the Rampion 1 cable corridor. This option would also have significantly fewer adverse environmental and social impacts. Notwithstanding these options the applicant still has to address the Planning Inspectorate's questions related to Dungeness and Fawley as more suitable and less environmentally damaging grid connection points.</p>	<p>The Applicant acknowledges this written representation. Please refer to the Applicant's response to the Cowfold/Rampion written representation in <a href="#">Applicant's Response to Non-Prescribed Consultees' Written Representations (Document Reference: 8.53)</a> submitted at Deadline 2.</p> <p><b>Rampion 1 Cable Route</b></p> <p>The Applicant notes the query of why the cable for the existing Rampion Offshore Wind Farm (Rampion 1) cannot be used. This is addressed in paragraph 3.4.18 of the <a href="#">Chapter 3: Alternatives, Volume 2</a> of the ES [APP-044]: "It was concluded that it is not technically feasible to follow the original Rampion 1 onshore cable route as additional infrastructure cannot be physically accommodated at the Brooklands and due to environmental constraints at Tottington Mount (see Table 3-5). The option was therefore not a reasonable alternative."</p>
2.	<p>Access along private means of access lanes (King's Lane, Cowfold) during construction. In previous exchanges between the applicant and the residents of King's Lane, Cowfold (Examination Library Reference PEPD-094 - Submission ID: 25446), residents stated that any interruption to free access between properties and the highway would not be acceptable. Notwithstanding this unresolved matter, Document No APP-022: "Statement of Reasons Appendix 1: List of Land Parcels, Proposed Acquisitions and Works for which the land is required" states that where the cables cross King's Lane access will be required for Cable Installation Works. However, document number APP-228 "7.6 Outline Construction Traffic Management Plan" does not explain how the free movement of traffic along King's Lane would be maintained during cable insulation work or any other movement of construction traffic along these sections of acquired land. This observation is made based on the unacceptable traffic management plans applied to Wineham Lane during the construction of Rampion1 at the Bolney substation. The contractors failed to comply with the agreements made to remove traffic control lights when not needed, especially at weekends and at night. Should the applicant's DCO be granted then conditions need to be applied to ensure that any traffic control measures will not impede the free movement of residents who live on lanes providing private access means of access.</p>	<p>Temporary road closures to facilitate the open cut trench crossing of Moatfield Lane (48a-48b) and Kings Lane (50a-50b) are shown within the <a href="#">Access, Rights of Way and Streets Plans [APP-012]</a>.</p> <p>The strategy to maintain private means of access during this period is described in Paragraph 5.7.10 of the <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a>. The following general principles will apply to the managed or private means of access during the cable route construction:</p> <ul style="list-style-type: none"> <li>Any access restrictions or effect on individual properties will be kept to a minimum and the Applicant will work with local stakeholders to develop individual solutions to keep disruptions as slow as is reasonably possible;</li> <li>All crossings of private means of access will be developed to allow emergency access at all times;</li> <li>Contractors will be required to accommodate reasonable requests for access during the working day by temporary plating of the trench unless a suitable diversion is provided around the works;</li> <li>The trench will be plated or temporarily backfilled outside of construction working hours where feasible to restore access, unless a suitable diversion is provided around the works;</li> <li>Any access restrictions or closures will be communicated to all residents and businesses with affected rights of access; and</li> <li>A nominated point of contact on behalf of the applicant will be communicated to all residents and businesses at least three months before the start of construction.</li> </ul>



Ref	Written representation comment	Applicant's response
3.	<p>Impact Statement - Traffic on Kent Street, Cowfold</p> <p>The document in the Examination Library Reference APP-197 Environmental Statement Volume 4, Appendix 23.2: Traffic Generation Technical Note, section 3.1.27 states that "Kent Street is a carriageway rural road which passes between the A272 and Wineham Lane and is subject to the national speed limit." This is a misrepresentation of the configuration of this lane and Rampion has failed to correctly describe this lane which is a single-track lane with no official passing places as demonstrated in the photograph below. Document APP-228 7.6 - Outline Construction Traffic Management Plan, states that there will be 828 2-way LGV movements per week and 1320 2-way HGV movements per week. Kent Street, this single-track lane does not have the capacity for any additional traffic.</p>	<p>A final Code of Construction Practice will be required to be submitted and approved on a staged basis, in accordance with the <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a>, pursuant to requirement 22 of the <a href="#">draft DCO [PEPD-009]</a>.</p> <p>Given the single lane track nature of Kent Street and conclusions of the ES, the Applicant is currently reviewing options for the implementation of traffic management along Kent Street and accesses A-61 and A-64 to provide safe access for construction and general traffic. This may involve measures such the implementation of a speed limit reduction, passing places, or managed access via banksmen. A traffic management plan for Kent Street will be produced as required at Deadline 3.</p> <p>The outcomes of this review will be discussed with West Sussex County Council at the earliest opportunity with the aim of reaching an agreement in principle to the traffic management strategy. This would then be secured through a detailed Construction Traffic Management Plan (CTMP) for the stage of the authorised development comprising Kent Street which will be required to be submitted and approved by the highways authority before commencement within that stage in accordance with Requirement 24(1)(a) of the <a href="#">draft DCO [PEPD-009]</a>.</p>
4.	<p>Data provided by Streetwise Services, an accredited specialist transportation data consultancy, in support of planning application No DC/24/0054 by Enso Energy to Horsham District Council recorded typical north bound vehicle movements along Kent Street between 16th and 23rd October 2023 to average 486 per day, peaking at 802. This level of traffic already exceeds the capacity of this lane and often results in heavy congestion, significant damage to the verges and frequent hold-ups. The following photographs show the narrowness of the single-track lane and regular conflict situations because there are NO passing places. In 2022, a laden horse transport lorry slipped off the verge, while attempting to pass an oncoming vehicle, and tipped over into one of the many road side ditches.</p>	<p>Please see the response provided to comment 3</p>

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**Ref**      **Written representation comment**

**Applicant's response**

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Photograph No 1



Photograph No 2.

**Table 2-23: Applicant's Response to Richard Napier Luce [REP1-146]**

Ref	Comment	Applicant's Response
2.22.1	In previous evidence I have expressed concerns about the effect of the proposed cable route on the environment, in particular in the area from the access point by Parkminster St Hughes Monastery and Oakendene Estate. This has now been made more serious by the proposal to construct a track alongside the planned cable route from the A281 through to the Cowfold stream and beyond.	Please see the Applicants response in <b>reference 2.22.2 below</b> .
2.22.2	This will certainly further undermine the environment through the destruction of hedgerows and in the area around Cratemans Farm and which is well endowed with birdlife including Nightingales. I am doubtful that this can be fully restored to its normal conditions afterwards.	<p>The potential effects on hedgerows, scrub, woodland and watercourses have been taken into account in the design of the Proposed Development (e.g. trenchless crossings for the Cowfold Stream, its riparian vegetation (including scrub/trees), a tributary of the Cowfold stream and a belt of woodland. A trenchless crossing has been secured under the Cowfold Stream through the crossing schedule forming part of the <b>Outline Code of Construction Practice [PEPD-033]</b>, secured through requirement 22 in the <b>Draft Development Consent Order [PEPD-009]</b>.</p> <p>Whilst negative effects associated with habitat loss are predicted (see <b>Chapter 22 Terrestrial ecology and nature conservation, Volume 2</b> of the Environmental Statement (ES) <b>[APP-063]</b>) the mitigation measures (see <b>Outline Code of Construction Practice [PEPD-033]</b>, secured through requirement 22 in the <b>Draft Development Consent Order [PEPD-009]</b>), proposed reinstatement (see <b>Outline Landscape and Ecology Management Plan [APP-232]</b>, secured through requirement 12 in the <b>Draft Development Consent Order [PEPD-009]</b>) and commitment to biodiversity net gain (see <b>Appendix 22.15 Biodiversity net gain information, Volume 4</b> of the ES <b>[APP-193]</b>, secured through requirement 14 in the <b>Draft Development Consent Order [PEPD-009]</b>.) have been specified to limit the level of effect and ensure that the overall outcome of the Proposed Development is positive for biodiversity.</p>
2.22.3	The best way to clarify the credibility of Rampion's claims on environment restoration would be to carry out a full investigation into the Rampion I route to see whether the environment has been fully restored to its original condition. I recommend that this should be carried out urgently.	The Applicant cannot comment on the reinstatement of land following the Rampion 1 works as this is not a matter for this DCO Application. Mitigation for the project is secured through the <b>Outline Code of Construction Practice [PEPD-033]</b> , secured through requirement 22 in the <b>Draft Development Consent Order [PEPD-009]</b> , and <b>Outline Landscape and Ecology Management Plan [APP-232]</b> , secured through requirement 12 and 13 in the <b>Draft Development Consent Order [PEPD-009]</b> .

**Table 2-24: Applicant's Response to Ronald Alan Leggett [REP1-148]**

Ref	Comment	Applicant's Response
2.23.1	Following attendance at Rampion local meetings when the rationale was requested in regard of the alternative cable route Direct into the Bolney site and no reply was given and at a recent extraordinary parish council meeting when again this issue was raised it is apparent that Rampion are reluctant to comment on this issue.	The Applicant acknowledges this written representation. Please refer to the Applicant's response to the CowfoldVRampion written representation in <a href="#">Applicant's Response to Non-Prescribed Consultees' Written Representations (Document Reference: 8.53)</a> submitted at Deadline 2.
2.23.2	We are given to understand that this scheme has basically been planned as a table top exercise which is not supported by detailed ground exploration.	The Proposed Development design process is set out in paragraphs 4.1.7 to 4.19 in <a href="#">Chapter 4 The Proposed Development, Volume 2</a> of the Environmental Statement (ES) [APP-045].  As described in paragraph 5.2.4 of the <a href="#">Chapter 5 Approach to the Environmental Impact Assessment, Volume 2</a> of the ES [APP-046], the findings presented in this ES are based on a suite of surveys undertaken to inform the assessment and reflect the current stage in the design process.
2.23.3	This subject was also raised by our local MP who it is understood hasn't been given this information. A direct cable connection would alleviate the majority of objections there being less ecological damage and traffic impact which are projected to be a danger to life.	The Applicant acknowledges this written representation. Please refer to the Applicant's response to the CowfoldVRampion written representation in <a href="#">Applicant's Response to Non-Prescribed Consultees' Written Representations (Document Reference: 8.53)</a> submitted at Deadline 2.



**Table 2-25: Applicant's Response to Simon Kilham**

Ref	Written representation comment	Applicant's response
2.1.1	<p>I am a Farmer on The Wiston Estate and will be an effected party. I am objecting to this application on the following basis:-</p> <ul style="list-style-type: none"> <li>The consultation has been inadequate, vague and lack lusty from the start {covid blamed}.</li> </ul>	<p><b>Context</b></p> <p>Details of the proposed Rampion 2 cable route as it passes through this location are shown on Sheet 24 of the <a href="#">Onshore Works Plans – Revision B [PEPD-005]</a>.</p> <p>The Applicant understands that Mr Kilham is a tenant over pasture land (used for livestock) affected by the proposed Rampion 2 cable installation Works (Works No.9) comprising Plots 24/15 as shown coloured blue on the <a href="#">Land Plans Onshore – Revision B [PEPD-003]</a>. In addition, operational access (Works No. 15) affects some of the pasture land comprising Plots 24/14 and 24/16.</p> <p>The Applicant also understands that Mr Kilham contract farms other land across the Wiston Estate, including land and at Buncton Manor Farm, as well as occupying farm buildings at Buncton Manor Farm.</p> <p><b>Consultation and Engagement</b></p> <p>The Land Interest was first consulted by the Applicant on 14 July 2021, as part of the Onshore Statutory Consultation.</p> <p>Chapter 6 of the <a href="#">Consultation Report [APP-027]</a> provides information on the consultation material provided to the Land Interests under Section 42 of the Planning Act 2008 and additional methods of consultation.</p> <p>The Applicant has met with the tenant on 11 August 2021 (at a neighbouring land holding), on site at Guessgate Farm on 15 September 2021 and at a meeting at the Wiston Estate office on 29 April 2022.</p>
2.1.2	<ul style="list-style-type: none"> <li>No consultation on the impact of my farming business. Rampion do not understand the full impact, or even want to discuss it. There is no details on rates of compensation or frequency of payments.</li> </ul>	<p>The tenant is impacted by the temporary construction works (detailed in Point 2.1.1).</p> <p><b>Accommodation Works</b></p> <p>The Applicant acknowledges that there will be some temporary disruption to farming activities as a result of the construction works. The Applicant is keen to have ongoing discussions with the Land Interest to understand how best to mitigate any temporary severance of land during the construction period, which can include temporary accommodation works (e.g. fences, gates and crossing points). In this specific location, the temporary cable installation area runs through the centre of the pasture land. The Applicant will continue to engage further to understand the Land Interest's specific requirements to accommodate the farm management operations and minimise disturbance wherever possible. This could include crossing points to be agreed with the Land Interest across cable installation area (Works No.9) to ensure parts of the field will remain available for use. Detailed cable routing is subject to detailed design and will be refined further to pre-construction surveys.</p>

The Applicant will seek to engage further with the Land Interest regarding detailed construction access design and accommodation works in accordance with **Outline Code of Construction Practice [PEPD-033]**.

### Compensation

There is a provision within the freehold landowner's Heads of Terms that covers for payment of compensation for temporary disturbance in respect of occupiers.

If Compulsory Purchase Powers are used, affected Land Interests will be compensated in accordance with the provisions of the Compensation Code.

### Agent

The Land Interest has appointed a land agent to act on his behalf in relation to negotiations regarding accommodation works and compensation who will be able to advise him on potential compensation claims.

**2.1.3** • When a Licence for surveys was negotiated the Licence stipulated ... 24 hrs notice, sign in and out of site book, park in correct area to avoid disruption to farm work. These simple rules were not adhered to, causing a breach of the farm's Health & Safety Policy.

The Applicant has engaged with the Land Interest and his agent on this matter via email, and directly with the tenant's landlord. The Applicant notes the concerns raised by the Land Interest and has taken action accordingly.

**2.1.4** • When dealing with Rampion 2, and its Agents, it is similar to David and Goliath. The impression I have been given is that my business and wellbeing is to be disregarded and Rampion and its Agents can do as they wish. This project may well be needed, but why should my business, which has been built up over 30 years, be less important than Rampion 2?

When meetings were held in correspondence with the Applicant's representatives, all parties were striving to fully engage with the issues and concerns being raised by the tenant in relation to the impact that the proposed construction works may have on his farming business and on him personally.

**2.1.5** If you are minded to support Rampion 2, please condition the approval with legal powers to provide the effected parties a platform to be fairly compensated for losses/disruption incurred in a timely manner.

### Compensation

The Applicant will discuss in more detail Accommodation Works with the Land Interest should the DCO be granted and prior to the commencement of construction to ensure access is facilitated to any severed land. Where severed land cannot be farmed the Applicant would be willing to negotiate an appropriate compensation claim for disturbance.

There is a provision within the freehold landowner's Heads of Terms that covers for payment of compensation for temporary disturbance in respect of occupiers.

If Compulsory Purchase Powers are used, affected Land Interests will be compensated in accordance with the provisions of the Compensation Code. Claims for disturbance and crop loss will be considered where reasonable, substantiated and shown to be caused as a direct consequence of the temporary use of the land and the works in accordance with the relevant legislation.

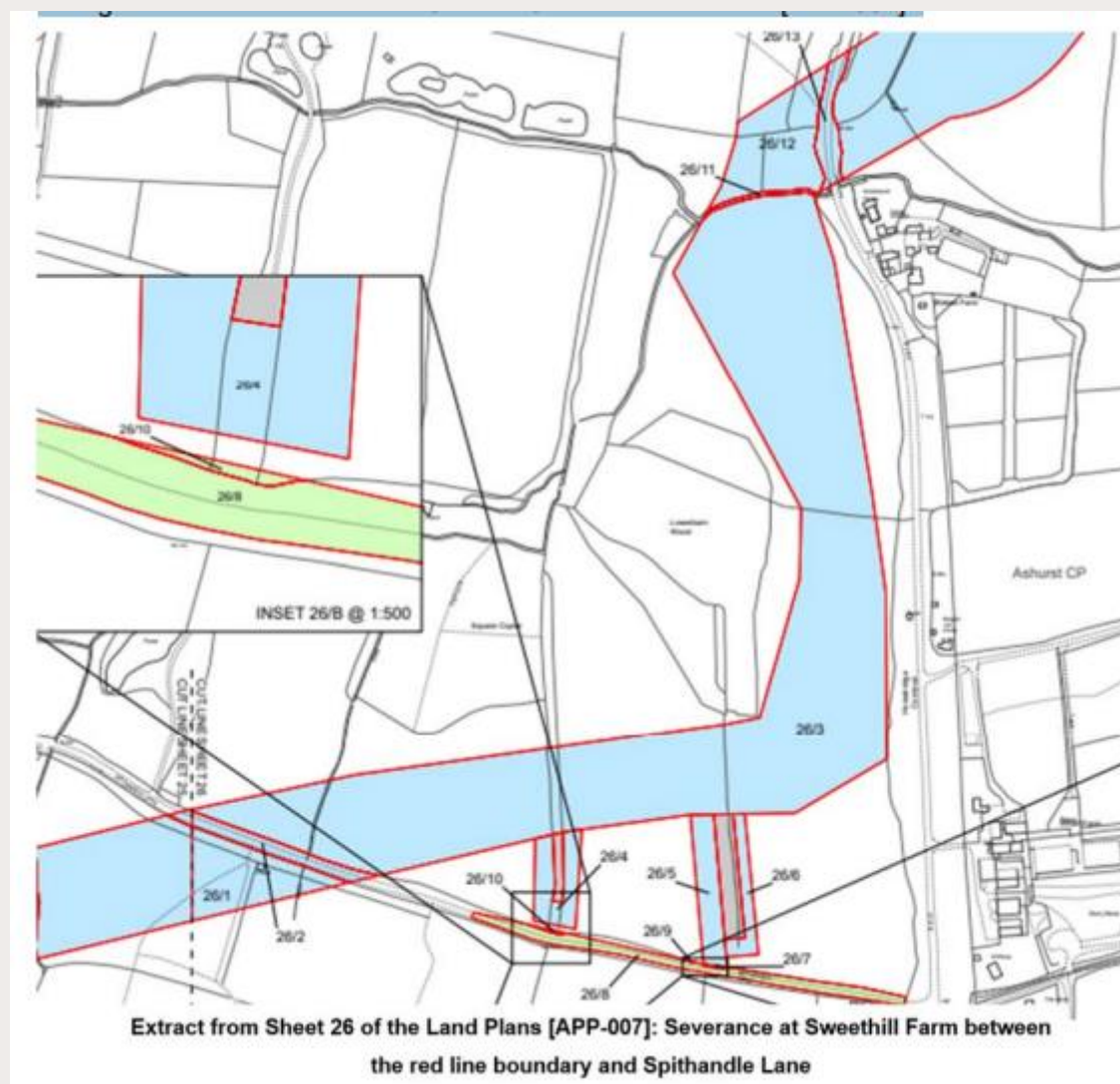
Once the cable has been constructed and the land reinstated, the land can be returned to normal use.

**Table 2-26: Applicant's Response to Susie Fischel**

Ref	Written representation comment	Applicant's response
1.1	<p>1.1 Susie Fischel is the owner of Sweethill Farm, School Lane, Ashurst, Steyning, BN44 3AY (Sweethill Farm), within the Order Limits.<sup>1</sup> The Fischels do not object in principle to the Rampion 2 Offshore Windfarm (Proposed Development) but they are opposed to the extent of the works on Sweethill Farm, in particular the proposed cable corridor.</p> <p><sup>1</sup> Sweethill Farm is therefore listed in the Book of Reference [APP-026].</p>	The Applicant notes the comments raised within this Written Representation.
1.2	1.2 Over 20 years ago, the Fischels took the decision to cease farming Sweethill Farm and allow it to 'rewild'. The Fischels have allowed natural processes to create wilder, more diverse habitats on Sweethill Farm, in much the same way as the well-known Knepp rewilding project less than 5 miles away.	The Applicant understands the former pasture land is used for private nature conservation and is not actively in agricultural use. There are areas of ancient woodland within the land holding, but these will be avoided as per the <a href="#">Commitments Register [APP-254]</a> . Any crossing point locations required for land management will be considered as part of accommodation works discussions in due course.
1.3	1.3 Mr Fischel explained at the Open Floor hearing the environmental significance of Sweethill Farm: see the Deadline 1 Summary of Oral Submissions (provisional document reference SHF 2).	The Applicant notes the comments raised within this Written Representation.
1.4	1.4 The Proposed Development provides for over 700 metres of cabling through Sweethill Farm. The concerns that the Fischels have in relation to this, and its effect on over two decades of rewilding progress, are set out below.	-
2.1	2.1 The Fischels understand that the Applicant requires some design flexibility. However, it appears that the Applicant is seeking greater flexibility over the Fischels' land than is necessary.	<p>Land owned by the Land Interest is required for construction, operation, maintenance and protection of the permanent cable (Works No.9). A package of Cable Rights and a Cable Restrictive Covenant (as defined in schedule 7 to the Order) is therefore sought over this land. The land is required to be included in the Applicant's DCO at this stage to ensure that all required rights for construction and operation are secured. If a voluntary land agreement is secured with the Land Interest, compulsory acquisition may not be required.</p> <p>The Applicant does not agree with the Land Interest's comment that the Applicant is seeking greater flexibility over the Fischels' land than is necessary. As explained by the Applicant in the <a href="#">Statement of Reasons</a> (Para 9.11.7-9.11.9) <a href="#">[PEPD-012]</a>, not all of the land owned by the Land Interest within the Order Limits will need to be permanently acquired. Flexibility is sought to enable the construction of works anywhere within the area identified for those works on the <a href="#">Onshore Works Plans [PEPD-005]</a>, within which area there will be a circa 40m construction corridor and 20m permanent easement corridor, save for in certain circumstances such as where HDD techniques are employed. The final routing is not fixed and will be dependent upon matters such as pre-construction surveys. As explained in the paragraphs in the Statement of Reasons, the Applicant will seek to minimise the extent of permanent rights required by taking temporary possession first of the wider construction corridor and then permanently acquiring the rights required over the narrower area when the location is known.</p> <p>Specific reasons for required design flexibility over the Fischel's Land relate to:</p> <ul style="list-style-type: none"> <li>The land covers a segment of the cable route between two HDD sections as can be seen on Sheet 19 of the <a href="#">Crossing Schedule in Appendix A of the Outline Code of Construction Practice [PEPD-033]</a>. Final siting and extent of each of the trenchless crossings will influence the cable routing of the open cut trench section between.</li> </ul>

Ref	Written representation comment	Applicant's response
		<ul style="list-style-type: none"> <li>The cable construction works must comply with the stand-off distance to the AWL as defined in Commitment C-216 in the <a href="#">Commitments Register [REP1-015]</a>.</li> <li>In plot 26/3 the route passes through two mature tree lines and a mature hedge (with some trees). Flexibility is sought to allow the cable to be routed to reduce the impact as much as practicable. To further reduce impact the cable construction width will be reduced as much as practically possible when crossing the tree lines/hedge and therefore greater soil storage areas either side will be required.</li> <li>For the trenchless crossing of Spithandle lane an area, in addition to the normal corridor working width, is required within plot 26/3 for stringing out of ducting to be pulled into the trenchless crossing. The ducting, once strung, will be equal in length to the trenchless crossing.</li> </ul> <p>Each of these aspects will be considered in the process of further construction design development and informed by onshore site investigation works.</p> <p>The Applicant welcomes the Land Interest's willingness to discuss matters further and confirms that it will engage further with the Land Interest regarding the refinement of the final land area and appropriate and reasonable mitigation measures during construction of the project to minimise disturbance to the Land Interest.</p>
2.2	2.2 The Onshore Land Plans [APP-007] – in particular sheets 25, 26, and 27 – show that considerably more flexibility is sought over Sweethill Farm than in the surrounding area.	Please see responses to 2.1 and 2.3 in relation to this point.
2.3	<p>2.3 The Applicant's reasons for this are not consistent with its route-wide approach; it has advised the Fischels that the flexibility is required because the cable route turns a corner within Sweethill Farm, and because of the two road crossings, however the Applicant has not sought the same flexibility at other points with the same features.<sup>2</sup></p> <p><sup>2</sup> See, for example, the intersection of plots 25/2 and 25/6 on Sheet 25 of the Land Plans Onshore [APP-007].</p>	<p>The development process of the onshore cable route is undertaken in recognition of the potential risk arising from the identified or suspected features of the terrain and environment. Each area of the cable route will therefore consider relevant features and how they would need to be incorporated by the construction design. Principal aspects for consideration are listed in the Applicant's response to 2.1.</p> <p>The Applicant considers that it has approached the development of the DCO Order limits consistently and points out that wider order limits in areas of HDD and uncertainty are present throughout the cable route.</p> <p>For example at the northern end of plot 27/16 (See <a href="#">Land Plans Onshore [APP-007]</a> Sheet 27) or the central crossing over the Down's Link path on plot 28/2 on Sheet 28. Each of these area's wider order limits are necessary for the planning and construction of the Proposed Development.</p> <p>For the intersection of plots 25/2 and 25/6 the corridor width was reduced to avoid mature trees to the South and impact on separate fenced fields to the North. This is possible because the features here are different; there is no trenchless crossing to the West and the hedgerow is uniform (no best place to cross) and therefore less flexibility is required. The corridor to the East of the intersection immediately opens back up in width to allow the flexibility required relating to the HDD of Spithandle lane and radius of curvature of the cable.</p>
2.4	2.4 The Fischels request that the Applicant provides a credible justification for the wide extent of the red line boundary on Sweethill Farm.	Please see responses to points 2.1 and 2.3.



Ref	Written representation comment	Applicant's response
3.1	<p>3.1 The south-eastern corner of Sweethill Farm will be severed from the rest of the property during construction: see Sheet 26 of the Onshore Land Plans [APP-007].</p>	<p>The Applicant acknowledges that the cable route proposals in this location will temporarily sever the south-eastern corner of the farm.</p> <p>The Applicant is keen to have ongoing discussions with the Land Interest to understand how best to mitigate any temporary severance of land during the construction period, which can include temporary accommodation works (e.g. fences, gates and crossing points).</p> <p>The Applicant will continue to engage to further understand the Land Interest's specific requirements to accommodate the environmental management operations and minimise disturbance wherever possible. This could include crossing points to be agreed with the Land Interest across the cable installation area (Works No.9) to ensure parts of the field will remain accessible and available for use for environmental purposes. Detailed cable routing will be refined further to pre-construction surveys.</p>
 <p>Extract from Sheet 26 of the Land Plans [APP-007]: Severance at Sweethill Farm between the red line boundary and Spithandle Lane</p>		
3.2	<p>3.2 Early on during consultation, the Fischels asked the Applicant to move the cable corridor further south, to follow the line of Spithandle Lane more closely and, preferably, to cross the B2135 further south.<sup>3</sup></p> <p><sup>3</sup>This would have minimised the severance of Sweethill Farm, reduced the land required for access, and avoided crossing the B2135 at an area which is prone to flooding with a confluence of tributaries feeding into the River Adur.</p>	<p>Feedback on alternative route proposals has been provided to the Land Interest via Formal Letters on 19 July 2022 and 17 October 2023. These are appended to the <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a> that was submitted at Deadline 1.</p>
3.3	<p>3.3 The Applicant advised that this option was discounted for heritage, land interest and engineering reasons, including that it would require an additional trenchless crossing.<sup>4</sup> However, it seems that the Applicant has since been able to increase the number of trenchless crossings along the route, just not at this location. The heritage and land interest reasons provided by the Applicant were</p>	<p>Feedback on alternative route proposals has been provided to the Land Interest via Formal Letters on 19 July 2022 and 17 October 2023. These are appended to the <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a> that was submitted at Deadline 1.</p>

Ref	Written representation comment	Applicant's response
	<p>far from compelling, not least given that the dDCO route passes closer to a listed building (Blakes' Farm) than the Fischels' proposed alternative.</p> <p><sup>4</sup> In a letter to the Fischels dated 17 October 2023.</p>	
3.4	<p>3.4 The Fischels requested that, at the least, the dDCO route follow the existing field boundaries. This would have been consistent with C-67 in the Commitments Register [APP-254] which indicates that the onshore cable route is likely to be routed to closely follow the line of existing field boundaries as far as is practicable. The Applicant's proposed cable route across Sweethill Farm arguably does not comply with that commitment because it does not closely follow the boundary of Spithandle Lane even though to do so would be practicable.</p>	<p>It is not practical to construct the cable corridor over the Land Interest's property by following existing field boundaries for the following localised reasons:</p> <ol style="list-style-type: none"> <li>1) The trenchless entry and exit pits require a stand-off distance from the crossing obstacle (in this case, the B2135 and Spithandle Lane) which will be finally confirmed following site investigation and detailed design. As the cable route must for a connection between the two trenchless crossing segments over the LI's property, it is not practical to route the cable corridor along existing field boundaries.</li> <li>2) The near rectangular geometry of field boundaries is incompatible with the overall direction of the cable corridor towards the Oakendene SS site and the ability of the cable to make sharp turns.</li> </ol>
4.1	<p>4.1 The powers the Applicant is seeking in the draft Development Consent Order (dDCO) go beyond what the Applicant says it requires in other Application documents. Chapter 22 of the Environmental Statement at paragraph 22.9.55 [APP-063] states that "all ground works will be restricted to areas in excess of 25m from the edge of Ancient Woodland." This commitment is reflected in the Commitments Register at C-216: "All ancient woodland will be retained with a stand-off of a minimum of 25m from any surface construction works."</p>	<p>In relation to concerns raised regarding the proximity of the red line boundary to Ancient Semi Natural Woodland - It is noted that commitment C-216 ensures that a 25m stand-off between ancient woodland and any ground works would be implemented.</p> <p>Commitment C-216 is applied in this location. There is no intention for any ground works to take place within the 25 m buffer adjacent to Lowerbarn Wood – a block of Ancient Woodland. However, the full extent of the red line boundary is available for activities that do not break the ground that are needed to accommodate works in a constrained area.</p>
4.2	<p>4.2 However, the dDCO provides for works to be carried right up to the boundary of Lowerbarn Wood, an ancient woodland on Sweethill Farm: there is no gap between the red line boundary and the edge of Lowerbarn Wood (Sheet 26 extract above). The red line boundary also passes very close to the north-eastern corner of Lowerbarn Wood.</p>	<p>Please see answer within 4.1.</p>
4.3	<p>4.3 Article 24 and Schedule 7 of the dDCO [PEPD-010] provide for the compulsory acquisition of rights to lay, install and retain the cable over Sweethill Farm.<sup>5</sup> Section 122(2) of the Planning Act 2008 requires the Secretary of State to be satisfied that the area subject to compulsory acquisition is no more than is reasonably required for the purposes of the development, before they can authorise compulsory acquisition under the dDCO.</p> <p><sup>5</sup> As noted above, sheet 26 of the Onshore Land Plans [APP-007] sets out the limits of the land proposed to be acquired or used.</p>	<p>Please see answer within 4.1.</p>
4.4	<p>4.4 The Secretary of State cannot be satisfied that the area within the red line boundary on Sweethill Farm is no more than is reasonably required, because the Applicant itself says that even at this stage not all of that area is required and that a 25 metre buffer should be provided for in relation to any Ancient Woodland.<sup>6</sup></p>	<p>Please see answer within 4.1.</p>

Ref	Written representation comment	Applicant's response
	<sup>6</sup> In the Environmental Statement and Commitments Register.	
4.5	4.5 The Fischels therefore seek that the Applicant changes the limits in the dDCO to be at least 25 metres from the boundary of Lowerbarn Wood and gives a commitment to carry out works as far from this ancient woodland as practicable.	Please see answer within 4.1.
5.1	<p><i>Arboricultural Impact Assessment</i></p> <p>5.1 Lowerbarn Wood on Sweethill Farm is 1.63ha of Ancient Woodland, and the Applicant's Arboricultural Impact Assessment [APP-194] recognises this.<sup>7</sup></p> <p><sup>7</sup> Lowerbarn Wood is listed in Table 3-5 as "W62". Paragraph 3.3.6 of that Assessment states that the ancient woodlands listed in Table 3-5 are inside or within 100m of the dDCO Order Limits, and that this information has been used to aid detailed route design to avoid effects on such woodlands</p>	Ancient woodland is recognised and commitment C-216 (see the <a href="#">Commitments Register [REP1 - 015]</a> ) ensures that there will be no works within 25m of this irreplaceable habitat. This is secured through Requirement 22 of the <a href="#">draft Development Consent Order [PEPD-009]</a> that requires stage specific Code of Construction Practice documents to be created and then approved by the relevant local planning authority in consultation with the Environment Agency and Natural England.
5.2	<p>5.2 The Fischels were therefore surprised to be unable to identify any further reference to Lowerbarn Wood in any of the Applicant's other documents.<sup>8</sup> Given that the red line boundary abuts Lowerbarn Wood, it is not clear why it does not form part of the assessment.</p> <p><sup>8</sup> For example, in the National Vegetation Classification Survey Report [APP-182], there is no reference to Sweethill Farm (or Lowerbarn Wood).</p>	It is noted that no National Vegetation Classification survey (see <a href="#">National Vegetation Classification Survey Report [APP-182]</a> ) was undertaken in Lowerbarn Wood. This is because no works within 25m of the woodlands edge are proposed (also see response to 5.1).
5.3	<p><i>Bats</i></p> <p>5.3 The Fischels are concerned about the Proposed Development's impact on bats on Sweethill Farm.</p>	The Applicant notes the concern raised. Potential effects on bats include disturbance through lighting (mitigated through commitment C-105 and secured via Requirement 22 of the <a href="#">draft Development Consent Order [PEPD-009]</a> ) and noise (mitigated through commitment C-26 and secured via Requirement 22 of the <a href="#">draft Development Consent Order [PEPD-009]</a> ) and fragmentation through the losses to linear features crossed by the cable route. These have been assessed in <a href="#">Chapter 22 Terrestrial Ecology and Nature Conservation [APP-063]</a> .
5.4	5.4 Two sites on Sweethill Farm were considered in the Applicant's bat survey [APP-186] (Bat Survey): AT11a in Lowerbarn Wood, and AT11b approximately where the cable route enters the farm from the southwest.	The Applicant notes this comment.
5.5	<p>5.5 AT11a was the most active bat site by far of all the sites monitored by the Applicant, with mean bat passes per night of 1,764<sup>9</sup>, the most active for 2022 and substantially exceeding the 1,174 passes at the most active site in 2021.<sup>10</sup> AT11b was also an active site and both AT11a and b recorded a wide spread of different bat species</p> <p><sup>9</sup> Table 4.15. <sup>10</sup> Table 4.13.</p>	The Applicant notes this comment.
5.6	5.6 The Bat Survey states: <sup>11</sup> " the greatest levels of bat activity were recorded at locations that incorporated woodland or woodland edge habitat, water bodies, hedgerows and tree lines, for instance .....AT11a "	The Applicant notes this comment.



Ref	Written representation comment	Applicant's response
	<sup>11</sup> Paragraph 5.1.5.	
5.7	5.7 The Bat Survey highlights the importance of the Applicant committing to reduce the impact of the Proposed Development on the Ancient Woodland habitat of Lowerbarn Wood.	The Applicant notes this comment and refers back to response to 5.1
5.8	<i>Great Crested Newts and Ponds</i> 5.8 The Applicant's Great Crested Newt report [APP-185] identifies that Ponds 71 - 76 on Sweethill Farm tested positive for great crested newts. Ponds 78 - 80 did not test positive, however the Fischels intend to retest these ponds in Spring 2024, as the Applicant's results do not reflect the Fischels' previous observations.	Great crested newts persist in the landscape in meta-populations with not all ponds necessarily holding breeding numbers in each year. The Applicant is committed to joining the district level licensing scheme for great crested newts for West Sussex, whilst also implementing a pre-construction survey programme and associated mitigation (see commitment C-214 which is secured via Requirement 22 of the <a href="#">draft Development Consent Order [PEPD-009]</a> for a Code of Construction Practice). It is noted that ponds 71 to 80 are all outside of the draft Order Limits.
5.9	5.9 The Fischels are also concerned about the proximity of the dDCO corridor to pond 78, which is a key gathering point for all the River Adur's tributaries flowing through Sweethill Farm.	The Applicant notes this comment. No direct loss to the pond or its immediately surrounding habitat is proposed and pollution prevention measures will be in place (see commitment C-151 which is secured via Requirement 22 of the <a href="#">draft Development Consent Order [PEPD-009]</a> for a Code of Construction Practice).
5.10	<i>Habitat</i> 5.10 It is unclear why the quality of most of the pasture has been recorded as Improved Grassland <sup>12</sup> [APP-181]. This appears to be based on a desktop survey which does not reflect over 20 years without spraying or fertilising, nor the fields' current biodiversity and species rich nature. The Fischels consider it would be more appropriately regarded as semi-improved grassland, as described by the Applicant itself in [APP-186] <sup>13</sup> when referring to bat site AT11b.  <sup>12</sup> Per the key, which indicates areas marked as B4 are classified as Improved Grassland in Figure 22.3.1i Phase 1 habitat survey – Extended Phase 1 habitat survey report, at page 53 of [APP-181]. <sup>13</sup> Annex B, page B5.	<a href="#">Appendix 22.3 Extended Phase 1 habitat survey report [APP-181]</a> does not show complete coverage of this land due to access issues. However, some grassland in the area was described as improved and other areas as poor semi-improved. The two largest fields crossed were not classified. However, it is noted that the other surveys in the area that did take place record this area as being semi-improved. Regardless, the overall outcome of the assessment in Section 9 of <a href="#">Chapter 22 Terrestrial Ecology and Nature Conservation, Volume 2 [APP-063]</a> would not alter. There would potentially be a marginal increase in the biodiversity net gain numbers presented in <a href="#">Appendix 22.15 Biodiversity Net Gain Information [APP-193]</a> , although this is academic as the baseline will need to be verified and condition assessed again post-consent to enable agreement of Requirement 14 of the <a href="#">draft Development Consent Order [PEPD-009]</a> . This additional survey is required as the survey data across the route was gathered across three different versions of the Biodiversity Net Gain metric and accompanying supporting information. This means that habitat condition assessment data in particular will need to be standardised to support the calculations.
6.1	6.1 The Fischels have concerns regarding the manner in which the Applicant has changed its approach to engagement.	Please see following <a href="#">responses 6.2 – 6.5</a>
6.2	6.2 In 2020, the Fischels were actively engaged in discussions with the Applicant, involving meetings with Rampion senior management on site and extensive correspondence. The feedback provided by the Fischels led the Applicant to acknowledge the numerous challenges on its initial route. <sup>14</sup> The Applicant at that time worked constructively with the Fischels to adjust the cable route and the Fischels welcomed this initial cooperation.  <sup>14</sup> Namely the presence of many ponds (used by great crested newts for breeding), the dense ecological rewilded habitat, and various construction challenges	The Applicant welcomes the comments from the Land Interest that the feedback on the challenges of the initial route had been considered by the Applicant and that the cable route has been adjusted following on from consultation.



Ref	Written representation comment	Applicant's response
6.3	<p>6.3 Despite that positive start, the Applicant then essentially discontinued engagement once matters were handed to its advisors; it took the Applicant nearly a year to respond to representations the Fischels made during the second round of consultation in 2022 – notably, the Applicant responded just after the dDCO application was submitted.<sup>15</sup></p> <p><sup>15</sup> The Fischels made representations on 28 November 2022 during the second round of consultation, and the Applicant responded on 17 October 2023.</p>	<p>In total, three alternative route proposals have been investigated in respect of this Land Interest, one of which was taken forwards.</p> <p>A site meeting was initially held in February 2021, followed by subsequent representation letters where the Land Interest expressed concerns about the environmental/ ecological sensitivities of the proposed cable route. The Land Interest's views were also reiterated within further site meetings in May and July 2021 and various consultation responses. Subsequently, the route was amended to take a route further to the east, away from the environmental/ ecological constraints. The new proposed route was initially presented at a meeting in January 2022 and again in April 2022. The rationale for the route amendment and decision-making process was summarised verbally in January and April 2022 and in a letter dated 19 July 2022.</p> <p>The Land Interest proposed an alternative route (in conjunction with neighbouring landowners) at site meetings throughout 2021 and early 2022. This route went to the south of the farm and avoided the Land Interest's title entirely. The letter dated 19 July 2022 provided the rationale for not taking this route forwards.</p> <p>The Land Interest proposed an additional alternative route 'exiting the farm further south down the B2135' which was formally presented to the Applicant in representations in September and November 2022, as a response to the Applicant's proposed re-route on their land. The Land Interest submitted a representation on 28 November 2022, which required detailed engineering and environmental considerations. The Applicant requested a site meeting in June 2023 to discuss the points raised in the consultation response, but the request was declined as the Land Interest invited a written response.</p> <p>The route was fully researched as an option and the rationale and decision-making process for not progressing with the additional route amendment to consultation was communicated formally in a letter to the land interest dated 17 October 2023 (see the <a href="#">Applicant's Response to Relevant Representations [REP1-017]</a> that was submitted at Deadline 1).</p>
6.4	<p>6.4 The Fischels recently received draft agreements, however the agent for the Applicant advised that neither they nor their lawyers would engage further unless the Fischels entered into Heads of Terms<sup>16</sup> in the Applicant's standard (and one-sided) form.</p> <p><sup>16</sup> In an email dated 30 January 2024.</p>	<p>The Applicant's agent has made substantive efforts to discuss the Heads of Terms (see emails and letters set out in the <a href="#">Land Rights Tracker [PEPD-016]</a>). The Applicant has not communicated that the Heads of Terms must be signed in the standard form as the Land Interest's agent suggests. Indeed, for many Affected Parties detailed discussions and amendments to the wording of Heads of Terms have been made to recognize individual Land Interest and Landholding circumstances. The Applicant's agent was keen that some principles of agreement had been reached between the parties before both parties' solicitors are instructed to fully progress detailed draft documentation as is standard practice when negotiating voluntary agreements.</p>
6.5	<p>6.5 The Fischels request an unconditional commitment from the Applicant that it will engage on these matters.</p>	<p>The Applicant welcomes the opportunity to discuss the Heads of Terms as they specifically relate to this Land Interest.</p> <p>The Applicant has sought feedback on the Heads on numerous occasions, including most recently via email on 16 February and 27 February 2024. The agent confirmed via email that they would not have time to provide comments on the Heads of Terms until April 2024 (at the earliest).</p>

**Table 2-27: Applicant's Response to Thomas Ralph Dickson [REP1-168]**

Ref	Written Representation Comment	Applicant's Response
<b>Covering letter</b>		
2.27.1	1. We write on behalf of our client, Mr. Dickson to introduce the written representations in response to the application by Rampion Extension Development Limited for an order granting development consent for the Rampion 2 Offshore Wind Farm Project. Our client has set out three alternatives which we commend to the Examining Authority in order of preference.	-
2.27.2	2. The proposed project has significant implications for our client, who owns and operates the land at College Wood Farm, which is referenced within the DCO limits and defined as plots 24/17, 25/2, 25/3, 25/4, and 25/5. This land, utilised for low-intensity farming of beef cattle, stands to be directly and detrimentally affected by the compulsory acquisition powers sought in the draft order.	<p>The Applicant has met with the Land Interest on 8<sup>th</sup> April 2022, 15<sup>th</sup> June 2022 and 15<sup>th</sup> March 2023 and has attempted to explain the cable route design and how Accommodation Works will enable the Land Interest to be able to gain access to all areas of his land during the construction period. In the Applicant's letter dated 11<sup>th</sup> January 2024 the Applicant reconfirmed a proposal of funding a stockperson to assist with the Land Interest's day-to-day farming (moving of livestock) during the construction period. The letter states:</p> <p><i>"Rampion 2 would be prepared to discuss the farm's requirements for availability of a stockperson and has already offered to discuss commitment to funding. However, our land agent Carter Jonas needs to understand the current farm management arrangements and to discuss potential mitigation solutions before commitments can be fully closed out. I understood that Nigel Abbott tried to arrange a meeting w/c 21<sup>st</sup> August with your then newly appointed agent Chris Tipping of Batcheller Monkhouse but you were away. We look forward to receiving potential meeting dates to progress these discussions."</i></p> <p>No response has been provided further to the letter being sent and potential meeting dates have been provided by the Land Interest.</p>
2.27.3	3. Mr. Dickson is professionally represented by: <ul style="list-style-type: none"> <li>• Annabel Graham Paul, Counsel, of Francis Taylor Building Chambers</li> <li>• Matt Gilks &amp; Tom Etherton, Solicitors, of Lester Aldridge LLP</li> <li>• Simon Mole, Chartered Surveyor, of Montagu Evans</li> <li>• Perry Hockin, BSc (Hons.), FDSoc, ACIEEM, of Arborweald Environmental Planning Consultancy</li> <li>• Tom Bishop, BSc (Hons) MRICS FAAV, of BCM Rural Property Specialists</li> </ul>	-
2.27.4	4. The main representation is produced by Simon Mole who introduces evidence of Perry Hockin and Tom Bishop. Our client's objections, concerns, and proposed alternatives are detailed extensively in the enclosed written representations of Simon Mole.	Noted, the Applicant has no further comments on this matter at this time.
2.27.5	5. For ease of reference of the Examining Authority, the alternative route plans can be seen at Enclosure 1. They are further referred to and appended on the respective evidence as introduced by Simon Mole.	Noted, the Applicant has no further comments on this matter at this time.

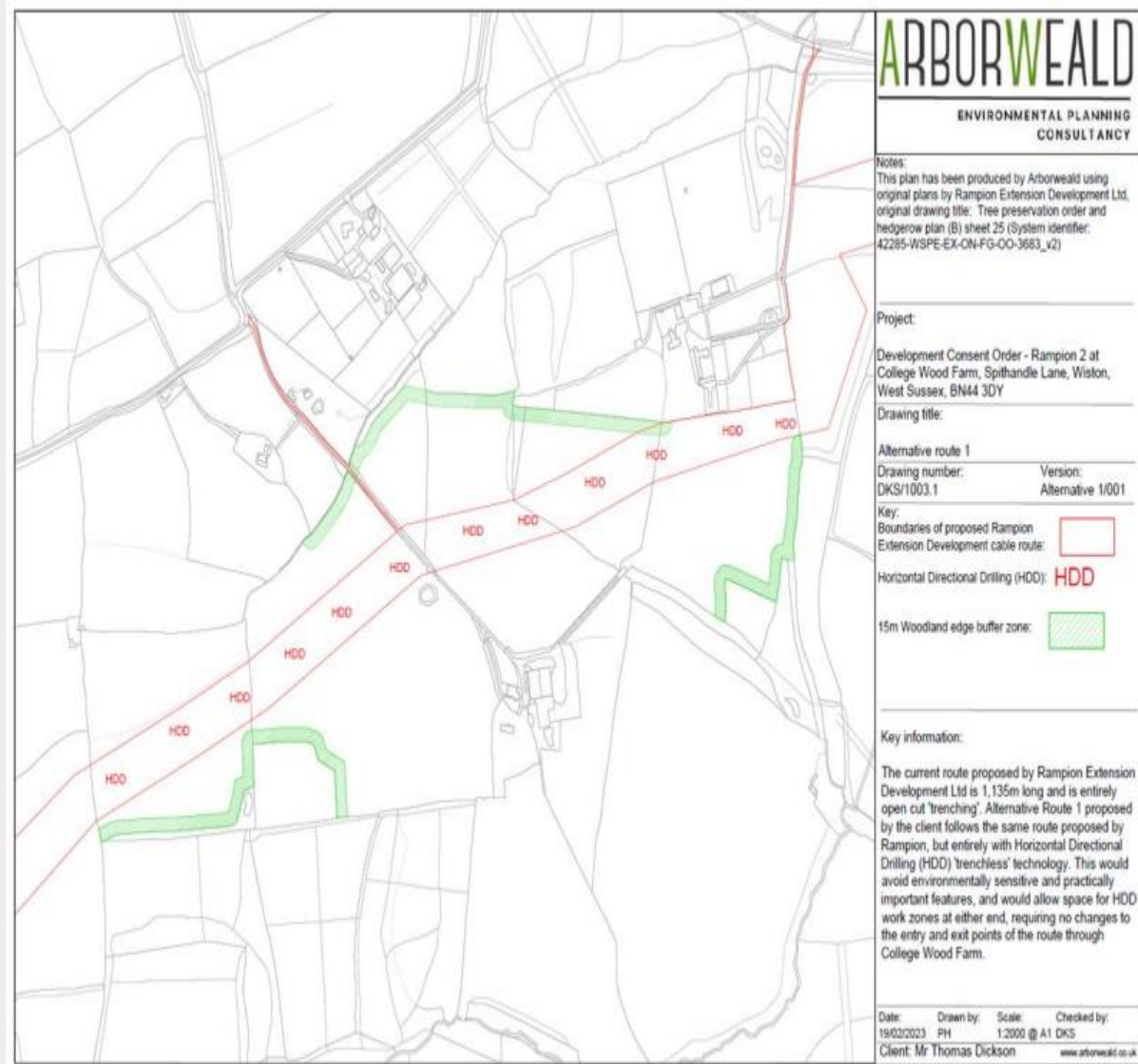
Ref	Written Representation Comment	Applicant's Response
2.27.6	6. In summary, our client strongly objects to the acquisition of rights and imposition of restrictive covenants over his land as the proposed construction method will result in the loss of substantial parts of productive farmland. Mr. Dickson has personally submitted a written representation to demonstrate his experience with the applicant in his own words. A copy of this can be found at Enclosure 2.	The Applicant understands that the land is pasture and used for cattle grazing. There will be a temporary loss of grazing for the 40m construction corridor (total land take of approximately 4.59 hectares) which equates to 8% of the 62.23 hectares of the farm referred to in the Land Interest's BCM report. The Applicant is keen to progress discussions with the Land Interest to understand how best to mitigate any temporary severance of land during the construction period. Mitigation measures envisaged include temporary accommodation works (e.g. fences, gates and crossing points). In this location, the temporary cable installation area runs through the centre of the pasture land resulting in restricted access to the fields to the North of the cable route. The Applicant has sought to engage further to understand the Land Interest's specific requirements to accommodate the grazing cattle / farm management operations and minimise disturbance wherever possible. The Land Interest's agent has indicated that he would like to meet on site to discuss these measures which could include crossing points to be agreed with the Land Interest across onshore connection works (Works No.09) to ensure parts of the field will remain available for use. Detailed cable routing will be refined further to pre-construction surveys. The Applicant has committed to try and reduce impacts where possible through detailed siting within the DCO boundary and proposed to progress those discussions alongside the voluntary agreement in the letter from the Applicant dated 18 <sup>th</sup> May 2023 (as attached at <b>Appendix B</b> ). In this letter, the intention to issue Heads of Terms was also communicated but for the reasons set out in the relevant reps these were not issued to the Land Interest until January 2024.
2.27.7	7. We firmly believe that the Applicant has failed in their duty to satisfy the use of compulsory acquisition powers, showing a lack of consideration for alternatives, failure to negotiate or engage in meaningful consultation with our client, and disregarding due consideration for our client's protected characteristic relating to age pursuant to the Equality Act 2010	See the Applicant's relevant representation response in <a href="#">Applicants Response to Relevant Representations [REP1-017] Table LI94.2 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396]</a> and consideration of alternatives below next to Appendix A figures.
2.27.8	8. The Examining Authority is respectfully reminded of its duty pursuant to section 149 of the Equality Act 2010. The disproportionate impact faced by Mr Dickson as a result of a lack of consultation was extensively addressed in correspondence sent to the Secretary of State by Lester Aldridge LLP dated 31 August 2023. A copy was uploaded to the Planning Inspectorate's website and can be accessed here: <a href="#">SoS Letter Rampion 2 31.08.DOCX (planninginspectorate.gov.uk)</a> .	See the Applicant's relevant representation response in <a href="#">Applicants Response to Relevant Representations [REP1-017] Table LI94.2 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396]</a> .
2.27.9	9. Due to the applicant's ongoing failure to address our client's personal circumstances relating to his protected characteristics, coupled with the failure to offer reasonable adjustments, the Examining Authority must give due regard to issues arising under equalities when making their consideration. The Examining Authority must make a properly informed, rational view on the extent of likely impact in the context of Mr Dickson's personal circumstances, particularly because the Applicant has egregiously disregarded these factors throughout the consenting process.	See the Applicant's relevant representation response in <a href="#">Applicants Response to Relevant Representations [REP1-017] Table LI94.2 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396]</a> .
2.27.10	10. We trust that these concerns will be taken into account by the Examining Authority during the decision-making process. We look forward to your understanding and careful consideration of the matters raised.	Noted, the Applicant has no further comments on this matter at this time.

## APPENDIX A Figures



**Ref Written Representation Comment**

**2.27.11**



**Applicant's Response**

A request was originally made by the Land Interest to HDD the cable route through the majority of the Land Interests land (for 700m) at a site visit as noted in a record of engagement dated 15/10/21. This was considered by the Applicant and concluded that the original design is to be retained with embedded mitigations to reduce impacts on the land-use. The landowner's request for HDD to replace the open cut trenching is disproportionate considering there are no material physical or policy constraints in the way of the least impact route that has been proposed by Rampion 2.

Rampion 2 is considering the use of HDD as a crossing technique only where there is an obstacle of environmental or physical nature that could not reasonably be overcome via open-cut trench construction methods without causing significant environmental damage. These obstacles include major roads, significant topographical changes as well as railways, watercourses and land with designated environmental protection statuses. Trenchless methods are associated with substantial additional cost as well as additional construction risks, which the Applicant is obliged to avoid as much as possible in order to deliver the scheme and provide value-for-money to the UK consumer.

A trenchless crossing spanning the corridor length as proposed in the landowner's submission (**Drawing number DKS/1003.1**) would be exceeding 1,100m in length and thereby constituting a highly complex part of the onshore cable construction and the longest trenchless crossing of the onshore cable route by far. It must be noted that the construction of a trenchless crossing involves up to four horizontal directional drills in parallel, one for each export circuit.

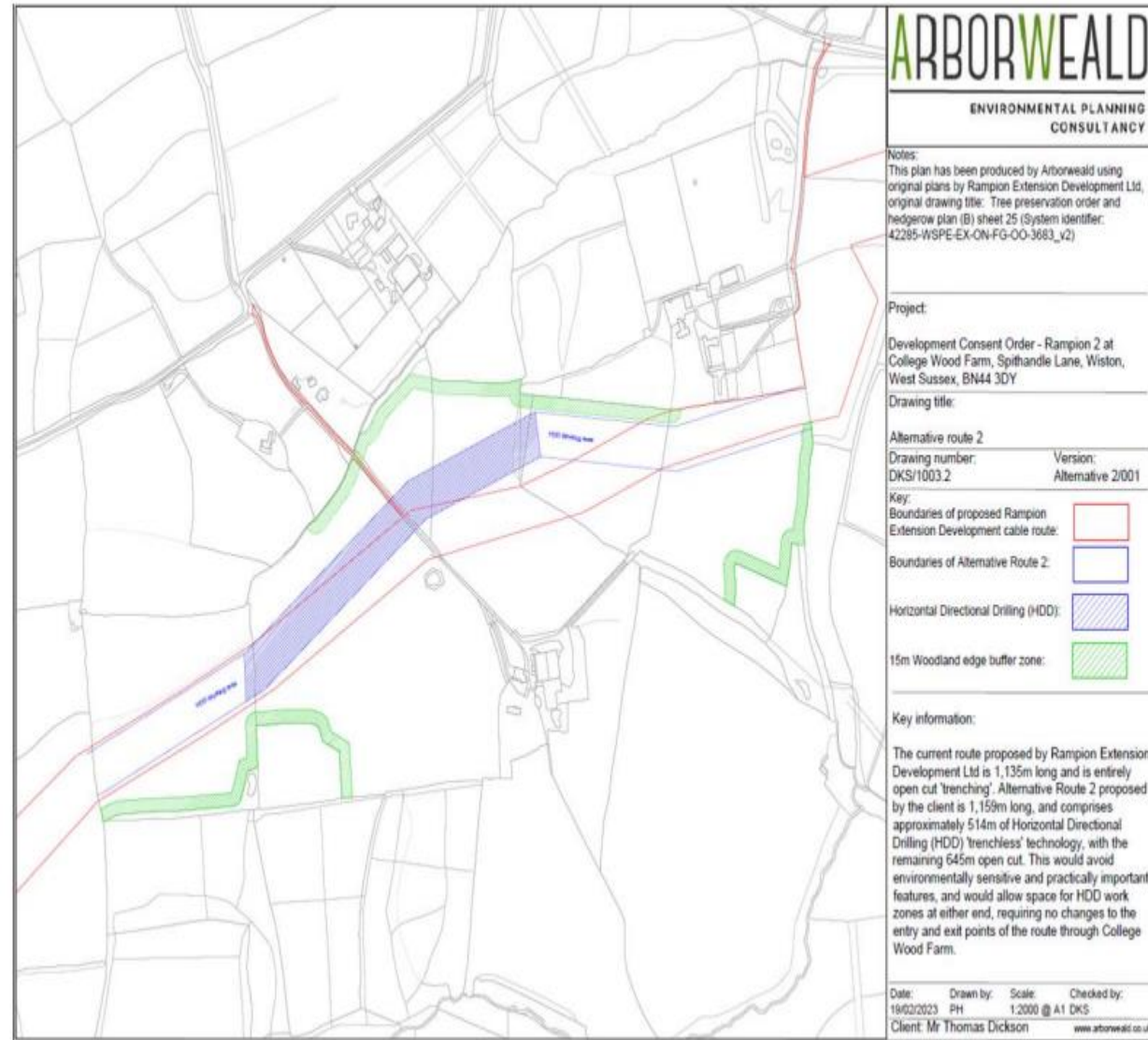
Finally, the application of trenchless cable construction methods can have a detrimental effect on the overall cable export capacity, and must therefore only be used in specific circumstances.

Due to these reasons, the consideration of HDD for cable construction across the Land Interest's property is not feasible or proportionate on technical grounds.



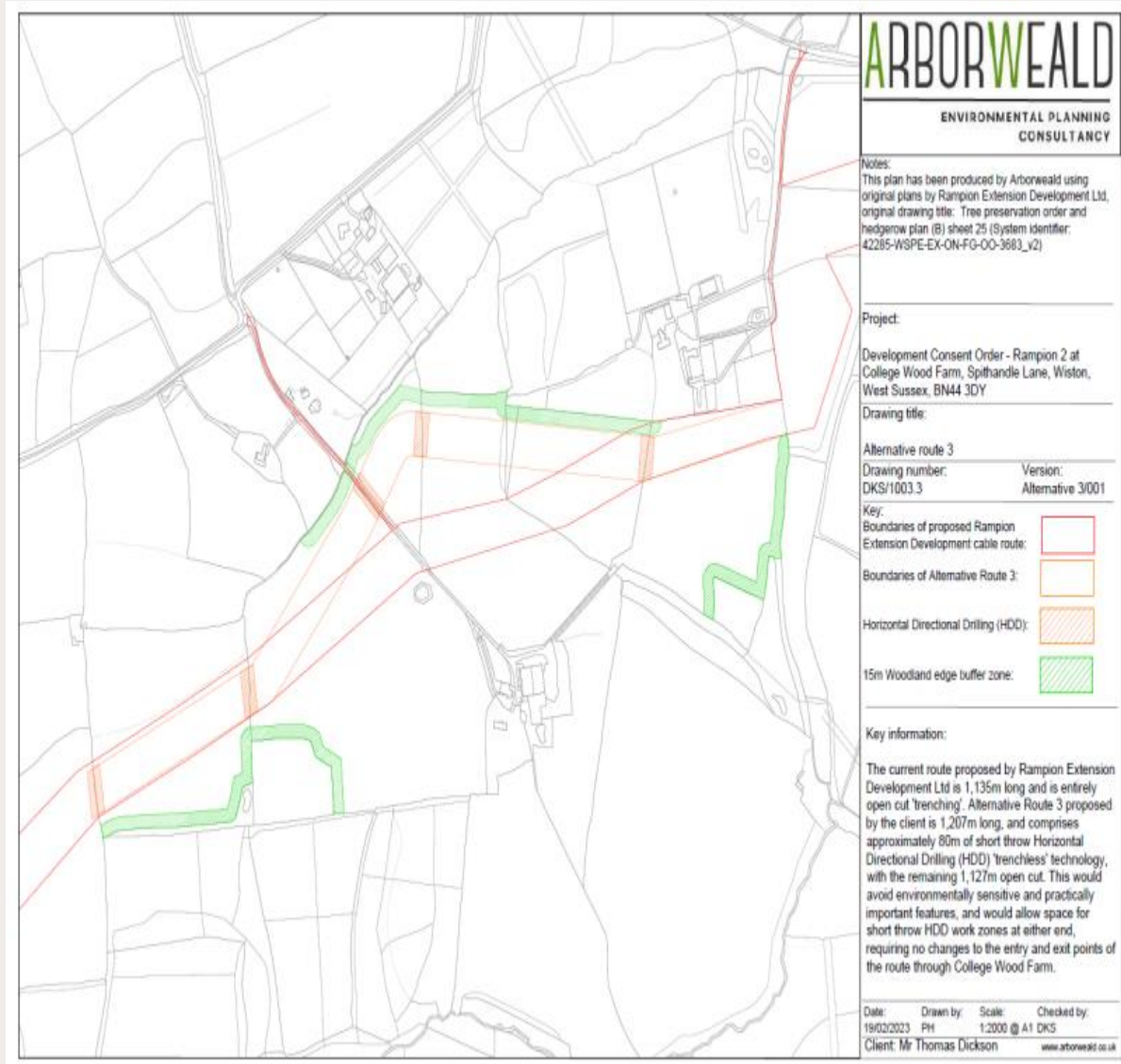
**Ref Written Representation Comment**

**2.27.12**



**Applicant's Response**

This is a new request for the Applicant's review submitted at Deadline 1. The request for the use of HDD, albeit on a modified route is rejected on the same grounds provided in response 1.11.

**Ref Written Representation Comment**
**2.27.13**

**Applicant's Response**

A request made to move the cable route to the north, immediately along the field boundary was received and considered further to the second statutory consultation.. . The Applicant concluded that the Original design is to be retained with embedded mitigations to reduce impacts on the land-use. The requested route change was rejected for the reasons set out in the letter from the Applicant dated 14<sup>th</sup> April 2023 as set out below and attached at **Appendix G**.

*"In deciding our cable route, we consider various environmental and engineering factors. The waterlogging of ground at College Wood Farm will present challenges that will need to be addressed in our cable installation methodology, and may require some particular drainage or land de-watering techniques. However, these conditions are likely to be encountered in many locations along the Rampion 2 cable route, and methods for dealing with wet ground are well-established in cable installation.*

*The width of our current, proposed planning application "red line" DCO boundary provides us with some flexibility to avoid wet areas of ground. However, were we to move the construction corridor further north of the current proposed "red line" DCO boundary (towards the field boundaries) then we would encounter other issues:*

- We would encounter additional hedgerows and would cross additional treelines.*
- We would also need to protect the root protection zones of trees, meaning that the works would need to be kept a minimum of 10m-15m away from the (non ancient) woodland areas on the property boundary.*
- Where the property boundaries comprise of ancient woodland a buffer of 25m is required to be met and it is noted that much of the woodland to the north is designated ancient woodland and would be subject to associated protective planning policies. These areas are marked on the enclosed plan*
- The project is required to use a cable routing that is economic and efficient. Therefore, the additional cable length required by the routing of the cable northward along the field boundary would need to be justified on environmental or engineering grounds (which we do not believe it to be).*

The original route considered as described above is different to the route shown at 1.13. The above original route request is shown on the Landowner Preferred Route Plan 8-3-23 attached at **Appendix H**.

A further cable route suggestion similar to that shown in this Written representation at 1.13 drawing number DKSS100 3 was sent with the Land Interest's letter dated 18<sup>th</sup> April 2023. This cable route proposal was located 15m from stands of woodland, some of which are listed as ancient semi-natural woodland on the ancient woodland inventory.. Given this does not allow for the Applicant's commitment to apply the 25m ancient woodland buffer cited in the letter of 14<sup>th</sup> April the option was not taken forward.

The Potential inclusion of HDDs approximately 100m from properties is a further inclusion identified on the plan which has not previously been submitted to the Applicant. This proposal would requires further consideration for additional monitoring and potential environmental effects (such as noise etc).

Ref	Written Representation Comment	Applicant's Response
		<p>This route is coincident with a significant surface water flowpath with areas of low, medium and high risk.</p> <p>This option has an elevated surface water flood risk and overlap with the surface water flowpath which drains along the field boundary. The route runs in parallel and in close proximity to a small watercourse.</p> <p>Engineering: Please see response 1.11 above on the general principles of HDD method application. Additional aspects relevant to this proposal are</p> <ul style="list-style-type: none"> <li>• Short distance HDD present additional technical challenges as the required profile depth of the drill may not be reached. This presents additional construction risks in terms of managing drill fluids during the construction of the HDD.</li> <li>• HDD enabling works, such as the creation of compounds, excavation of entry and exit pits and establishment of required machinery are expected to cause more disturbance over longer durations than the effects of a continuous open cut trench construction would.</li> </ul>
<b>Statement of Mr Dickson</b>		
2.27.14	<p>I wish to disclose facts &amp; information regarding my experience of the last 3 ½ years dealing with RWE. The worst 3 ½ years of my life. I have been in business all my life, however I never knew that people could stoop so low in, deceiving, misleading, discrimination, dishonesty, disrespectful, providing false evidence, false promises. The list goes on.</p>	<p>The Applicant refutes that it has intentionally deceived, mislead, discriminated, disrespected, provided false evidence or false promises.</p>
2.27.15	<p>The current methodology causes extensive severance of farmland, sterilising a high percentage of the farm. This will render it impossible for me to remain in business at College Wood Farm. It would be unviable.</p>	<p>The proposed cable route crosses the Land Interest's holding East to West severing the land. The remaining land to the North of the proposed cable route, that would (without the proposed mitigation) be "severed" from the rest of the holding equates to approximately 12.50 hectares (31 acres) which equates to approximately 20% of the Land Interest's holding. Including the construction corridor approximately 4.59 hectares this would result in approximately 17.09 hectares (out of a total of 62.23 hectares) being temporarily sterilised which equates to approximately 28% of College Wood Farm.</p> <p>See the Applicant's above response to 1.6 for the mitigation measures to ensure the Land Interest business may continue during the construction period and which would avoid the severance of land. The Applicant notes that if crossing points are utilised, only approximately 8% of the land in productive use is impacted by the construction corridor.</p>
2.27.16	<p>I have personally experienced very dangerous situations when handling cattle. I have had friends die in cattle related incidents and I have no intention of knowingly entering into an agreement which would further put my life at risk.</p>	<p>The Applicant is unable to comment on these incidents.</p>
2.27.17	<p>Bearing in mind the above, I am perfectly happy to enter into a voluntary agreement with the Applicant and have requested this for several years. However there needs to be negotiation on the cable route and methodology. The current proposed route and methodology will be very strenuously</p>	<p>The Applicant has explained the reasons for the rejection of the Land Interest's proposed cable routes and methodology above in responses to 2.27.11 – 2.27.13.</p>



Ref	Written Representation Comment	Applicant's Response
	resisted at every stage of the process. Two young men, aged 24 and 25 were killed by high voltage cables at College Wood Farm several years ago.	The Applicant is unable to comment on the incidents referred to. Paragraph 2.3 of the <b>Outline Code of Construction Practice (CoCP) [PEPD-003]</b> : Health and Safety and Environmental Management Systems states that Rampion Extension Development Limited (RED) will develop and implement a Health, Safety, Security and Environment (HSSE) Strategy for the Proposed Development. The HSSE Strategy will describe the way in which the Proposed Development will be delivered and include detail of compliance with relevant policies, Management Systems, and regulatory requirements, throughout the lifecycle of the Proposed Development. All aspects of the construction work will be delivered in accordance with the Construction (Design and Management) Regulations 2015 (CDM).
2.27.18	I have suffered enormous stress at the hands of RWE. The personal impact on me is severe. The dishonesty displayed is intolerable. Constant attempts to falsely and dishonestly undermine and discredit me to gain advantage. For example:	The Applicant has not intentionally sought to cause undue stress or adverse effects on the Land Interest's health and claims of dishonesty are disputed by the Applicant.
2.27.19	<p>Quotes from Savills acting for me –</p> <p>19 July 2022 to the Applicant's agent: " My client had been intentionally ignored, fobbed off and given false promises by the Rampion Development Team."</p> <p>26 October 2022 to the Applicant's agent: "My client has been ignores, fobbed off and given false promises by the RWE Team" "Mr Dickson felt that he had been wholly deceived by you and James" "Mr Dickson felt completely hoodwinked by you &amp; James".</p> <p>17 Nov 2022 to the Applicant's agent: "My client is now being discriminated against."</p> <p>11 May 2022 to the Applicant's agent: "Mr Dickson has asked me to put on record that despite false promises at site meetings you have consistently deprived and refused him the opportunity to have a meaningful (blank) the discussion around your project and the impact to his property"</p>	<p>The Applicant notes that Montagu Evans have now been appointed (with effect from 7<sup>th</sup> March 2024) to represent the Land Interest and welcome the opportunity to discuss matters further, given the project has evolved since 2022.</p> <p>A number of letters are referred to at 1.19 by the Land Interest which record how the Land Interest has felt as a result of the Proposed Development team's communications. The letter sent by email from the Applicant dated 11<sup>th</sup> November 2023 is attached at <b>Appendix I</b> and respond to the points raised by the Land Interest's agent. The Applicant states in the letter:</p> <p><i>"I believe there were differing expectations going into this meeting which did not help how the meeting went. However we disagree with some of the points made in your letter and find some of the language and tone concerning, implying that we have somehow acted in an underhand manner.</i></p> <p><i>We had worked in good faith reviewing the requests made during previous dialogue and judging them on comparable technical, environmental and economic grounds as we have across the entire circa 40km cable route. This involved us going away after earlier discussions and carrying out further investigations to see if we could accommodate the requested changes.</i></p> <p><i>I appreciate your client was anxious to hear the outcome of the work we had been doing looking at potential alternatives routes/installation techniques. We felt that delivering the outcomes of this was better done face to face where we could explain the reasons why we could not incorporate the requested changes."</i></p>
2.27.20	All the stress suffered could have been avoided if RWE had engaged in a meaningful way from the start. I have been willing all along as is evidenced in my extensive written correspondence since Nov 2020. I am now incurring considerable costs to protect my livelihood, my health & my property. RWE refuse to contribute towards any negotiation costs & site visits. A contribution at the outset was very soon used up.	The Applicant has committed to make payments towards reasonably incurred professional fees on the provision of an accompanying timesheet to any fee account as set out in the Heads of Terms for the Voluntary Agreement and in accordance with the RICS Professional Statement (Surveyors advising in respect of compulsory purchase and statutory compensation).



Ref	Written Representation Comment	Applicant's Response
2.27.21	Documents were not delivered in a timely manner mostly only after requests. All on farm consultations with the Applicant's agent took place 15 June 2022. The Applicant's Agent told us the meeting should have taken place 2 years before. None of our proposals were considered following the meeting or acted on.	The Applicant considered the requests made in the meeting on 15 <sup>th</sup> June 2022, and followed this up in writing in a letter to the Land Interest's agent dated 19 <sup>th</sup> August 2022 attached at <b>Appendix C</b> .
2.27.22	I have been grossly, dishonestly misrepresented to the Examining Authority by the Applicant. I have "never requested not to be sent Heads of Terms for entering into a voluntary option agreement." The truth is quite the opposite as evidenced in various correspondence to RWE including Savills. 15 Dec 2022 "we still await draft Heads of Terms which were promised around a year ago".	The Applicant does not agree that the Applicant's representative is dishonest and emailed their Land Agent to record the request by the Land Interest to not receive Heads of Terms immediately following the phone conversation on 22 <sup>nd</sup> May 2023. The Applicant notes that there is no benefit to the Applicant to not issue Heads of Terms. The Applicant did not want to cause the Land Interest further stress or accusations of using pressure tactics by issuing documents which it had been requested not to issue. The request for issuing Heads of Terms that the Land Interest refers to was from his agent in 2022 who was no longer representing the Land Interest in May 2023 and therefore Heads of Terms could not be sent to the Land Interest's agent.
2.27.23	RWEs adamant refusal to send Heads of Terms is clear evidence that they from the start had no intention of negotiating with me, refusing meaningful consultation in a timely manner. Ignoring their own advisers. Then dishonestly attempting to mislead the examining Authority by declaring that I had requested not to be sent Head of Terms. Forcing me now unjustly to spend considerable sums of money with professionals to protect my livelihood, health & property.	See the Applicant's above response to <b>2.27.22</b> .
2.27.24	I have been misled, deceived, and bullied throughout this whole process & suffered enormous stress which has impacted my health through no fault of my own.	The Applicant refutes that is has intentionally mislead or deceived the Land Interest, nor sought to cause undue stress or adverse effects on the Land Interest's health.
2.27.25	I would like the examining Authority to look particularly at issues where I have been misled by RWE. Their refusal to answer questions documented to them & their determined attempts to dissuade me from my preferred routes and methodology which would prevent significant ecological & environmental harm arising from their scheme	The Land Interest has repeatedly sought the Applicant to agree to his preferred routes and methodology. The Land Interest has not been willing to accept or acknowledge the reasons and or rationale behind why the Applicant has not been able to accede his requests.
2.27.26	I wrote a 9 page letter to RWE on 31/7/23, the letter contained numerous requests for information. Eventually received only a partial response almost 6 months later in January 2024. Showing a blatant lack of engagement. RWE have not offered me any opportunities to make changes at College Wood my Home Farm whatsoever. They have never explained to me what opportunities there were to make changes to the route.	The Applicant responded to the Land Interest's letter of 31 <sup>st</sup> July 2023 in a letter dated 11 <sup>th</sup> January 2024. The Applicant states in their letter of 11 <sup>th</sup> January 2024 that the reason for the delay was due to the Applicant being aware that the Land Interest was preparing representations to PINS and did not want to confuse matters in relation t]o the Land Interest's submissions.
2.27.27	RWE misled & deceived me into believing that they were going to make changes at College Wood along with 60 other changes along the route. This was clear deception as they had no intention of making changes. As shown in the Savills letter 26/10/22 "Mr Dickson felt that he had been wholly deceived by you [the applicant]"	See the Applicant's response to relevant representations <a href="#">Applicants Response to Relevant Representations [REP1-017] Table LI94.7 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396]</a> . And the Applicant's response to 2.27.19 above.
2.27.28	I am extremely concerned at the level of false & misleading statements made by RWE in correspondence to me and my lawyer. Clearly intended to discredit me.	The Applicant has not intentionally made false or misleading statements to the Land Interest, nor sought to discredit the Land Interest.

Ref	Written Representation Comment	Applicant's Response
2.27.29	When I wrote in correspondence 18/4/23 to RWE and expressed my real concern about the way I had been bullied, intimidated & discriminated against I received a phone call 11/5/23 assuring me that somebody would be contacting me. However, this was never actioned & I never received a call.	The letter dated 24 <sup>th</sup> May 2023 sent by the Applicant to the Land Interest responds to the points raised in the letter dated 18 <sup>th</sup> April 2023 and is attached as Appendix 22 of <a href="#">Applicants Response to Relevant representations [REP1-017]</a> In light of the accusations regarding the Proposed Development representatives, the Letter contains the details of a Rampion 2 associated Parent Company representative for the Land Interest to contact should he wish to pursue a formal complaint with a representative who is at 'arms length' from the Proposed Development. The was considered the best route for escalation of the Land Interest's concerns given the claims made by the Land Interest relating to the Proposed Development Project Team. A complaint has not been made and the Applicant does not have a record of the commitment for the call. The Applicant has sought to not pressurise the Land Interest and it remains open to him to follow up his complaint to the named senior RWE representative.
<b>Written Representation</b>		
2.27.30	1. These Written Representations are submitted on behalf of Mr T Dickson (our Client) in response to the application by Rampion Extension Development Limited (the Applicant) for an Order granting Development Consent for the Rampion 2 Offshore Wind Farm Project (the Draft Order).	Noted, the Applicant has no further comments on this matter at this time.
2.27.31	2. This section relates to the compulsory acquisition powers contained in the DCO and the impact they will have on our Client's land.	Noted, the Applicant has no further comments on this matter at this time.
2.27.32	3. We also cross reference to the representations by Perry Hockin of Arborweald Environmental Planning Consultancy in relation to ecology matters, a summary of which is attached at Appendix 1 and Tom Bishop of BCM Rural Property Specialists in relation to business impact matters which is attached at Appendix 2.	The Applicant notes these representations and responds to the written representations below.
2.27.33	4. Our Client is the owner and occupier of land referenced within the DCO limits as land at College Wood Farm (plots 24/17, 25/2, 25/3, 25/4, 25/5 – "the Land")	The Applicant sets out the Land affected by the rights and restrictive covenants required for the Proposed Development in the Applicant's response to relevant representations <a href="#">Applicants Response to Relevant Representations [REP1-017] Table LI94.1 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396]</a> .
2.27.34	5. The Land is directly affected by compulsory acquisition powers sought in the Draft Order.	Noted, the Applicant has no further comments on this matter at this time.
2.27.35	SUMMARY OF WRITTEN REPRESENTATIONS 6. Our Client's position on matters remains as substantially set out in the Relevant Representations submitted on 6th November 2023 which are attached at Appendix 3 of these Written Representations.	The Applicant's response to the Land Interest's relevant representations are set out in <a href="#">Applicants Response to Relevant Representations [REP1-017] Table LI94 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396]</a> .
2.27.36	7. Our Client objects to the acquisition of rights and imposition of restrictive covenants over his Land.	Noted, the Applicant has no further comments on this matter at this time.
2.27.37	8. The proposed construction method of open cut trenches across and unjustified wide area of the Land subject to CPO will lead to the loss of substantial parts of productive farmland which may result in the extinguishment of his business and loss of income for a sole trader farmer.	The Applicant does not accept that the proposed construction methods and the area of land subject to temporary and permanent rights and restrictive covenants should lead to the extinguishment of the Land Interest's business due to the mitigation measures proposed.

Ref	Written Representation Comment	Applicant's Response
2.27.38	<p>9. The Applicant has completely failed in their duty to satisfy Government Guidance on the use of Compulsory Acquisition powers at every level. They have:</p> <ul style="list-style-type: none"> <li>(i) Failed to consider alternatives and suggested route changes put forward by our Client.</li> <li>(ii) Failed to negotiate prior to the submission of the DCO application. No heads of terms have been issued during the pre-examination phase.</li> <li>(iii) Failed to engage in meaningful consultation with our Client and in some cases failed to include them in consultation events.</li> <li>(iv) Failed to offer dispute resolution.</li> <li>(v) Failed to justify the extent of powers being applied for.</li> <li>(vi) Failed to have due regard to our Client's protected characteristic pursuant to the Equality Act 2010,</li> </ul>	<p>The Applicant notes the itemised list of concerns are those raised in the relevant representations and detailed further in these written representations. The Applicant's response is set out in <b>Applicants Response to Relevant Representations [REP1-017] Table LI94.4 &amp; LI94.5 of the Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396]</b> and below.</p> <p>The Applicant provides a brief summary below:</p> <ul style="list-style-type: none"> <li>i. The Applicant failed to consider alternatives and suggested route changes put forward by the Land Interest.</li> <li>ii. The responses to this written representation demonstrate that the Applicant has considered the modifications suggested by the Directly Affected Party. More generally, <b>Chapter 3: Alternatives, Volume 2</b> of the <b>Environmental Statement (ES) [APP-044]</b> details how the design of the Proposed Development has evolved and demonstrates that all aspects of site selection, site access and future access requirements have been incorporated into the design of the Proposed Development to minimise and mitigate adverse impacts. The chapter explains the reasonable alternatives considered for the onshore cable corridor and the reasons for selection of the preferred option. At this stage, the description of the Proposed Development is indicative and a 'design envelope' approach has been adopted which takes into account the Planning Inspectorate's Advice Note Nine: Rochdale Envelope (Planning Inspectorate, 2018).</li> <li>iii. Detailed responses to the proposed Alternatives are set out in the Applicant's response to section 1.11, 1.12 and 1.13 in this Written representation</li> </ul> <p>The Applicant has written to the Land Interest, in letters dated 19 August 2022, 14 April 2023, 24<sup>th</sup> May 2023, and 11<sup>th</sup> January 2024, providing detailed reasoning and rationale behind the cable route design and why the Land Interest's proposed alternative routes cannot be accommodated.</p> <p>(ii) The Land Interest claims that the Applicant has failed to negotiate prior to the submission of the DCO application. No heads of terms have been issued during the pre-examination phase. The Applicant responds to this point above in the Green Properties Written Representations response E.1.9 as repeated below:</p> <p><i>The Applicant does not agree that the Applicant's representative is dishonest and emailed their Land Agent to record the request by the Land Interest to not receive Heads of Terms immediately following the phone conversation on 22<sup>nd</sup> May 2023. The Applicant notes that there is no benefit to the Applicant to not issue Heads of Terms. The Applicant did not want to cause the Land Interest further stress or accusations of using pressure tactics by issuing documents which it had been requested not to issue. The request for issuing Heads of Terms that the Land Interest refers to was from his</i></p>

Ref	Written Representation Comment	Applicant's Response
		<p><i>agent in 2022 who was no longer representing the Land Interest in May 2023 and therefore Heads of Terms could not be sent to the Land Interest's agent.</i></p> <p>The Land Rights Tracker demonstrates that engagement has taken place with the Land Interest since April 2021. The following key engagement from the Land Rights tracker is set out below</p> <ul style="list-style-type: none"> <li>• The Applicant has had detailed dialogue with the Land Interest and their agents commencing from April 2021.</li> <li>• The Land Interest owns pasture land which is affected by the proposed cable route.</li> <li>• The Applicant has sought to consult with the Land Interest through attending several meetings (both on-site at College Wood Farm or via on-line video calling), in June, August, October 2021, March, April, May, June 2022, and March 2023 with the Land Interest and their agents. The Applicant has followed up these meetings in writing, through either providing Site Meeting Notes or in a letter, giving detailed consideration of all of the issues raised by the Land Interest and their agents, offering explanations as to how the Applicant has selected the cable route across the land.</li> <li>• The Applicant sought to discuss Heads of Terms with the Land Interest and their agents. In May 2023, the Land Interest specifically requested that the Applicant does not issue Heads of Terms to the Land Interest or their agent.</li> <li>• The Applicant has continued to offer to work collaboratively with the Land Interest, and the latest correspondence with the Land Interest was in January 2024.</li> <li>• Heads of Terms were issued to the Land Interest in January 2024.</li> <li>• The Applicant has contacted the Land Interest's newly appointed Agent to seek to meet to discuss further the Heads of Terms issued in January 2024.</li> </ul> <p>(iii) The Land Interest claims that the Applicant has failed to engage in meaningful consultation with our Client and in some cases failed to include them in consultation events. The Applicant considers that it has made substantive effort to meaningfully consult with the Land Interest as evidenced by:</p> <p>-the correspondence from the Applicant attached to the Applicant's response to Relevant Representations: <b>Applicants Response to Relevant Representations [REP1-017] Table LI94 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396] under Alternatives</b></p> <p>- <b>Applicants Response to Relevant Representations [REP1-017] (Table LI73 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Green Properties (Kent &amp; Sussex) Ltd [RR-138] under "Consultation and Engagement",</b></p> <p>-the consideration of alternatives referred to in this Written representation response and the correspondence from the Applicant attached to this Written Representation.</p>



Ref	Written Representation Comment	Applicant's Response
		<p>It is not clear which event the Land Interest considers he was excluded from. The Applicant is therefore not in a position to respond to this point.</p> <p>The Land Interest claims that the Applicant has (iv) Failed to offer dispute resolution, (v) Failed to justify the extent of powers being applied for and (vi) Failed to have due regard to our Client's protected characteristic pursuant to the Equality Act 2010,</p> <p>The Applicant sets out it's response to the claims made under points (iv), (v) and (vi) under the heading <b>Equalities Act 2010</b> in <b>Applicants Response to Relevant Representations [REP1-017] Table LI94 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396]</b>.</p>
2.27.39	We have presented three alternative route options for the applicant's consideration. These are detailed in the covering letter from Lester Aldridge LLP and in the evidence provided in this Written Representation.	See the Applicant's above responses to 2.27.11, 2.27,12 and 2.27.13.
2.27.40	<p>Background</p> <p>10. The Relevant Representations attached hereto set out details of Our Client's ownership. In summary, College Wood Farm comprises 62.23 hectares of permanent pasture and woodland owned and farmed by our Client on a low intensity basis with beef cattle. The fields are lightly grazed and not ploughed and are abundant with flora and fauna.</p>	Noted, the Applicant has no further comments on this matter at this time.
2.27.41	11. Our Client does not employ any full-time, part-time or seasonal staff and therefore operates the farm solely by himself.	<p>The Applicant has been informed by the Land Interest that the Land Interest does not employ any full-time, part-time or seasonal staff and therefore operates the farm solely by himself.</p> <p>The Applicant has offered in a letter dated 24<sup>th</sup> May 2023 for a stockperson, to be employed at the cost of the Applicant, to assist the Land Interest with moving the cattle through any agreed crossing points of the construction corridor during the construction period.</p>
<b>Effect on Agricultural Land and Businesses</b>		
2.27.42	12. The risk of significant impacts as set out above not only creates operational uncertainty for Our Clients' farming operations but also would have a direct and negative impact on the financial viability of the individual farming operations. Our Client is 72 years old and the blight of uncertainty around the timing and long-term impact of the Project directly impacts on his ability to undertake management and succession planning at the farm.	<p>See the Applicant's response to the relevant representation under the heading <b>Accommodation Works</b> in <b>Applicants Response to Relevant Representations [REP1-017] Table LI94.3 of the Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396]</b>.</p> <p>The Applicant welcomes further discussions with the Land Interest to seek to understand the direct impacts on the Land Interest's ability to undertake management and succession planning on the Land Interest's land holding.</p>

Ref	Written Representation Comment	Applicant's Response
2.27.43	<p>13. The report by BCM attached at Appendix 2 also set out in detail the likely impact of the Project on the ability to farm at College Wood Farm. In summary BCM anticipate the impact on business matters arising from compulsory acquisition include:</p> <ul style="list-style-type: none"> <li>- The cable route passing through the farm access road (this is described in more detail below)</li> <li>- Serious implications on our Client's health and safety from resulting from open-cut cable installation across an operational farm</li> <li>- Severance of large parts of the farm for undefined periods</li> <li>- Impact on the movement/loading of livestock and their welfare</li> <li>- Loss of grazing areas for undefined periods</li> <li>- Impact to farm drainage system</li> </ul>	<p>The report by BCM attached at Appendix 2, details potential impacts on the current farming operation as listed and responded to below:</p> <p><b>Access</b></p> <p>In relation to access concerns, see the Applicant's response to the relevant representation under the heading <b>Accommodation Works</b> in <b>Table LI94.3 of the Applicants Response to Relevant Representations [REP1-017] Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396]</b>.</p> <p>In addition, the Applicant will provide uninterrupted access along the private access track throughout the duration of the construction period. When the cables are installed through the private access track, an alternative access route will be provided (through the Construction Corridor) of suitable material (i.e. bog matting) to ensure uninterrupted access is maintained for farm vehicles, HGVs, and for emergency vehicles.</p> <p>If there is a gateway within the Construction Corridor, an alternative gateway will be installed to enable access to be provided to the large parcels of pasture to the West of the Land Interest's land holding.</p> <p><b>Livestock Handling</b></p> <p>BCM's report refers to a "ditch" being present following the installation of the cables. The Applicant understands that the ditch being referred to is the cable trenching works. During the construction period the construction corridor will be fenced off with gates installed at appropriate locations along the cable route and at the point where it crosses the private means of access from Spithandle Lane. The trenches will be dug for cable duct installation as set out in detail in paragraphs 4.5.4 – 4.5.17 <b>Chapter 4 Proposed Development, Volume 2</b> of the Environmental Assessment <b>[APP-045]</b>. Further to the installation of the cable ducts the trenches will be backfilled. The timeframe for the open cut trenching and backfilling will be communicated with the Landowner and is not anticipated to be more than 3 weeks at crossing points in this location. Further reinforcement over the trenches will be installed to facilitate Cattle crossing. Further to completion of construction the land will be reinstated to its original condition (i.e. be reinstated to pasture) and there will be no trench along the cable route, and therefore the Applicant's farming practice of grazing cattle will be able to return to normal with little or no impact on the Land Applicant's farming operations / business, and or livestock movements and will have no additional health and safety implications.</p> <p><b>Loss of Grazing</b></p> <p>The Applicant acknowledges that the Land Interest will lose the grazing of the Construction Corridor during the construction period. In accordance with the Heads of Terms, compensation for disturbance and crop loss will be considered where reasonable, substantiated and shown to be caused as a direct consequence of the</p>

Ref	Written Representation Comment	Applicant's Response
		<p>temporary use of the land and the works in accordance with the Compulsory Purchase Compensation Code.</p> <p><b>Drainage</b></p> <p>In addition to the Applicant's above responses to 2.27.15, 2.27.17 and 2.27.42, there is an embedded environmental measure (C-28) has been put in place for the delivery of construction drainage plan within the <b>Outline Code of Construction Practice (CoCP) [PEPD-033]</b> as secured via Requirement 22 of the <b>Draft Development Consent Order (DCO) [PEPD-009]</b>. The measure states that "Particular care will be taken to ensure that the existing land drainage regime is not compromised as a result of construction. A specialist drainage contractor / consultant will be engaged prior to construction to develop the pre and post-construction drainage plan on agricultural land. Land drainage systems will be maintained during construction and reinstated on completion. Temporary cut-off drains will be installed parallel to the trench- line, before the start of construction, to intercept soil and groundwater before it reaches the trench. These field drains will discharge to local drainage ditches through silt traps, as appropriate, to minimise sediment release."</p> <p><b>Health &amp; Safety</b></p> <p>Further to the comments above (under Access, Livestock Handling &amp; Drainage) the Applicant will ensure the Construction Corridor is securely fenced off thereby preventing any cattle from entering on their own accord. In addition, any crossing point installed will be to a standard that will enable the cattle to cross as well as the Land Interest either in a vehicle or on foot.</p> <p><b>Ecological Impact</b></p> <p>If the Land Interest were to enter into an environmental stewardship scheme (i.e. a Higher Tier Agreement) which commenced during the construction period, compensation for disturbance will be considered where reasonable, substantiated and shown to be caused as a direct consequence of the temporary use of the land and the works in accordance with the Compulsory Purchase Compensation Code.</p> <p><b>Sterilisation</b></p> <p>See the comments above under Loss of Grazing,</p> <p><b>Animal Welfare</b></p> <p>In addition to the comments under Livestock Handling above, the proposed Accommodation Works, and crossing points, will mitigate against the likelihood of any injuries to the cattle, and any additional transport costs BCM have stated being required to cross the trenches.</p>

### Land take and severance during construction

Ref	Written Representation Comment	Applicant's Response
2.27.44	14. The Draft Order will grant rights for the Applicant to take possession of a linear strip of land at College Wood Farm of some 1,133 metres in length for an undefined period to install 4 cable circuits in an open cut trench within a linear strip of land up to 40 metres in width.	In accordance with the Heads of Terms issued to the Land Interest, the Applicant is seeking rights to enter into an Option Agreement for a defined period of 5 years (subject to a 2 year extension). The temporary construction works would be carried out under this 'option' period including restoration works, leaving the c.20 m permanent cable easement.
2.27.45	15. The powers being sought are defined at Work No.9 on the Works Plans which is referred to in the Draft DCO as being the onshore connections works including the installation of four transmission cables and temporary construction consolidation sites, construction of a haul road and accesses and other rights. It is understood Work No.9 will grant permanent rights to the Applicant (i.e. across the entire 40 metre width).	The Applicant's approach is set out in the <a href="#">Statement of Reasons [PEPD-012]</a> . Paragraphs 6.9.42-6.9.45 and 9.11.7 -9.11.9 outline the Applicant's approach to proportionality and the intention to use the powers in Article 32 (Temporary use of land for carrying out the authorised project) to take temporary possession of the wider cable construction corridor of 40m (wider at crossing points where trenchless installation techniques will be used) then permanent acquisition of the land rights and a restrictive covenant is required over a narrower permanent area of approximately 20m to retain, operate, maintain and decommission the infrastructure.
2.27.46	16. However, the Applicant confirms in their Cable and Grid Connection Document (Document Reference 5.5) the required permanent corridor width (permanent rights) is only 25 metres in maximum as a reasonable worst case scenario. It is not clear how the extent of land not required permanently will be released from the permanent rights and in effect the Applicant is burdening more land than is needed for the operation of the Project. This is unsatisfactory and an ineffective way to use compulsory acquisition powers.	<p>As explained by the Applicant in the <a href="#">Statement of Reasons (paragraphs 9.11.7-9.11.9) [PEPD-012]</a>, not all of the land owned by the Land Interest within the Order Limits will need to be permanently acquired. Flexibility is sought to enable the construction of works anywhere within the area identified for those works on the <a href="#">Onshore Works Plans [PEPD-005]</a>, within which area there will be a circa 40m construction corridor and 20m permanent easement corridor, save for in certain circumstances such as where HDD techniques are employed. The final routing is not fixed and will be dependent upon matters such as pre-construction surveys. As explained in the paragraphs in the <a href="#">Statement of Reasons [PEPD-012]</a>, the Applicant will seek to minimise the extent of permanent rights required by taking temporary possession first of the wider construction corridor and then permanently acquiring the rights required over the narrower area when the location is known.</p> <p>The Applicant seeks to negotiate rights for an easement to lay a cable within the proposed Order Limits. The easement will be finalised taking no greater area than required. An indicative cable route alignment has been shown by a blue line on the Heads of Terms plan which was provided to the Land Interest in January 2024.</p> <p><b>Footnote 4 in Table 4-19</b> in the <a href="#">Chapter 4 Proposed Development, Volume 2</a> of the Environmental Statement <a href="#">[APP-045]</a> states that "A typical corridor easement is likely to be 20m, but this may vary according to local conditions. A maximum value of 25m (excluding HDD crossing locations) has been assessed as a reasonable worst case scenario."</p> <p>The Applicant welcomes the Land Interest's willingness to discuss matters further and confirms that it will engage further with the Land Interest regarding the refinement of the final land area and appropriate and reasonable mitigation measures during construction of the project to minimise disturbance to the Land Interest.</p>



Ref	Written Representation Comment	Applicant's Response
2.27.47	17. The DCO Land Plans affecting College Wood Farm (sheet 25) show the linear parcel of land effectively severing the holding into 2 halves and depriving our Client from being able to access approximately 50% of his holding during the construction period which is undefined.	See the Applicant's above response to 2.27.15.
2.27.48	18. At present there is no provision for our Client to pass and repass over the Order land to access land on the northern side of the acquisition corridor and the public highway during both the construction period and following the extinguishment of his private rights. The impact of the loss of the access road on business operations is highlighted in the representations from BCM at Appendix 2.	<p>In addition to the Applicant's above response to 1.2, the Applicant has set out in the letter dated 14<sup>th</sup> April 2023 (as shown in <b>Appendix G</b>) that access across the construction corridor can be accommodated for both vehicular and livestock (cattle) access. Whilst Article 25(3) of the draft Order permits the temporary suspension of rights whilst the Applicant is in possession of land during the construction period, so as to enable access to be managed safely by the contractor in accordance with regulatory requirements, Article 25 of the draft Order does not operate to extinguish the Land Interest's existing ownership and/or rights. . The Applicant updated the Outline Code of Construction Practice [PEPD-033] at the Pre-Examination Procedural Deadline. Additional detail has been provided at Section 5.7.10 to explain how construction and access will be managed where crossing Private Means of Access (PMA). In summary:</p> <ul style="list-style-type: none"> <li>• All crossings of PMA will be developed to allow emergency access at all times (through the provision of road plating);</li> <li>• Contractors will be required to accommodate reasonable requests for access during the working day by temporary plating of trench unless a suitable diversion is provided around the works;</li> <li>• The trench will be plated or temporarily backfilled outside of construction working hours where feasible to restore access, unless a suitable diversion is provided around the works;</li> <li>• Rampion 2 Outline Code of Construction Practice Page 70 • Any access restrictions or closures will be communicated to all residents and businesses with affected rights of access (as recorded in the Book of Reference [APP-026] or successor document); and</li> <li>• A nominated point of contact on behalf of the Applicant will be communicated to all residents and businesses at least three months before the start of construction who can be contacted in case of any concerns of grievances.</li> </ul>
<b>Loss of Access to College Wood Farm</b>		
2.27.49	19. In addition, as the cable corridor passes over farm access road (parcel 25/2) the permanent rights will cut off the College Wood Farmhouse from the nearest public highway point as Article 25 of the Draft DCO confirms that all existing private rights over the Order land will be extinguished. There are no crossing points proposed or identified and the Environmental Statement Volume 4, Appendix 4.1 Crossings Schedule (Document Reference 6.4.4.1) identifies the 'track' as being open cut.	See the Applicant's above response to 2.27.48.
2.27.50	20. The access road is also identified on the Works Plans and Appendix 1 of the Statement of Reasons (Document Reference 4.1.1) as being required by the Applicant for Operational Access but the Applicant has not confirmed what that means practically in terms of anticipated usage for the	The Operational Access Rights are defined in Schedule 7 of the <b>draft Development Consent Order (DCO) [PEPD-009]</b> .

Ref	Written Representation Comment	Applicant's Response
	project, maintenance of the access road and how they intend to ensure all existing uses/users of the access road can be maintained.	<p>The access route from Spithandle Lane, along the Land Interest's farm track to the Easement Strip will be used as an operational access only as shown on Sheet 25 of the <b>Onshore Works Plans [PEDP-005]</b> therefore causing minimal disturbance to users.</p> <p>As detailed in Section 4.8 of <b>Chapter 4: The Proposed Development, Volume 2</b> of the ES <b>[APP-045]</b>, maintenance of the onshore cable is expected to be minimal. During operation and maintenance, periodic testing of the cable is likely to be required (every two to five years). This will require access to the link boxes at defined inspection points along the onshore cable route. Unscheduled maintenance or emergency repair visits will typically involve attendance by up to three light vehicles, such as vans, in a day at any one location. Infrequently, equipment may be required to be replaced, then the use of an occasional HGV may be utilised, depending on the nature of the repair.</p>
<b>2.27.51</b>	21. Our Client requires a binding commitment from the Applicant, which includes detail and agreement on how shared access arrangements would be safely managed. To date no offer of such a commitment has been made by the Applicant.	The Applicant refers to the response to 2.27.48 for the Applicant's commitments relating to maintaining private means of access.
<b>Unreasonable extent of powers</b>		
<b>2.27.52</b>	22. Article 23 of the draft Order proposes the Applicant can have up to 7 years after the Order is made to serve acquisition notices. This period is unprecedented and wholly unreasonable in burdening private land for such a long period. Similar DCO Projects (e.g. Bramford to Twinstead Reinforcement) have requested a period of no more than 5 years after the Order is made to serve acquisition notices.	<p>A 7 year commencement period is not unprecedented. Other similar DCOs have been made with 7 year commencement terms such as Hornsea 3 and Hornsea 4. National Grid's Hinckley C Connection project DCO was made with an 8 year commencement period.</p> <p>A 7-year period for commencement of the Proposed Development is required due to;</p> <ul style="list-style-type: none"> <li>- the requirement to win a Contract for Difference (CfD) round to secure a route to market.</li> <li>- supply chain challenges</li> <li>- the scale of the Proposed Development</li> </ul> <p>The timing and outcome of the CfD bidding round process is outside the control of the Applicant. The Applicant cannot bid into CfD rounds until consent for the project has been obtained and it is commercially compliant with the rules of that round. There is a risk that a CfD might not be won in the first round entered and therefore in consideration of the need to procure construction plant after successfully winning a CfD (which could take two or three attempts) a commencement of 7 years is required.</p> <p>Challenging supply chain conditions further exacerbate the time restriction risk of a consent under 7 years. There are a small number of OEMs (Original Equipment Manufactures, known as 'Tier1s') and importantly for the Applicant there are also a very low number of WTG and substation plant suppliers. There is expected to be even further increasing demand for offshore wind in the next few years. The Applicant expects to utilise framework agreements and measures such as blocking out manufacturing 'slots' several years in advance, however the number of other projects also requiring supply contracts impacts the 'Tier 1' timescales for delivery over which the Applicant has limited</p>

Ref	Written Representation Comment	Applicant's Response
		<p>control. The Applicant could be waiting a longer than anticipated time for supply contracts.</p> <p>The Rampion 2 project is reliant on 3 major National Grid infrastructure works to facilitate 100% access to the transmission network. One such project forms part of The Great Grid Upgrade which is the largest overhaul of the grid in generations. In a similar manner for the project, these infrastructure works are subject to supply chain challenges and the major upgrade works has their own DCO application to process. Significantly, this upgrade is proposed to utilise HVDC technology, which is experiencing much more significant supply chain challenges than the HVAC technology which Rampion 2 is looking to employ. National Grid are also currently assessing further design changes to this scheme, looking to add complexity to their scheme and potentially delays.</p>
2.27.53	23. The 7 year period requested by the Applicant suggests their application is premature and has no identifiable funding to pay for project.	See the Applicant's above response to 2.27.52.
<b>Compulsory acquisition – Clear idea of use of land</b>		
2.27.54	24. DCLG Guidance: Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land ('CA Guidance') sets out the relevant tests. It states at Paragraph 9: "The applicant must have a clear idea of how they intend to use the land which it is proposed to acquire."	See the Applicant's response to the relevant representation in <a href="#">Applicants Response to Relevant Representations [REP1-017] Table LI94.1 of the Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396]</a> .
2.27.55	<p>25. The Applicant does not have a clear idea of how they intend to use the Land which is proposed to acquire. The Applicant is uncertain as to how the Land will be used and are applying for powers over a greater extent of land than is required. This is described above and in summary:</p> <ul style="list-style-type: none"> <li>- The Applicant is applying for permanent rights over (at least) 40 metres width of land. The submission documents confirm that a maximum of 25 metres width is required in a worse case scenario.</li> <li>- The DCO will extinguish all existing private rights in land including the Owner's only means of access between his dwelling and public highway at College Wood Farm.</li> <li>- The Applicant is proposing up to 7 years after the making of the DCO to serve acquisition notices. Together with the 3-year construction programme this could blight land for up to 10 years.</li> </ul>	<p>Please refer to the Applicant's response to 1.46. <b>Footnote 4</b> in <b>Table 4-19</b> in the <a href="#">Chapter 4 Proposed Development, Volume 2</a> of the Environmental Statement <b>[APP-045]</b> confirms that A typical corridor easement is likely to be 20m, but this may vary according to local conditions. A maximum value of 25m (excluding HDD crossing locations) has been assessed as a reasonable worst case scenario.</p> <p>See the Applicant's above response to 2.27.52.</p>
<b>Compulsory Acquisition – reasonable efforts to reach agreement by negotiation.</b>		
2.27.56	26. CA Guidance states: "Applicants should seek to acquire land by negotiation wherever practicable. As a general rule, authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail." (paragraph 25)	Noted, the Applicant has no further comments on this matter at this time.
2.27.57	27. Case law, other guidance and recent Inspector Reports following Public Inquiries confirms that such efforts should be reasonable.	Agreed. Furthermore, the Applicant considers that it has made meaningful attempts to engage with the Land Interest.
2.27.58	28. The Applicant failed to issue Heads of Terms (HOTs) for an agreement or attempt to engage with our Client until January 2024 which was only triggered by the submission of Our Client's relevant representation. Terms were finally issued on 26th January 2024 and contain several points which are inconsistent with the DCO including the width of land over which rights are required.	The Applicant was informed verbally by the Land Interest on 22 <sup>nd</sup> May 2023 specifically not to issue Heads of Terms. There is no documented evidence of requested Heads of Terms from the Land Interest further to the call on 22 <sup>nd</sup> May 2023.

Ref	Written Representation Comment	Applicant's Response
		<p>Substantive attempts to negotiate with the Land Interest has been made by the Applicant. The most recent letter to the Land Interest dated 11<sup>th</sup> January 2024 attempts to further discussions on measures to facilitate solutions for the difficulties the Land Interest has outlined.</p> <p>In light of the Land Interest's comments in the relevant representation, the Applicant has therefore issued Heads of Terms for a voluntary agreement and awaits engagement to progress matters.</p>
<b>2.27.59</b>	29. Our Client does not consider the terms to be reasonable because they require even more onerous and restrictive rights to be created than provided for in the Draft DCO, and over a much larger area of his Land than the Order Limits (described in the HOTs as the 'Grantor's Property').	The Applicant is only seeking rights within the Grantor' Estate, which will not necessarily reflect the Land Interest's registered title. The Applicant acknowledges that the Grantor's Estate has yet to be agreed / defined, but this will be defined over the course of the Heads of Terms negotiations.
<b>2.27.60</b>	30. Examples of onerous obligations over the Grantor's Property in the HOTs include requirements to: - Enter into an Option Agreement for a temporary Construction Corridor, Construction Access and other rights as necessary including an Easement Strip over the entirety of our Client's Property including his dwelling houses and buildings. - Unlimited rights to enter the entirety of our Client's Property as may reasonably required in connection with the Project. - Seek the Grantee's (RED) consent before routine property management decisions, including disposing of any interest or letting in the Grantor's Property (not just in the Order Limits).	<p>The Applicant is only seeking to acquire permanent rights over the Easement Strip, and temporary rights for the construction corridor and construction access routes within the DCO Application Red Line Boundary. For the avoidance of doubt, this does not include dwelling houses and buildings.</p> <p>The Applicant is only seeking rights within the Grantor' Estate, which will not necessarily reflect the Land Interest's registered title. The Applicant acknowledges that the Grantor's Estate has yet to be agreed / defined, but this will be over the course of the Heads of Terms negotiations.</p> <p>Again, the Land Interest will only require seeking the Applicant's consent, not to be unreasonably withheld or delayed in relation to any improvements or works being undertaken over the Easement Strip.</p>
<b>2.27.61</b>	31. Our Client is committed to constructive engagement with the Applicant to seek to agree terms by negotiation, however to date and in light of the onerous HOTs presented, do not consider the Applicant has made reasonable efforts to acquire the rights it seeks in the Land by agreement.	See the Applicant's response to the relevant representation in <a href="#">Applicants Response to Relevant Representations [REP1-017] Table LI94.8 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396]</a> .
<b>2.27.62</b>	32. We also question the motive of the Applicant in only issuing heads of terms after the submission of Relevant Representations which raised this as a matter of concern.	See the Applicant's above response to <b>2.27.58</b> . There is no motive or benefit to the Applicant to issue HOTs later in the process.
<b>2.27.63</b>	33. We note in the Barking Vicarage Fields decision, the Inspector analysed whether the applicant in that case had followed the specific recommendations of compulsory purchase guidance when considering if reasonable efforts had been made to use compulsory purchase as a last resort. The applicant's failure to follow guidance in that case was a significant contributing factor in the CPO application being rejected.	The Applicant does not accept that it has failed to follow guidance.
<b>2.27.64</b>	34. We conclude the Applicant's failure to follow guidance throughout the planning process is a relevant consideration as to whether reasonable efforts have been made to use compulsory acquisition as a last resort.	See the Applicant's above response to <b>2.27.63</b> .



Ref	Written Representation Comment	Applicant's Response
<b>Failure to consult with our client and consider alternatives.</b>		
<b>2.27.65</b>	35. As can be seen in the evidence of Perry Hockin, a number of alternative suggestions to the cable corridor are being considered by our client in an attempt to alleviate the impact of the Scheme on the use and enjoyment of his property.	Noted, the Applicant has no further comments on this matter at this time.
<b>2.27.66</b>	36. This includes the use of HDD over all or part of the cable corridor to mitigate the otherwise harmful impact open cut trenching will have to hedgerows, permanent pasture and the access road. BCM report on the health and safety aspects of open cut trenching together with impacts to his farming business.	See the Applicant's above response to <b>2.27.17</b> .
<b>2.27.67</b>	37. These issues have been raised in correspondence before with the Applicant and have not been given due consideration or consulted on. For reference we attach a letter dated 19th July 2022 from Savills (agents at the time for our Client) to Carter Jonas (agents to RED) attached at Appendix 4. The letter explains our client's concerns as to the detrimental impact of the proposed open cut method, puts forward an alternative HDD solution and offers the Applicant a chance to consider and consult on this alternative.	The Applicant responded to the Land Interest's agent's letter (dated 19 <sup>th</sup> July 2022) in a letter dated 19 <sup>th</sup> August 2022 (as shown in <b>Appendix J</b> ). The Applicant informs the Land Interest that the Land Interest's proposals have been duly considered by the Rampion 2, engineering and environmental teams. The Applicant also sets out in this letter the justification of why the Applicant cannot proceed with an HDD solution on the Land Interest's holding, and why no modifications can be made to the proposed cable route.
<b>2.27.68</b>	38. Our client's relevant representation attached at Appendix 3 highlighted the failure of the Applicant to include our client in targeted cable route consultation exercise which were designed to canvass the opinions of those affected by the cable corridor in local area. We attach the consultation booklet at Appendix 5 for the Wiston area (the location of our client's property). This targeted consultation exercise completely omitted College Wood Farm from any proposed modifications. This is despite the Applicant being aware of the alternatives from the Savills letter.	See the Applicant's above response to <b>2.27.67</b> .
<b>2.27.69</b>	39. This is particularly acute as it is clear from reading page 63 of the consultation booklet that a Modified Route (MR-09) was considered and adopted by the Applicant to "reduce the severance of agricultural fields and maximise their use during construction".	MR-09 was introduced at second Statutory Consultation exercise (RED, 2022) to reduce the severance of agricultural fields and maximise their use during construction, ). Following this consultation, MR-09 was accepted and included in the proposed DCO Order Limits. The Applicant notes that MR09 runs through arable land which will <b>reduce</b> the impact on the farming operations (i.e. farming operations such as combine harvesting or spraying which requires large equipment). . The cable routing put forward did not conflict with environmental commitments in the Environmental Statement and was technically and economically acceptable and was therefore progressed.
<b>2.27.70</b>	40. This is the exact same point made by our client in his discussion with the Applicant. We are at a loss as to why his modified route was not considered by the Applicant which could have been accommodated whilst maintaining the appropriate standoff distance from the ancient woodland.	<p data-bbox="1644 1539 2792 1602">Please see section 2.27.11 to 2.27.13 for the Applicant's response to the proposed modifications presented in Mr Dickson's Written Representation.</p> <p data-bbox="1644 1633 2792 1770">Alternatives requested by the Directly Affected Party have been duly considered by the Applicant. . The requested modifications were not taken forward to consultation. The reasons for each of these are set out in Appendix A of this document and had been communicated to the landowner.</p> <p data-bbox="1644 1801 2792 1944">A modified route maintaining the appropriate standoff distance from the ancient woodland (25m) was not put forward to the Applicant or communicated as being potentially acceptable to the Land Interest. Indeed the Alternative routes put forward in this Written Representation by the Land Interest do not propose an open cut cable route</p>

Ref	Written Representation Comment	Applicant's Response
		25m from the ancient woodland option (all options put forward by the Land Interest involve trenchless crossings and 15m buffers from the ancient woodland). The Applicant did not take from conversations with the Land Interest that an option involving a cable route 25m from the ancient woodland would be one that would be deemed acceptable by the Land Interest.
2.27.71	41. The first correspondence from the Applicant in response to this suggestion was via a letter from Vicky Portwain of RED to our client dated 24th May 2023, attached at Appendix 6. This is some 6 months after the Autumn 2022 consultation exercise suggesting that the Applicant failed to properly consider the modified route as part of the statutory consultation. In paragraph 3 of the section "Cable Routeing – Woodland/tree constraints", Ms Portwain confirms that the <i>"additional cable length required by the routeing of the cable northward along the field boundary would need to be justified on environmental or engineering grounds (which the Rampion 2 team do not believe it to be)"</i> .	The Applicant continued to consider proposed modified cable route amendments through Spring 2023 including amendments put forward by the Land Interest after the close of consultation deadlines. Written communications were sometimes delayed due to the extent of changes requested by a number of Land Interests along the route which were considered by the Applicant.
2.27.72	42. We raise two concerns about this comment: (i) the Applicant has not communicated or shared on what grounds the modified route was considered and provided details of the outcome of this consideration and, (ii) clearly from the example in page 63 of the consultation booklet at Appendix 5 the grounds for re-routeing the cable corridor has included reducing the severance of agricultural fields. What is the difference between the two cases?	(i) See the Applicant's above response to <b>2.27.71</b> .  (ii) Page 63 of the "Rampion 2 Second Road of Statutory Consultation: Potential Onshore Cable Route Changes" refers to Modified Route MR-09 and states that MR09 "has been introduced to reduce the severance of agricultural fields and maximise their use during construction". The Applicant notes that MR09 runs through arable land which will reduce the impact on the farming operations (i.e. farming operations such as combine harvesting or spraying which uses large equipment). The cable routeing put forward did not conflict with environmental commitments in the Environmental Statement and was technically and economically acceptable and was therefore progressed.
<b>Equalities</b>		
2.27.73	43. The Public Sector Equality Duty (PSED), as outlined in Section 149 of the Equality Act 2010, imposes a clear procedural requirement on decision-makers to duly consider a range of specified factors.	See the Applicant's relevant representation response in <a href="#">Applicants Response to Relevant Representations [REP1-017] Table LI94.2 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Raph Dickson) [RR-396]</a> .
2.27.74	44. The Examining Authority is aware that our client is accorded protection under the Equality Act 2010, specifically due to age-related considerations as previously detailed in Relevant Representations.	See the Applicant's relevant representation response in <a href="#">Applicants Response to Relevant Representations [REP1-017] Table LI94.2 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Ralph Dickson) [RR-396]</a> .
2.27.75	45. It is therefore vitally important to our Client that Equality duties considered ensuring the objectives of anti-discrimination legislation are met, practically in the context of Section 149(3) of the Equality Act 2010: (3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to— (a)remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;	See the Applicant's relevant representation response in <a href="#">Applicants Response to Relevant Representations [REP1-017] Table LI94.2 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Raph Dickson) [RR-396]</a> .

Ref	Written Representation Comment	Applicant's Response
	<p>(b)take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;</p> <p>(c)encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.</p>	
2.27.76	<p>46. Our broad submission is that the Applicant has failed to take into account our Client's protected characteristics and has failed to make appropriate reasonable adjustments that are required to comply with the protection granted by the Equality Act 2010. Lester Aldridge LLP has submitted a further representation on this issue.</p>	<p>See the Applicant's relevant representation response in <a href="#">Applicants Response to Relevant Representations [REP1-017] Table LI94.2 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Raph Dickson) [RR-396]</a>.</p>
<b>Use of HDD</b>		
2.27.77	<p>47. Our client has repeatedly put forward the suggestion of the Applicant employing HDD installation technique to mitigate the impacts of the scheme at College Wood Farm.</p>	<p>In addition to the Applicant's above response to 2.27.67, a further letter dated 14<sup>th</sup> April 2023 attached at <b>Appendix G</b> was sent to the Land Interest explaining the reasoning in full, why the request could not be accommodated.</p>
2.27.78	<p>48. Evidence from Perry Hockin (Ecology) and BCM (Impact to Farm Business) has also concluded that HDD would provide the most optimal outcome to minimise the impact on ecology, including hedgerows and from a farming perspective including the private access road.</p>	<p>BCM's (Impact to Farm Business) Report concludes that using the HDD method would provide the greatest reduction in impact for the Land Interest's proposed Alternative 1 route – not the currently proposed cable route. Whilst the HDD would pass underneath the land, there would still be a requirement for a haul road to pass along the construction corridor during the construction period. Any route through the Land Interest's land holding will have an impact, but the Applicant reiterates that through agreement of Accommodation Works the impact on the farming business and the private access road can be mitigated against (see the Applicant's above response to 1.6).</p> <p>The Applicant responds to Appendix A: Landscape, Arboriculture and Ecology (Surveys – Plans – Assessments – Mitigation – Solutions – Methodology) below in response to 1.93. “</p>
2.27.79	<p>49. The 24th May 2023 from Vicky Portwain dismisses this proposal in respect of HDD beneath the farm track on grounds of cost. However, as above, this is contradicted by the Autumn 2022 consultation exercise where a Trenchless Crossing (TC15) of a farm track was accepted by the Applicant.</p>	<p>–Trenchless Crossing (TC15) was consulted and included in final design on the basis of it delivering mitigation for Landscape and Visual Impacts. As set out in the 2022 Consultation booklet TC-15 was proposed for the crossing of a farm access track and mature treeline.</p>
2.27.80	<p>50. The Applicant has failed to, and needs to, demonstrate by way of providing a detailed cost comparison of HDD vs open cut trenching.</p>	<p>The Applicant does not need to provide a detailed cost comparison of HDD vs open cut trenching to the Land Interest. It is readily accepted and understood that trenchless crossing methods are more expensive than the open cut trenching method. Please see the Applicant's response to point 2.27.11 which explains further the approach taken to trenchless crossings and additional costs involved.</p> <p>The Applicant has explained the rationale and reasoning behind choosing the open cut trenching methodology across the Land Interest's holding in a letter dated 19<sup>th</sup> August 2022 (as shown attached at <b>Appendix J</b>).</p>

Ref	Written Representation Comment	Applicant's Response
2.27.81	51. Similarly HDD crossings were accepted by the Applicant in other areas consulted on by the Application – See Modified Route MR-13 (page 66) and Trenchless Crossing TC-18 (page 66).	As set out in the 2022 Consultation booklet:  Modified Route MR-13 has been added to enable a trenchless crossing (TC-18) of hedgerows, mature trees and the Cowfold Stream. This would also move the corridor further east away from residential properties. Trenchless Crossing TC-18 would pass under hedgerows, mature trees and the Cowfold Stream to leave them unaffected.
2.27.82	52. It is understandable that our client feels completely let down and ignored by the Applicant. He is put forward similar suggestions to use HDD on his land to alleviate the impact of the project. These suggestions have been completely overlooked/ignored in the Autumn 2022 consultation exercise. This is even more compounded when it is learned from the consultation material that HDD is being used on other land holdings in very similar circumstances to his.	See the Applicant's relevant representation responses in <a href="#">Applicants Response to Relevant Representations [REP1-017] Tables LI94.4, LI9.5 &amp; LI9.6 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Raph Dickson) [RR-396]</a> and response to points 1.80 and 1.81 above.
<b>Conclusion</b>		
2.27.83	53. The project will have a detrimental impact on the ecology of our client's land by destroying hedgerows and permanent pasture habitats. In addition significant amounts of land will be lost during the construction period and reinstatement of the land, this period could be up to 3 years.	See the Applicant's above response to 2.27.3.
2.27.84	54. Our client has put alternatives to the Applicant to mitigate these impacts. He has been repeatedly ignored throughout the pre-examination period. It is only latterly the Applicant has provided scant information to justify their approach to his land, albeit this is after statutory consultations which has overlooked him.	See the Applicant's relevant representation responses in <a href="#">Applicants Response to Relevant Representations [REP1-017] Tables LI94.4, LI9.5 &amp; LI9.6 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Raph Dickson) [RR-396]</a> .
2.27.85	55. Throughout the pre-examination phase of the project there has been a failure by the Applicant to properly consult, engage, consider alternatives put to them and negotiate. Paragraphs 35 to 47 above set out how the Applicant has tried to put forward alternatives to mitigate the impact of the scheme, but he has been ignored by the Applicant.	See the Applicant's relevant representation responses in <a href="#">Applicants Response to Relevant Representations [REP1-017] Tables LI94.4, LI9.5 &amp; LI9.6 Applicant's Response to Lester Aldridge LLP (Lester Aldridge LLP) on behalf of Thomas Ralph Dickson (Thomas Raph Dickson) [RR-396]</a> .
2.27.86	56. Planning Act Guidance related to the procedures for the compulsory acquisition of land (Sept 2013) confirms that Applicants should carry out early consultation with landowners to build up a good working relationship with those whose interests are affected by showing that the applicant is willing to be open and to treat their concerns with respect. We consider the Applicant has failed in their duty and has not treated our client with respect.	The Applicant has treated the Land Interest with respect since the first approach in October 2020. The extensive letters and phone calls with both the Land Interest and his different agents demonstrate the Applicant's attempts to engage and discuss the alternatives and communicate decisions. It was due to this respect for the Land Interest that Heads of Terms were not issued when this request was made. It is also the reason why many site visits did not go ahead as the Land Interest made the meetings conditional upon concessions from the Applicant that the Applicant was not in a position to offer. For example, the latest meeting request is being opened to the Applicant on the basis that alternatives outside of the DCO red line are considered. The Applicant does not consider this appropriate given the responses to in this written representation
2.27.87	57. In respect of negotiations the Planning Act Guidance states: <i>Applicants should seek to acquire land by negotiation wherever practicable. As a general rule, authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail.</i>	The Applicant continues to attempt to acquire by agreement but the Land Interest is seeking changes outside of the DCO boundary which are not considered by the Applicant to be appropriate.



Ref	Written Representation Comment	Applicant's Response
2.27.88	58. The Applicant has failed to adhere to the guidance. There were no attempts to acquire our client's interest by agreement. Heads of Terms were only issued in January 2024, 4 months after the submission of the DCO and only after receiving our client's relevant representation. This is poor practice and follows the pattern established in consultation with our client.	See the Applicant's above response to 2.27.58.
2.27.89	59. Our client considers that there is not a compelling case in the public interest to authorise compulsory acquisition of his land in accordance with the Draft DCO.	The Applicant's <a href="#">Statement of Reasons [PEPD-012]</a> sets out the compelling case in the public interest for the authorisation of compulsory acquisition powers in the DCO.
2.27.90	60. Our client seeks to amend the Draft DCO to include provisions to HDD underneath his land holding as shown on pages 52 and 53 of Perry Hockin's ecology report. These suggestions have been previously communicated to the Applicant without receiving any form of detailed response with costings.	See the Applicant's above responses to 2.27.11 – 2.27.13.
2.27.91	61. In addition the existing private rights along the farm track should not be extinguished by the DCO.	See the Applicant's above response to 2.27.48.
2.27.92	62. The Order powers should be available no more than 5 years after the Order is made.	See the Applicant's above response to 2.27.52.
2.27.93	Appendix A: Landscape, Arboriculture and Ecology (Surveys – Plans – Assessments – Mitigation – Solutions – Methodology) submitted as part of the Written Representation.	<p>The Applicant notes the results of the ecology surveys provided. It is notable that ecology surveyors present on behalf of RED were at various points denied entry and escorted from the land by the landowner. When access was agreed, the extent of survey was restricted both in the locations allowed to be accessed and the time they were allowed to be present. This is in contrast to the survey information provided by the Affected Party that covers larger areas and long extents of hedgerow, much of which is outside of the area that would be subject to construction activity. Therefore, the two datasets are not directly comparable. With regards to hedgerows the methodology on surveying hedgerows is called into question by the Affected Parties ecologist based on not surveying the whole hedgerow (see paragraph 5.19 of Appendix A) and not visiting in February/March (see paragraph 5.26 of Appendix A). As noted above a survey of the length of each hedgerow was not permitted by the landowner and access was difficult to arrange. However, as the losses proposed are temporary and small in scale the outcome of the impact assessment in Section 22.9 of <a href="#">Chapter 22 Terrestrial Ecology and Nature Conservation, Volume 2</a> of the Environmental Statement [<a href="#">APP-063</a>] would not change (i.e. the effect is on the length of hedgerow described within the application).</p> <p>It is noted that the Affected Parties ecology report questions the number of hedgerows that have been identified as having gaps in excess of 10%. Figure 22.5.2I of <a href="#">Appendix 22.5 hedgerow survey report, Volume 4</a> of the ES [<a href="#">APP-183</a>] shows only H228 as not being intact.</p> <p>With regards grassland type, again it is noted that the Affected Party allowed a survey across 60ha of land by their ecologist, whilst restricting access for the surveys undertaken on behalf of the Applicant. The Applicant's consultant recorded a mix of poor semi-improved grassland and improved grassland within the areas they were permitted to survey. Regardless of the discrepancy between the survey results the habitat is not a Habitat of Principal Importance as it does not fit within the lowland meadow description provided by the Joint Nature Conservation Committee. Therefore, ensuring that updated survey information is gathered during the detailed design process</p>

Ref	Written Representation Comment	Applicant's Response
		<p>is key in determining outcome which is the provision of sufficient compensation and biodiversity net gain is secured. This is secured through Requirement 14 of the draft Development Consent Order [PEPD-009]. Therefore, appropriate compensation (to reach no net biodiversity loss) and BNG is assured for the Proposed Development.</p> <p>The Applicant considers the information provided in support of the application within <a href="#">Appendix 22.3 Extended Phase 1 habitat survey report, Volume 4</a> of the ES [APP-181] and <a href="#">Appendix 22.5 Hedgerow survey report, Volume 4</a> of the ES [APP-183] suitable for use within the assessment and the outcome in Chapter 22 Terrestrial Ecology and Nature Conservation [APP-063] remains valid..</p>
<b>2.27.94</b>	Appendix B: Agricultural Business Impact Assessment submitted as part of the Written Representation.	
<b>2.27.95</b>	Appendix C: Relevant Representation submitted by Thomas Ralph Dickson on 6 November 2023.	
<b>2.27.96</b>	Appendix D: Rampion 2 Second Round of Statutory Consultation: Potential Onshore Cable Route Changes consultation booklet	
<b>1.97</b>	Appendix E: Correspondence between Thomas Ralph Dickson, RWE and Carter Jonas	

**Table 2-28: Applicant's Response to Wiston Estate, Richard John Goring, Richard Harry Goring, P Goring, Wiston Estate Partnership, Rock Common Limited [REP1-172]**

Ref	Written representation comment	Applicant's response
<b>1. Introduction</b>		
2.28.1	1.1. Wiston Estate extends to over 2,420ha centred on Wiston House and Park, which has been owned by the Goring family since 1743. The estate comprises, 1,765ha of farmland, 495ha woodland, 100ha parkland, 70ha of quarries and 24ha of ponds and wetland. There are 106 in-hand and let residential properties, 11 in-hand and let farms, and 22 commercial units.	The Rampion 2 project proposals affect a small proportion of the Wiston Estate's total area. The proposed Works areas (No.9, No.10, No.12, No.13 and No.14 - the maximum area of land that may be affected by the proposals prior to route refinements) impacts 1.80% of the entire area of the Estate (excluding parkland, woodland, quarries and pond areas). A Plan of Wiston Estate is attached at <b>Appendix K</b> .
2.28.2	1.2. Wiston Estate Winery and the Chalk Farm Restaurant sit to the south of the estate and are managed directly by the estate. There are 12ha of vineyards and the estate produces award winning wines, winning the Wine GB "Winery of the Year" twice. Wiston Estate directly employ 80 number of people and support over 20 number of businesses operated by others.	The proposed Rampion 2 cable route or associated works do not affect any of the existing Wiston Estate vineyards and we envisage will not directly affect current vineyard operations. Plan at <b>Appendix K</b> shows the Wiston Estate existing and proposed vineyards.
2.28.3	1.3. The proposed Rampion Scheme bisects the property from east to west and runs for more than 5km representing over 15% of the onshore cable route. The impact both on the overall estate and estate tenants and their associated business will be severe and will restrict the economic development of the estate in perpetuity.	<p>The Applicant understands the Wiston Estate owns land affected by approximately 4km of proposed cable route which accounts for circa 10% of the total onshore cable route length. The Wiston Estate land registry ownership (impacted by the proposals) extends to the area coloured shaded on the Plan at <b>Appendix K</b>, with the proposed onshore cable construction corridor shaded in yellow. The land subject to the proposal is arable and pasture land and forms a proportion of the total Estate land holding (circa.1.80%). The 4km of proposed cable route affects three main farming occupiers (two larger tenancies and one smaller tenancy). There are a number of residential tenants whose rights of access are affected by construction access and cable installation proposals on these farms and elsewhere on the route.</p> <p>Details of the onshore cable route as it passes through the Land Interest's land holding are shown on Sheets 22, 23, 24 and 25 of the <b>Onshore Works Plans [PEPD-005]</b>.</p> <p>Arable and pasture land is affected by the proposed cable works (Works No.9 – Cable Installation works (including construction and operational access)), for which a package of Cable Rights and a Cable Restrictive Covenant are sought.</p> <p>There are proposed construction access areas (Works No.13 – Temporary construction access) that affects roadside verges and one strip of agricultural land, for which Construction Access Rights are sought. In addition, an area of pasture land is affected by the proposed Works No.12 (Temporary duct stringing area)</p> <p>A proposed construction and operational access (Works No.14) affects two existing tracks, for which Construction and Operational Access Rights are sought.</p> <p>There are several proposed areas to be affected by operational access (Works No.15), including field boundaries with existing gateways, for which permanent operational access possession powers are sought.</p> <p>In addition, pasture land is affected by Works No.10 (Temporary construction compound), for which temporary possession powers are sought.</p>

Ref	Written representation comment	Applicant's response
2.28.4	1.4. This is a Summary of the full Written Representations submitted on behalf of Wiston Estate.	Rights are defined in Schedule 7 of the <a href="#">draft Development Consent Order (DCO) [PEPD-009]</a> .
<b>2. The Route</b>		
2.28.5	2.1. The route is damaging to the estate, their farm tenants, the South Downs National Park, the visual landscape, and the wider environment. We have extracted the relevant parcels of land and provided additional commentary on both the construction and long-term impacts within the Written Representation.	<p>The Applicant notes the issues raised in this relevant representation. Route alternatives and matters raised within this Relevant Representation have been responded to by the Applicant in <b>Table 6-4 'Route / Alternatives'</b>.</p> <p>Environmental impact matters provided within this Relevant Representation, including Landscape and visual impact, have been responded to by the Applicant in <b>Table 6-2 'Environment and disturbance'</b>.</p> <p>The landscape and visual effects are assessed in <a href="#">Chapter 18: Landscape and visual impact, Volume 2</a> of the ES <a href="#">[APP-059]</a> and the following are also relevant, providing an assessment of viewpoints along the onshore cable corridor, effects on landscape and the South Downs National Park and effects on views and visual amenity experienced by people within the area.</p> <p><a href="#">Appendix 18.2: Viewpoint Analysis, Volume 4</a> of the ES <a href="#">[APP-168]</a>;  <a href="#">Appendix 18.3: Landscape Assessment, Volume 4</a> of the ES <a href="#">[APP-169]</a>; and  <a href="#">Appendix 18.4: Visual Assessment, Volume 4</a> of the ES <a href="#">[APP-170]</a>.</p>
<b>3. Failure to Engage and Consult Sufficiently</b>		
2.28.6	3.1. The level of response by Rampion to the Wiston estate's attempts to engage has been disappointing and below the standard to be expected for a project of this scale. There has been change of personnel both within the Rampion project team and their agents Cater Jonas.	<p><b>Consultation and Engagement</b></p> <p>The Applicant has consulted (both statutorily and informally) with the Land Interest (Wiston Estate), over the period 2020 to 2024.</p> <p>A site meeting was initially held in September 2021, where the Land Interest expressed a number of concerns about macro and micro re-routing of the cable. These views were reiterated within various consultation responses.</p> <p>An alternative route, to the south of Washington village, was proposed by the Land Interest (in conjunction with other neighbouring landowners), which was given detailed consideration by the Applicant. The rationale and decision-making process for not progressing with the route to consultation was communicated verbally by the Applicant at a meeting in April 2022 and later by way of a presentation to the neighbouring landowner Washington Parish Council at a Parish Council meeting on 7<sup>th</sup> November 2022.</p>



Ref	Written representation comment	Applicant's response
2.28.7	<p>3.2. Summary and brief Heads of Terms for an option and easement agreement were not provided until Spring 2023, however, there has been no meaningful discussion about these terms and their suitability for the Wiston Estate until more recently. A group of agents representing a large proportion of affected landowners attempted to engage as a group and received very perfunctory responses. There was a refusal from Rampion and their agents to meet with the agent group to discuss the key terms.</p>	<p>In addition, in September 2021, the Land Interest proposed an alternative construction access route and removal of a proposed operational access. Subsequently both requests were factored into the design, and presented to the Land Interest at a site meeting in April 2022. These were included in the targeted statutory consultation and subsequently adopted as design changes.</p> <p>Further site meetings were held in January 2023 and May 2023, with the Applicant working in conjunction with the Land Interest and the farm tenants to understand the main concerns.</p> <p>Whilst there has been a change of personnel dealing with the negotiations with the Land Interest, that is not unusual for a project that has a lengthy lead-in period up to an application. The Applicant's Land Transaction Manager (Vicky Portwain) has however now been engaged on this project since September 2022. The same Carter Jonas agent (Lucy Tebbutt) has been appointed by RWE as the agent for the duration of the project. There has been a change of personnel within the Wiston Estate, including their advising agents (prior to the appointment of Knight Frank) and their internal property lead.</p> <p><b>Voluntary Agreement – Engagement and Negotiation</b></p> <p>Heads of Terms were issued to the Land Interest in March 2023. The agent has confirmed that the Land Interest would like to work collaboratively with the Applicant to agree terms. The Applicant has been in correspondence with the Land Interest, which included meeting with various tenants on site in May 2023. The Applicant has held on-line and in person meetings to discuss the Heads of Terms in detail on 23 January 2024 and 12 February 2024 respectively, with the latest meeting held on 19 March 2024 to negotiate and agree points within the Heads of Terms.</p> <p>The Applicant seeks to negotiate rights for an easement to lay a cable within the proposed Order Limits. The easement will be finalised taking no greater area than required.</p> <p>The Applicant welcomes the Land Interest's willingness to discuss matters further and confirms that it will engage further with the Land Interest regarding the refinement of the final land area and appropriate and reasonable mitigation measures during construction of the project to minimise disturbance to the Land Interest.</p> <p><b>Group Agents Meeting</b></p> <p>The Applicant has sought to engage in meaningful negotiations with the affected parties and their agents, including (as a generality):</p> <ul style="list-style-type: none"> <li>• Key Terms were issued to the affected parties' agents in March 2023 to seek feedback on the general principles.</li> <li>• In April 2023, a group of agents (with clients affected by the project) responded collectively with comments on the Key Terms included within an excel table.</li> </ul>

Ref	Written representation comment	Applicant's response
2.28.8	3.3. The draft easement and option documents were not provided until late October 2023. There was insufficient time for Wiston Estate to review these and take professional advice, prior to the DCO process (the DCO application was submitted in August 2023).	As outlined in Point 3.2, progress has been made with the Heads of Terms negotiations since the DCO submission and the Applicant welcomes further opportunities to progress the negotiations.
2.28.9	3.4. Due to lack of proper engagement and consultation the rights being sought by Rampion are too wide. We are aware that Rampion 1 proposed an easement width of 15m, subject to maximum of 30 m2 for physical obstacles. No acceptable justification has been provided by Rampion to substantiate why they require such wide and far-reaching rights over and above what was agreed in Rampion 1.	<p>The final permanent easement width for Rampion 2 is proposed to be 20 metres. This is driven by an engineering requirement to bury the cables spaced 5 metres on centres between each HVAC export circuit, there being a maximum of four export circuits. Please refer to Section 4.5 of <b>Chapter 4: The Proposed Development [APP-045]</b>. Rampion 1 operates two export circuits.</p> <p>The final permanent easement width differs to the construction and maintenance strip width, which extends to 40 metres (with exceptions detailed within the Option documentation). The requirements of the construction and maintenance strip has been explained and discussed in detail in meetings with the Land Interest in January, February and March 2024.</p>
2.28.10	3.5. Notwithstanding the above, we acknowledge that several meetings have been held with Rampion and their agents in the past month, where some more meaningful progress has been made. It is disappointing that this has taken so long and as a result Wiston Estate has incurred unnecessary professional costs in engaging in the DCO process.	<p>The Applicant welcomes that acknowledgment. As outlined in point 3.2, the Applicant has held three meetings with the Land Interest in January, February and March 2024 to discuss the Heads of Terms in detail, and discussions are ongoing. The Grantee will reimburse reasonable and proper Agents costs in the negotiation of Heads of Terms.</p> <p><i>Please refer to summary in 11.1 for further information.</i></p>

Ref	Written representation comment	Applicant's response
<b>4. Failure to properly consider major and minor variations to the route</b>		
<b>4.1 Major Route Variations</b>		
<b>2.28.11</b>	4.1.1. The Washington Parish Council submitted a major alternative route proposal in their paper dated 11th February 2021 – the 'Blue Route'. This is identified below in blue.	<p>The Applicant's Response to Relevant Representations <b>[REP1-017]</b> provided the following summary response to explain why the 'Blue Route' was not taken forward:</p> <p><b>“Consideration of Major Route Amendments</b></p> <p>The Applicant has considered potential major route alternatives for the cable that avoid the underground crossing of the Washington Recreation Ground, including the referenced 'southerly alternative' requested by the Parish Councils.</p> <p>The option was not presented or commented on in the Alternatives Chapter as it was deemed less suitable on technical engineering and environmental grounds, specifically in relation to the pinchpoint of the proposed route crossing a gas pipeline in the vicinity of the ancient woodland. Constrained access from the A24, and the need for existing tracks forming the South Downs Way to be widened, with impacts on hedgerows was a further key factor. The Applicant attended and presented feedback on this decision at the Washington Parish Council meeting on the 7 November 2022”.</p>
<b>2.28.12</b>	4.1.2. At a meeting on the 1st September 2021 Rampion suggested that this proposed route would pass through an area of Ancient Woodland on the north scarp of the downs south-east of Washington Village. Had they inspected the woodland they would have known that it is predominantly a single species woodland suffering from acute ash-die back disease. It is therefore due for an imminent clear fell under Forestry Commission guidelines. In addition only a small part of this area of woodland is designated an Ancient Woodland. We are aware that Rampion are Directional Drilling underneath woods, such as Calcott Wood (which is also a Ancient Wood in part) as detailed above. Could this not have been considered for the proposed “Blue Route”.	<p>To expand on the above and answer this more detailed comment:</p> <p>Ancient woodland is noted as an irreplaceable habitat in planning policy Overarching National Planning Policy EN-1 (2011) paragraph 5.3.14 and Overarching National Planning Policy EN-1 (2023) paragraph 5.4.54. This policy considers both ancient semi-natural woodland and plantation woodland on ancient woodland sites to be irreplaceable. This is because of the ancient woodland soils that are present (including seed bank, fungi etc.). Therefore, the Applicant has to treat this woodland as irreplaceable habitat regardless of the current condition of the trees present.</p> <p>The Blue route interacts with two areas of Ancient Woodland. It's a core principle for the project to follow the mitigation hierarchy and avoid Ancient Woodland where possible, followed by the application of mitigation measures (such as trenchless crossing) where avoidance is not possible. The length of the cable corridor route that the Blue Route would have replaced does not interact with any Ancient Woodland.</p> <p>The consideration of this option also included a review of how the works could be accessed. The route was more constrained from a transport perspective, with difficulty accessing the route, particularly at the A24 dual carriageway during construction compared to the available accesses from the A283 on the PEIR route option.</p> <p>There would also be an increase in interaction and likely effects on the South Downs Way (SDW). The route would be required to run parallel to the SDW for approximately 2km from Sullington Hill down to the A24, affecting amenity of users on this section. Additionally, the SDW runs along sections of existing track to the east and west of the A24 that would have been required for use for construction traffic and a further crossing</p>

Ref	Written representation comment	Applicant's response
		<p>of the SDW by the cable route east of the A24. The Applicant acknowledges that the proposed onshore cable route still crosses the SDW resulting in identified significant effects, however the 'blue route' would involve a much greater area and length of the SDW to be affected.</p> <p>Technical challenges for the Blue route option include:</p> <ul style="list-style-type: none"> <li>• A steep section of the route running East down to the A24, which would result in increased construction complexities.</li> <li>• The slide slope for the pipeline crossing located just to the East of the A24, this results in increased construction complexities</li> <li>• Running parallel and in close proximity to the High Pressure gas pipeline in several sections requires additional construction considerations.</li> <li>• Crossing of a gas pipeline at a pinch point between two Ancient Woodlands would be required to the East of Chanctonbury Ring Road. The requirement for stand-off distances from construction activities to the woodlands in combination with the required safety corridor around the existing gas pipeline would have left limited space for cable corridor construction. Additionally, the ability to cross the gas pipeline at perpendicular angles appears severely constrained in this area putting the constructability and acceptability of this asset crossing for statutory undertakers into question.</li> </ul> <p>It is for these reasons, that the engineering aspects for this route were considered undesirable at this stage of the cable route development.</p> <p>Due to the significant environmental and technical constraints described above, the alternative route was discounted prior to the second Statutory Consultations and the Applicant identified the route that is presented in the DCO Application. Through further iterative design and identification of environmental measures, the Applicant has sought to avoid, reduce and minimise effects along this route and considers that the appropriate consideration has been given to this alternative.</p>
<b>4.2 Minor Route Variations</b>		
<b>2.28.13</b>	<p>4.2.1 Minor route variations have also been proposed, which have not been properly considered by Rampion.</p> <p>There is a strip of land between the Rock Common sand pit 54metres wide that sits to the north of the Pike (A283). This represents a better location for the cable than the route to the south of the Pike which crosses the entrance to a highly bio-security sensitive rare breed sheep farm to the south, referred to above.</p>	<p><b>Strip of land to the north of the Pike (A283)</b></p> <p>The minor route variation proposed on a strip of land to the North of A283 adjacent to Rock Common was considered but not taken to consultation because of technical engineering issue and health and safety concerns associated with existing utilities running through the narrow available area to North of A283. This was presented verbally to the Land Interest at site meeting in April 2022.</p> <p>The proposal also included moving the cable route which sat south of the A283 closer to the road to reduce severance. A version of this was consulted upon (as Modified Roue 08) and subsequently adopted into the order limits.</p>



Ref	Written representation comment	Applicant's response
		<p>With respect to the sheep farming bio-security measures referred to, the Applicant will discuss with the Land Interest bio security and consider appropriate measures to implement, that mitigate any effects of the scheme on the rare breed sheep farm. The Applicant welcomes the opportunity to further discuss concerns raised, particularly in relation to Scrapie and maedi visna.</p> <p><b>Consideration of Minor Route Amendments</b></p> <p>The Applicant has considered numerous alternatives on the Wiston Estate land and took forward one modified route amendment (which represented part of the Estate's proposal) and one alternative access to be consulted on as part of the second Statutory Consultation (Oct - Nov 2022). Both of these were accepted as part of the final design.</p> <p>Further commentary on these are provided in the response within point 4.2.2, 15.10, 17.17 and 15.2.</p>
2.28.14	<p>4.2.2 Generally, a route which follows the southern edge of the road boundary (from Rock Common sandpit eastwards) will see less injurious affection of the farms to the south. It minimises the loss of long-term excavatable sand reserves and future vineyards sites, which are detailed below.</p>	<p><b>Minor Route Variation Assessment</b></p> <p>The minor route variation which followed the southern edge of the A283 was considered but not taken to consultation because through engagement, the Environment Agency expressed concern over the proximity of the authorised landfill at Windmill Quarry which is situated along the northern edge of the A283. The Environment Agency noted that with the proposed route of the cable corridor being on the far side of the A283 and at least 50m from the boundary of the landfill there would not be any pollution control or permitting concerns.</p> <p><b>Sand Reserves</b></p> <p>The Applicant accepts that there is a potential for unexploited mineral reserves to become inaccessible for future extraction as a result of the cable route. However, the area of sand reserves to the south of the A283 referenced above would most likely be unviable for extraction in isolation as a result of the requirement to cross the A283 to the south whilst undertaking mining activities. Therefore, the effect of decision in relation to this minor route amendment potentially has a neutral effect on the viability of future prospects.</p> <p>The Applicant will work with the Land Interest to ensure that the impact on the viability of exploiting remaining sand reserves can be minimised and look forward to further discussions.</p> <p><b>Vineyards</b></p> <p>From the information we have been provided by the Estate, we understand there are no immediate plans to convert surface land affected by this proposed minor route amendment to vines. Further information is provided in our response to Ref 6.1.</p>
2.28.15	<p>4.2.3 This route was proposed at a meeting with Rampion on the 1st of September 2021. Following that meeting Rampion stated they would investigate the feasibility of this route and acknowledged</p>	<p>The Applicant considered how the issues of concern for the Affected Party could be avoided or minimised, in lieu of being able to take forward the requested alternatives.</p>

Ref	Written representation comment	Applicant's response
	<p>the benefits as it avoided the severance of various accesses and driveways. No detailed response was received from Rampion following this meeting and suggestion.</p>	<p>Please see the specific response to this under point 15.8 in this set of Written Representations.</p> <p><b>Maintenance of Access</b></p> <p>Plans for private means of access during construction are described in Paragraph 5.7.10 of <a href="#">the Outline Code of Construction Practice (CoCP) [PEPD-033]</a>. The following general principles will apply to the managed or private means of access during the cable route construction:</p> <ul style="list-style-type: none"> <li>• Any access restrictions or effect on individual properties will be kept to a minimum and the Applicant will work with local stakeholders to develop individual solutions to keep disruptions as low as is reasonably possible;</li> <li>• All crossings of private means of access will be developed to allow emergency access at all times;</li> <li>• Contractors will be required to accommodate reasonable requests for access during the working</li> <li>• A nominated point of contact on behalf of the Applicant will be communicated to all residents and businesses at least three months before the start of construction.</li> </ul> <p>A final Code of Construction Practice will be required to be submitted and approved on a staged basis, in accordance with the <a href="#">Outline CoCP [PEPD-033]</a>, pursuant to requirement 22 of the <a href="#">Draft Development Consent Order [PEPD-009]</a>.</p>
	<p><b>5. Failure to provide sufficient information.</b></p>	
2.28.16	<p>5.1. Information has been requested and not been provided in its entirety, or insufficient information has been provided by Rampion and their agents. For example, plans showing the operational and construction accesses were requested in the Summer of 2023 so the impact of the project could be fully understood. This detailed information was only provided more recently. Without this information it is difficult to understand the long-term impact of the proposals.</p>	<p>The Applicant has consulted (both statutorily and informally) with the Land Interest (Wiston Estate), over the period 2020 to 2024. The plans sent to the Land Interest as part of the statutory consultations detail temporary construction access areas and operational access areas within the Works Plan documents produced for the 2021 and 2022 consultations. The final Works plans were shared in the Summer of 2023.</p> <p>The Applicant has provided the following plans:</p> <ul style="list-style-type: none"> <li>• - Relevant sheets of the <a href="#">Onshore Works Plans [PEPD-005]</a> (via email on 18 October 2023 and on 02 February 2024);</li> <li>• - Details of the proposed indicative HDD locations (via email on 04 May 2023), and with greater detail (via email on 02 February 2024).</li> <li>• - The legal documentation to accompany the Head of Terms (via email on 18 October 2023).</li> <li>• - Wiston Estate landownership plan and Tenant maps (via email on 15 March 2023).</li> </ul>

Ref	Written representation comment	Applicant's response
		<ul style="list-style-type: none"> <li>- The PEIR Works Plans from the 2021 Consultation (via email on 15 March 2023).</li> <li>- Indicative plan of the construction corridor within the Order Limits and details of accesses across the route (via email on 02 February 2024).</li> </ul> <p>The Applicant is continuing to engage with the Land Interest. Several meetings have been held (including on 23 January 2024, 12 February 2024 and 19 March 2024) and we continue to discuss the draft documentation for the voluntary agreement. Please see summary in <b>3.2</b> above.</p> <p>In our recent meeting (02 February 2024) we have been able to clarify a number of the Estate's queries, including construction corridor, proposed easement area, and the rights to re-instate trees.</p>
<b>6. Impact of the Route on potential Vineyard Land</b>		
<b>2.28.17</b>	6.1. Wiston Estate has a successful vineyard and winery business. This is an important and expanding part of the estate and significant investments have been made over the recent years, including the opening of Chalk Restaurant. Fields suitable for vines will be dissected by the cable. Plans of the affected fields were provided to Rampion at an early stage and has not been fully considered by the project.	<p>The Applicant understands that none of the land (at the Wiston Estate) which is affected by the proposed cable route is currently planted as a vineyard.</p> <p>The Applicant has received a plan identifying fields that the Wiston Estate have allocated for future vineyard locations from the Estate's representatives. The Applicant has overlaid this information on a plan also showing the Proposed Development, The Wiston Estate landownership and the existing vineyards and this is attached at <b>Appendix K</b>. Two of these fields are impacted by the proposed cable route, one of which is currently used for grazing and one of which is currently in arable use.</p> <p>Further to meetings held on 23 January 2024 and 12 February 2024, the Applicant is awaiting details of their proposals, layout and programme regarding the future development of the vineyard business and any commercial proposals from third parties to lease the land. Therefore, consideration can be given to the potential conflict with the Proposed Development and how impacts (were the expansion to progress) might be managed. It is noted by the Applicant that the fields proposed for vineyards are a substantial size and spacing is required between the rows of vines. The permanent easement is 20m width and therefore if there is any sterilisation this will only be a proportion of the land which the Applicant considers could be factored into the design and for example utilised for accesses.</p>
<b>7. Impact of the Route on Mineral Potential</b>		
<b>2.28.18</b>	7.1. Wiston Estate owns Rock Common, a working quarry, which adjoins the route. Neighbouring Wiston land impacted by the proposals has the geological benefit of sitting upon significant reserves of building sand. Therefore, the proposed underground cable, which requires a 20-metre width corridor together with the potential severance, will sterilise in-situ sand in perpetuity.	Please refer to summary in 4.2.2 and 20.5, 20.6, 20.7, 20.8 and 20.9
<b>8. Impact on Farm Tenants and in-hand farming operations</b>		

Ref	Written representation comment	Applicant's response
2.28.19	8.1. The position of the route takes a significant amount of land out of agricultural use during construction. It also severs fields making large areas unusable. Some of the affected land is farmed by farm tenants, and the proposals will severely impact their livelihoods. We detailed some of the practical issues in the Written Representation	<p data-bbox="1644 289 2273 321"><b>Impacts and Mitigation on Agricultural Uses</b></p> <p data-bbox="1644 359 2822 699">The Applicant is keen to have ongoing discussions with the Land Interest and their tenants to understand how best to mitigate any temporary severance of land during the construction period, which can include temporary accommodation works (e.g. fences, gates and crossing points). In this location the temporary cable installation area crosses through the centre of some fields/ pasture land. The Applicant will continue to engage to further understand the Land Interest's specific requirements to accommodate the tenants farming and business operations and minimise disturbance wherever possible. This could include crossing points to be agreed with the Land Interest across the cable installation area (Works No.9) to ensure parts of the field will remain available for use. Detailed cable routing will be refined further to pre-construction surveys.</p> <p data-bbox="1644 737 1857 768"><b>Compensation</b></p> <p data-bbox="1644 806 2772 942">Affected Land Interests will be compensated in accordance with the provisions of the Compensation Code. Claims for disturbance and crop loss will be considered where reasonable, substantiated and shown to be caused as a direct consequence of the temporary use of the land and the works in accordance with the relevant legislation.</p> <p data-bbox="1644 980 2801 1043">Once the cable has been constructed and the land reinstated, the land can be returned to normal use.</p>
2.28.20	8.2. The separation of the buildings from the main area of the holdings will have a detrimental effect on the ability to run the agricultural enterprises.	<p data-bbox="1644 1073 1982 1104"><b>Accommodation Works</b></p> <p data-bbox="1644 1142 2718 1247">The Applicant will seek to engage further with the Land Interest and their tenants regarding detailed construction access design and accommodation works in accordance with <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a>.</p> <p data-bbox="1644 1285 2801 1348"><b>Fencing</b> - The Applicant confirms that the construction area within the Order Limits will be fenced off for the duration of construction.</p> <p data-bbox="1644 1386 2783 1484"><b>Crossing/ Access Points</b> - Accommodation works (to include access points over the construction area) to seek to mitigate the impact will be discussed with the Land Interest in due course.</p> <p data-bbox="1644 1522 2792 1654">The Applicant will discuss in more detail Accommodation Works with the Land Interest to ensure access is facilitated to any severed land. Where severed land cannot be farmed the Applicant would be willing to negotiate an appropriate compensation claim for disturbance.</p> <p data-bbox="1644 1692 2062 1724"><b>Maintaining Access to Farms</b></p> <p data-bbox="1644 1761 2778 1898">Mindful of residents' concerns, the Applicant updated the <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a> at the pre-examination deadline. Additional detail has been provided at Section 5.7.10 to explain how construction and access will be managed. In summary:</p>

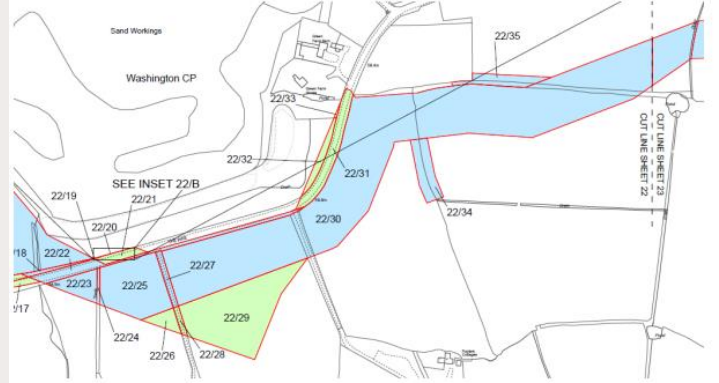


Ref	Written representation comment	Applicant's response
		<ul style="list-style-type: none"> <li>• Access restrictions will be kept to a minimum, with a diversion provided if possible;</li> <li>• Contractors will work with local stakeholders and accommodate reasonable requests for access;</li> <li>• The trench will be covered outside of working hours, and access will be restored in emergencies; and</li> <li>• Closures will be communicated to local residents in advance.</li> </ul> <p>The Applicant is willing to discuss appropriate and reasonable mitigation measures across the property during construction.</p>
<b>9. Wet Pools Compound (Work No.10)</b>		
<b>2.28.21</b>	9.1. Further information on the proposed Wet Pools Compound has been requested (shown on the plan as Work No.10). It is understood that this is a major compound. The estate has serious concerns over access, Highway safety and the impact on the local road network as the current access is poor.	<p>As part of the DCO process, a thorough assessment of the likely impact of traffic upon the local road network and highway assets during the construction phase of works has been completed. Traffic volumes in relation to compounds have been presented in assessments undertaken the <a href="#">Chapter 23: Transport</a> of the ES <a href="#">[APP-064]</a> and <a href="#">Chapter 32: ES Addendum [REP1-006]</a>. These assessments concluded that the Proposed Development will no generate any significant effects in relation to transport network within Washington.</p> <p>Furthermore, given that the Wet Pools site will act as a temporary construction compound the Applicant is in the process of producing a highway access design for Access A-39, which will be compliant with requirements of the Design Manual for Roads and Bridges. This design will be discussed with West Sussex County Council and subject to an independent Road Safety Audit with an aim of reaching agreement on an acceptable layout prior to the end of the examination.</p>
<b>2.28.22</b>	9.2. The estate has previously put forward alternative sites for a compound, which have not been considered properly.	<p>Four alternative construction compound locations in this area were considered and consulted on, leading to the selection of the Washington construction compound.</p> <p>Within the September 2021 consultation response, the Wiston Estate put forward an alternative construction compound location. This site was located to the south of Washington, to the east of the A24 and Washington Bostal. The alternative was rejected principally on the basis that it conflicts with a key design principle - this construction compound area would be within the South Downs National Park. Furthermore, site access would have been using an access off the A-24 that forms part of the South Downs Way National Trail. The road is very narrow in width and would have required significant upgrades. The site itself is smaller than the area accommodating the Washington construction compound. It is further reduced by the 25m buffer applied to the Ancient Woodland that borders the northern and eastern edges of the site. Given these reasons it is not considered to be a reasonable alternative.</p>

## 10. Manhole Covers

Ref	Written representation comment	Applicant's response
<b>2.28.23</b>	10.1. It is understood that Manhole covers will be erected at 1km intervals on the route and access to these will be retained in perpetuity. We understand from Rampion that location of these will not be provided until the construction period, and they will be limited to where they can go due to the cable being in set lengths. If they are located inappropriately, such in the middle of the field, this will have significant implications both operationally, such as arable farming, and for future uses, such as vineyards.	Locations of the joint bays will not be known until the final design of the onshore cable route has been completed and will depend on several factors including cable specifications and other construction requirements. We are required to install a surface mounted link box man hole cover at certain joint bay locations in order to monitor the cable during operation and if one is required then an additional payment is included in the voluntary agreement.  When locations of the joint bays are incorporated into the design, the Applicant will engage with the land interest accordingly.
<b>11. Failure to cover professional costs</b>		
<b>2.28.24</b>	11.1. Throughout the consultation and survey period, there has been a failure to cover the affected parties' professional costs. Much wasted professional time has been spent following up their chaotic approach to matters. This is unequitable when Wiston Estate have only incurred these costs due to the proposed project.	The Applicant first received a fee timesheet from the agent acting for the Wiston Estate on 30 January 2024. The Applicant has reviewed these timesheets and can confirm that reasonable and properly incurred professional agent's fees will be reimbursed in the negotiation of Heads of Terms.  The Applicant has not received any further timesheets from this agent or any other agent acting for the Wiston Estate.
<b>12. Compensation arrangements</b>		
<b>2.28.25</b>	12.1. Without prejudice to the objections above the parties are seeking to agree a position relating to several points above as well as an option and easement agreement and a compensation agreement.	The Applicant welcomes the Land Interest's willingness to discuss matters further and confirms that it will engage further with the Land Interest regarding negotiating the Heads of Terms.
<b>13. Reservations</b>		
<b>2.28.16</b>	13.1. Wiston Estate reserves the position to submit further information, issues, and objections as part of the DCO process.	
<b>1. Introduction</b>		
<b>2.28.27</b>	1.1. Wiston Estate extends to over 2,420ha centred on Wiston House and Park, which has been owned by the Goring family since 1743. The estate comprises, 1,765ha of farmland, 495ha woodland, 100ha parkland, 70ha of quarries and 24ha of ponds and wetland. There are 106 in-hand and let residential properties, 11 in-hand and let farms, and 22 commercial units.	Please see summary in <b>1.1</b>
<b>2.28.28</b>	1.2. Wiston Estate Winery and the Chalk Farm Restaurant sit to the south of the estate and are managed directly by the estate. There are 12ha of vineyards and the estate produces award winning wines, winning the Wine GB "Winery of the Year" twice. Wiston Estate directly employ 80 number of people and support over 20 number of businesses operated by others.	Please see summary in <b>1.2</b>
<b>2.28.29</b>	1.3. The proposed Rampion Scheme bisects the property from east to west and runs for more than 5km representing over 15% of the onshore cable route. The impact both on the overall estate and estate tenants and their associated business will be severe and will restrict the economic development of the estate in perpetuity.	Please see summary in <b>1.3</b>

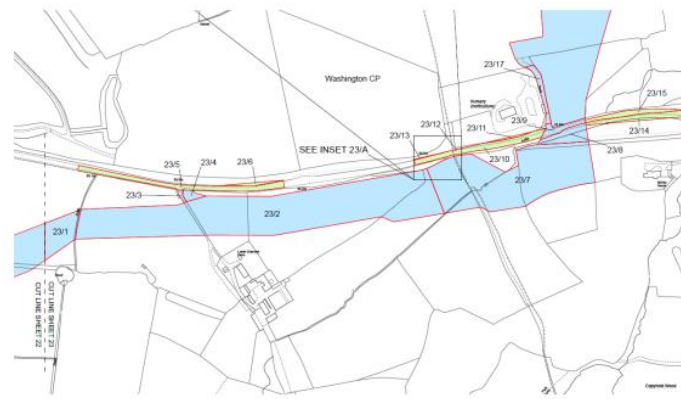
Ref	Written representation comment	Applicant's response
2.28.30	1.4. We attach a schedule summarising the Land Parcel references owned by Wiston Estate which will be affected by the Rampion Project. The scale and impact of the Rampion project on the Wiston Estate is severe.	
<b>2. The Route</b>		
2.28.31	2.1. The route is damaging to the estate, their farm tenants, the South Downs National Park, the visual landscape, and the wider environment. We have extracted the relevant parcels of land and provided additional commentary on both the construction and long-term impacts below.	Please see summary in 2.1
2.28.32	2.2. Wet Pools Compound – Land Parcel Reference – 22/15, 22/14	
	<p>The map displays a series of land parcels numbered 22/10 through 22/23. Parcel 22/15 is highlighted in green, and parcel 22/14 is highlighted in blue. Other parcels shown include 22/11, 22/12, 22/13, 22/16, 22/17, 22/18, 22/19, 22/20, 22/21, 22/22, and 22/23. The map also shows a 'Rock Common Quarry' to the east and a 'Caravan and Camping Park' to the north.</p>	
2.28.33	2.2.1. This parcel of Grade 2 land extends to 10.03 acres and is let on an Agricultural Holdings Act Tenancy for agricultural use. Rampion have requested permanent rights for the land shaded blue (22/14) and temporary rights for the land shaded green (22/15). This land will be used for a major compound for the works to underground the Rampion cable under Washington and will be used for the duration of the project. This will reduce the land available to the tenants' farming business and impact on their operations.	<p>The Applicant has met with the Land Interest and discussed with them the impact on their tenants in this particular location. The Applicant accepts that there will be a temporary reduction in grazing area throughout the construction period and this will affect the farming operations of this particular tenant.</p> <p>The Applicant welcome further opportunities to discuss how grazing can be compensated for, either utilising alternative land offsite, or by other means (e.g. supplementary forage). The Applicant will work with the Land Interest to create a mitigation plan when construction timescales are known.</p>
2.28.34	2.2.2. This land is bordered by the Rock Common quarry to the east, a Caravan and Camping Park to the north and an equestrian property to the west. Although this parcel of land is used for agricultural purposes it clearly has potential for alternative uses by virtue of its location on the edge of Washington.	The Applicant acknowledges the Land Interest's comment. The Applicant understands however that there is no specific allocation within the Local Planning authorities local plan for development over this parcel of land.

Ref	Written representation comment	Applicant's response
2.28.35	<p>2.2.3. The width of the permanent rights being sought within 22/14 is approximately 122m from the highway boundary and is over half of the field. This will permanently restrict what can be carried out in the field. The permanent rights being requested both here and elsewhere on the route should be restricted to the 20m width of the cable where possible. The request for compulsory powers over a width of 122m is excessive.</p>	<p>The area comprising 22/14 is located to the east of a major proposed directional drill location. As a result of the trenchless construction techniques applied to cross the A24 and A283 roads, a wider than normal spacing between the cables is required at this location.</p> <p>The permanent easement is proposed to cover the area of ground occupied by the cable. Across the route this will generally be 20m, with a greater width where required (for example if the cables have to avoid obstacles). Footnote no.4 of <b>Table 4-19</b> in <b>Chapter 4: The Proposed Development [APP-045]</b> notes that a typical corridor easement is likely to be 20m, but this may vary according to local conditions. A maximum value of 25m (excluding HDD crossing locations) has been assessed as a reasonable worst case scenario.</p> <p>As noted in <b>paragraph 4.5.8</b> of the <b>Chapter 4: The Proposed Development [APP-045]</b> the standard temporary construction corridor will be up to 40m wide and consist of the trenches, excavated material and a temporary construction haul road. The temporary construction corridor may require widening beyond the standard width to allow enough space for access / equipment at trenchless crossings and to avoid obstacles.</p> <p>Following installation of the cable, the field can be returned to normal agricultural use. However, the Applicant acknowledges there will be restrictions over any future development of this area and will look to reduce the width of the permanent easement to align with the as built cable route as much as possible.</p>
2.28.36	<p>2.3. Locks &amp; Tilley's Farm – Land Parcel Reference – 22/23, 22/25,22/26, 22/29, 22/30, 22,34, 22,35, 23/1</p>	
		
2.28.37	<p>2.3.1. Locks and Tilley's Farm extends to approximately 180 acres. It is let on an Agricultural Holdings Act Tenancy and is used as a specialist sheep farm, breeding high value New Zealand Romney Sheep. The fields are used intensively due to the specialist nature of this farming operation.</p>	<p>The Applicant has met with the tenant of Locks Farm and understands the ewes (New Zealand Romney sheet) farmed there have 'high health status', including being maedi visna and scrapie accredited. The fields are primarily used for rotational grazing operation.</p>
2.28.38	<p>2.3.2. During the construction period the usable acreage of the farm will be reduced by approximately 50%. This will cause significant disruption and losses to the farming business, impacting on that business viability during the construction period. The Rampion Cable route will dissect the main farm drive, causing significant disturbance to the users of that access.</p>	<p><b>Areas of the Farm Impacted by Temporary Construction</b></p> <p>The Applicant understands a total of approximately 9.6 acres are affected by the proposed Wet pools construction compound (Plot 22/14 - Works No.9 and Plot 22/15 – Works No.10). As the location of the proposed construction compound, this area will be</p>



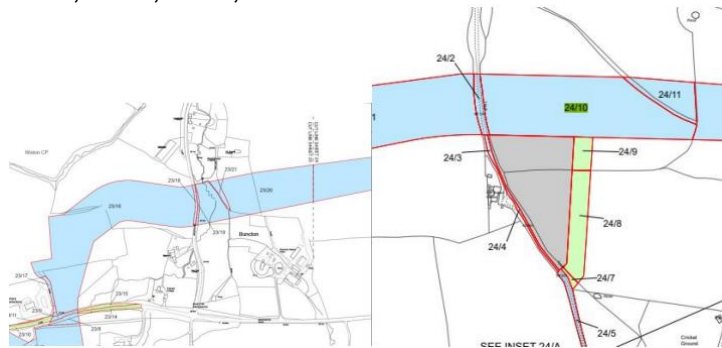
Ref	Written representation comment	Applicant's response
		<p>temporarily out of agricultural use for approximately 3 years. This field is situated north of The Pike, being separated from the rest of the farm and is more challenging to access, as the livestock must be shepherded across the road.</p> <p>To the south of the Pike, there are areas included within the Order for cable installation Works (Works No.9), including Plots 22/23, 22/25, 22/30 and 23/1. These extend to approximately 12.58 acres.</p> <p>In addition, there is an area of Locks Farm that has been included within the Order Limits for temporary duct stringing (Works No.12 – Plots 22/26 and 22/29) which extend to 2.3 acres. This area is located to the south of The Pike.</p> <p>Consequently, the Applicant understands the total area of Locks Farm impacted by the proposed construction works extends to approximately 24.5 acres. The Applicant welcomes the opportunity to discuss these details further and consider mitigation measures such as crossing points to minimise the impact on the tenant farmers.</p> <p><b>Continuation of Agricultural use and Mitigation</b></p> <p>The Applicant considered how the issues of concern for the Affected Party could be avoided or minimised, in lieu of being able to take forward the requested alternative of moving the red line boundary to the North of the Pike. (Please refer to the answer to point 4.2.1 in this Written Representation regarding reasons for rejecting that alternative).</p> <p>There have been reductions in the extent of the Order Limits area south of the A283 compared to those proposed in the PEIR. The adjusted Order Limits boundary stays as North as possible to avoid a small woodland area. Part of the section to the South of the road was removed from PEIR, but a smaller additional section is added to PEIR next to the road and further away from the residential properties. This change, presented at Targeted Consultation and subsequently implemented also served to reduce severance of agricultural fields.</p> <p><b>Maintenance of Access</b></p> <p>In this location, the proposed methodology for installing the cable from the construction compound location (Plot 22/14) underneath the road (The Pike) to Plot 22/25 is by Horizontal Directional Drill (HDD). From here the cable will then be installed to the east using open-trench methodology, meaning that the driveway to Greencommon House (Plot 22/27) will be temporarily affected by the construction activities.</p> <p>Plans for private means of access during construction are described in Paragraph 5.7.10 of <a href="#">the Outline Code of Construction Practice (CoCP) [PEPD-033]</a>. Site specific mitigations that are feasible here are that where the cable corridor cuts across the main farm drive, access is to be maintained via a temporary reroute of these accesses.</p>

Ref	Written representation comment	Applicant's response
2.28.39	2.4. Lower Chancton Farm & land adjacent to Shirley House – Land Parcel Reference – 23/2, 23/3, 23/4, 23/7, 23/11, 23/12, 23/15	<p>A final Code of Construction Practice will be required to be submitted and approved on a staged basis, in accordance with the <b>Outline Code of Construction Practice (CoCP) [PEPD-033]</b>, pursuant to requirement 22 of the <b>Draft Development Consent Order [PEPD-009]</b>.</p> <p>In all cases consultation will take place with the Land Interest and stakeholders and where practicable and reasonable, as alluded to above, accommodation works will be provided so as to mitigate the impact of the construction works on the farming operations.</p> <p>The Applicant will seek to engage fully with the Land Interest and stakeholders regarding detailed construction access, design and accommodation works in accordance with <b>Outline Code of Construction Practice (CoCP) [PEPD-033]</b> so as to mitigate the impact that the project may have on the operation and consequential viability of the agricultural holdings and businesses.</p> <p>Where Land Interests and stakeholders are adversely affected by the works compensation will be payable in accordance with the provisions of the Compensation Code. Claims for disturbance and crop loss will be considered where reasonable, substantiated and shown to be caused as a direct consequence of the temporary use of the land and the works in accordance with the relevant legislation.</p>
2.28.40	2.4.1. This part of the route passes through Lower Chancton Farm, which is a working livestock and arable farm let on an Agricultural Holdings Act Tenancy and land adjacent to Shirley House which is a residential property let on an AST tenancy agreement.	The Applicant received feedback following the PEIR proposals regarding the need to reduce impacts on the working farm. Consequently, a proposed access running to the South of Lower Chancton farm was removed further to the first Statutory Consultation (July 2021 and reopened 2022).
2.28.41	2.4.2. The cable route will dissect the access track to Lower Chancton Farm. This is a busy access servicing a residential property, a working farm, and a business unit. We understand the proposal is to dig an open trench. This will cause significant disruption to these tenants and businesses.	<p>The Applicant will seek to engage further with the Land Interest and their tenants regarding detailed construction access design and accommodation works in accordance with <b>Outline Code of Construction Practice (CoCP) [PEPD-033]</b>.</p> <p><b>Fencing</b> - The Applicant confirms that the construction area within the Order Limits will be fenced off for the duration of construction.</p>



Ref	Written representation comment	Applicant's response
2.28.42	<p>2.4.3. There are two residential properties here which are affected by the Rampion project, Lower Chancton Farmhouse and Shirley Farmhouse. We understand that there will be a Directional Drill (HDD) compound adjacent to Shirley House. This will cause noise &amp; dust disturbance to this property during construction. We request that accommodation works are agreed to minimise any impact to these residential properties.</p>	<p><b>Crossing/ Access Points</b> - Accommodation works (to include access points over the construction area) to seek to mitigate the impact will be discussed with the Land Interest in due course.</p> <p>Alternative crossing points which are suitable for agricultural machinery and livestock so as to minimise impact on the business, farming operation and residential property will be considered.</p> <p>The Applicant will discuss in more detail Accommodation Works with the Land Interest to ensure access is facilitated to any severed land. Where severed land cannot be farmed the Applicant would be willing to negotiate an appropriate compensation claim for disturbance.</p> <p><b>Maintaining Access to Farms</b></p> <p>Mindful of residents' concerns, the Applicant updated the <b>Outline Code of Construction Practice (CoCP) [PEPD-033]</b> at the pre-examination deadline. Additional detail has been provided at Section 5.7.10 to explain how construction and access will be managed. In summary:</p> <ul style="list-style-type: none"> <li>• Access restrictions will be kept to a minimum, with a diversion provided if possible;</li> <li>• Contractors will work with local stakeholders and accommodate reasonable requests for access;</li> <li>• The trench will be covered outside of working hours, and access will be restored in emergencies; and</li> <li>• Closures will be communicated to local residents in advance.</li> </ul> <p>HDD noise was assessed at Shirley House in <b>Chapter 21: Noise and vibration, Volume 2</b> of the Environmental Statement <b>[PEPD-019]</b>.</p> <p>The assessment determined that unmitigated noise from the HDD was below the daytime threshold of significance for construction noise and 7 dB higher than the night time threshold of significance.</p> <p>As such, mitigation by way of acoustic screening has been proposed at this HDD site and significant noise is expected to be avoided. Further mitigation will be applied through noise and vibration management plans that will be produced ahead of the works starting in this location and are secured as a requirement (Requirement 22 5h) through the <b>draft Development Consent Order [PEPD-009]</b></p> <p>Emissions of dust from construction are assessed in <b>Chapter 19: Air Quality Volume 2</b> of the Environmental Statement <b>[APP-060]</b> on the assumption of worst-case emissions from a 40m wide corridor. This may be expanded where temporary compounds are required within the order limits.</p>

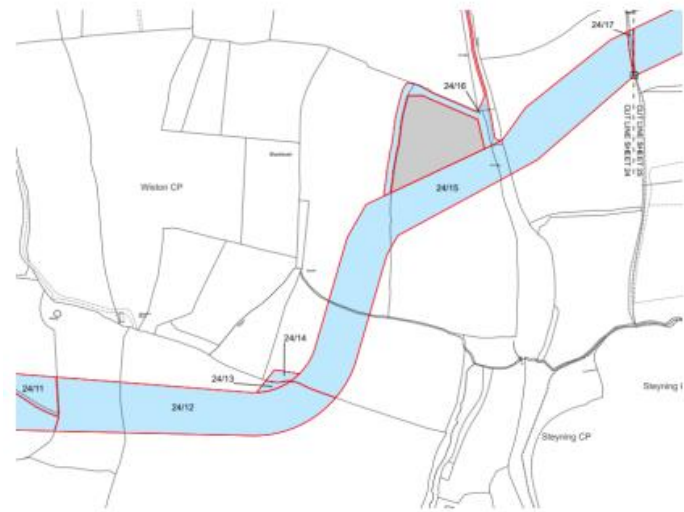
Ref	Written representation comment	Applicant's response
2.28.43	2.5. Buncton Manor Farm – Land Parcel Reference – 23/16, 23/17, 23/20, 23/21, 24/1, 24/4, 24/5, 24/6, 24/7, 24/8,	In proximity to Lower Chancton Farmhouse and Shirley Farmhouse, the requirement for good practice mitigation is acknowledged and will include measures proportionate to the risk of impacts which will be described in the dust management plan produced ahead of the works. The plan will incorporate measures specific to this location and will be approved by the Local Authority as described in <b>Table 19-36</b> of <b>Chapter 19: Air Quality Volume 2</b> of the Environmental Statement <b>[APP-060]</b> . This will be secured as a requirement of the <b>CoCP [PEPD-033]</b> (Requirement 22 5i) through the <b>draft Development Consent Order [PEPD-009]</b> .
2.28.44	2.5.1. Once the route has crossed the A283, it passes up a track very close to the east of Sussex Wood Yard, who are a tenant of Wiston Estate. This is a busy timber yard which processes timber and is open to the public for direct sales. There are heavy vehicle movements in and out of this access.	Construction access design will be undertaken to highway standards and in consultation with the local highways authority. The existing use of the access into the wood yard will be taken into consideration and an appropriate solution be implemented. The Applicant refers to the principles set out by the <b>Outline Construction Traffic Management Plan [REP1-010]</b> Section 4.4 for further relevant information regarding construction accesses. The Applicant has consulted the Timber yard occupier and notes that no concerns have been raised by the Timber yard occupiers. However, the Applicant welcomes any opportunity to discuss further.
2.28.45	2.5.2. The route will cause disruption to this business, and we request that the access to the wood yard is not disturbed or impacted. The track to the east of the wood yard is very narrow, we understand this track is proposed to be used for construction traffic. Directly abutting the track is a timber framed building which is used by the wood yard business as an office and a shop. This building will need to be protected to ensure that no damage is done due to the proximity of heavy machinery passing.	The Applicant has consulted the Timber yard occupier on the Proposed Development and notes that there has been no representation submitted to Rampion 2 raising any concerns on business impacts. The Land Interest notes the existing office is located within the yard where wood processing takes place using machinery and large equipment and vehicles.
2.28.46	2.5.3. The route then passes through Buncton Manor Farm, this is farmed in hand by the Wiston Estate and is used for arable cropping. The cable route will cause significant disruption to the farming operations, fields will be severed and become unusable during the construction period. The losses suffered by the farming business will be more significant than just the cable route. Corners of fields will be severed and will be unusable during the construction period due to their size and the size of modern farming equipment.	<p>The extent of the Order Limits area was reduced as much as possible compared to that presented at PEIR. While this may not seem a large change, the land take has been reduced as much as possible to accommodate the standard working width required for the delivery of the works.</p> <p><b>Impacts and Mitigation on Agricultural Uses</b></p> <p>The Applicant is keen to have ongoing discussions with the Land Interest and their tenants to understand how best to mitigate any temporary severance of land during the construction period, which can include temporary accommodation works (e.g. fences,</p>





Ref	Written representation comment	Applicant's response
		<p>gates and crossing points). In this location the temporary cable installation area crosses through the centre of some fields/ pasture land. The Applicant will continue to engage to further understand the Land Interest's specific requirements to accommodate the tenants farming and business operations and minimise disturbance wherever possible. This could include crossing points to be agreed with the Land Interest across the cable installation area (Works No.9) to ensure parts of the field will remain available for use. Detailed cable routeing will be refined further to pre-construction surveys.</p> <p><b>Compensation</b></p> <p>If Compulsory Purchase Powers are used, affected Land Interests will be compensated in accordance with the provisions of the Compensation Code. Claims for disturbance and crop loss will be considered where reasonable, substantiated and shown to be caused as a direct consequence of the temporary use of the land and the works in accordance with the relevant legislation.</p> <p>The Applicant will discuss in more detail Accommodation Works with the Land Interest to ensure access is facilitated to any severed land. Where severed land cannot be farmed the Applicant would be willing to negotiate an appropriate compensation claim for disturbance.</p> <p>Once the cable has been constructed and the land reinstated, the land can be returned to normal use.</p>
2.28.47	2.5.4. An operational and construction access is being proposed (24/8). This runs straight through the middle of the arable field and will cause disruption to the farming operations on the land shaded grey.	<p>The Applicant attended meetings in July 2021 and September 2021 with the Land Interest. At these meetings (and summarised in subsequent engagement notes), the Land Interest proposed an alternative construction and operational access following the existing track (detailed by Plots 24/8, 24/7 and 24/5) as a suitable alternative to the original access included within the PEIR.</p> <p>The construction access that was proposed in the PEIR ran through the fields of Buncton Manor Farm, to the west of the track down to Old school House. The Land Interest raised concerns about impacts on the residential amenity and severance of fields caused by the original route. The Applicant considered concerns raised by the directly Affected Parties about impacts and consulted on the selected new construction and operational access. The original access was removed further to the first Statutory Consultation (July 2021 and reopened 2022).</p> <p>Note, the directly affected party had requested a specific routing for the accesses, however this was rejected in favour of the Alternative Accesses presented for consultation. The directly Affected Party's option involved multiple crossings of a shallow gas pipe-line which is less desirable.</p>
2.28.48	2.5.5. More importantly this access and the cable route is adjacent to the Old School House. This is a Grade II Listed former School House. This property has now come back to Wiston Estate following being in the same tenanted occupation for a long period of time.	Please see <b>paragraphs 25.9.396 to 25.9.399</b> of the <b>Environmental Statement - Volume 2 Chapter 25: Historic environment [PEPD-020]</b> for the historic environment assessment on the Grade II Listed The Old School (NHLE 1284545), which concluded the minor adverse residual effect would be not significant.

Ref	Written representation comment	Applicant's response
2.28.49	2.5.6. The property requires a significant repair and improvement to bring it up to modern day standards. To fund the cost of the work Wiston Estate propose to convert this property into a Holiday Let within the next 12 months, as they have done so with other properties they own. However, the disruption of the proposed Rampion works is going to cause significant issues to the financial feasibility of this project. Typical holiday cottage customers who come to Wiston for a holiday are looking for a rural tranquil and quiet setting, with beautiful views.	<p>The Applicant understands the property is currently vacant. The Applicant has inspected the property both internally and externally with the Land Interest and concurs that the building will require significant repair and improvement to make it lettable.</p> <p>The Applicant cannot comment on the viability of such a project, however, there is clearly a need to first obtain planning permission which the Land Interest has suggested may be constrained by the requirement to demonstrate water neutrality.</p>
2.28.50	2.5.7. We request that Rampion enter discussions around accommodation works to be considered to this cottage to protect it from the impact of the project.	<p>The Applicant notes that the property is in close proximity to a proposed construction access route. However, the proposed access route that was agreed with the Land Interest as a preferred route alternative from the original proposal (which ran to the west – Please see summary in 15.17).</p> <p>The Applicant welcomes the opportunity to further understand the impacts of the construction activity on the properties in this location, including maintenance of access. Further mitigation measures could include noise attenuation, for example.</p>
2.28.51	2.6. Guesses and Guess Gate Farms	
2.28.52	<p>2.6.1. Guess and Guessgate Farms are arable and livestock farms let on a Farm Business Tenancy. The proposed route goes directly through the centre of the farms and severs many of the fields. This will cause significant disruption to the ability to farm these fields during the construction period. The majority of the fields are used to grow grass to feed the livestock.</p>	<p>The Applicant acknowledges that during construction there may be some temporary severance of the land in this location.</p> <p>The Applicant will seek to engage further with the Land Interest and their tenants regarding detailed construction access design and accommodation works in accordance with <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a>.</p> <p><b>Fencing</b> - The Applicant confirms that the construction area within the Order Limits will be fenced off for the duration of construction.</p> <p><b>Crossing/ Access Points</b> - Accommodation works (to include access points over the construction area) to seek to mitigate the impact will be discussed with the Land Interest in due course.</p>



Ref	Written representation comment	Applicant's response
		<p>Alternative crossing points which are suitable for agricultural machinery and livestock so as to minimise impact on the business, farming operation and residential property will be considered.</p> <p>The Applicant will discuss in more detail Accommodation Works with the Land Interest to ensure access is facilitated to any severed land. Where severed land cannot be farmed the Applicant would be willing to negotiate an appropriate compensation claim for disturbance.</p> <p>The Applicant is willing to discuss appropriate and reasonable mitigation measures across the property.</p>

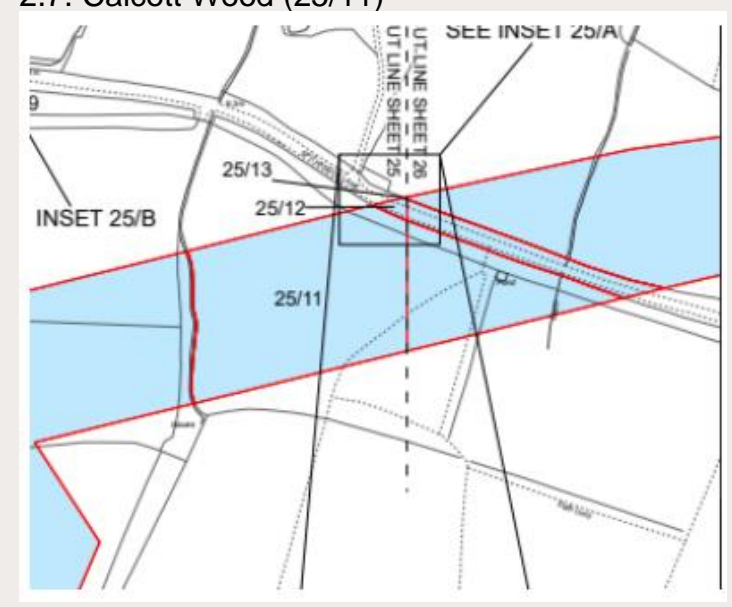
**2.28.53** 2.6.2. An alternative more direct route was proposed which avoided various tree lines and would have caused less disruption to the farming operations by the tenant farmer.

The Applicant understands the affected party suggested a cable route which avoided various tree lines, which followed a similar path to the route within the Order Limits. The cable route in this location has been routed to minimise impact on mature trees and hedgerows where possible.

The Applicant considered how the issues of concern for the Affected Party could be avoided or minimised. There has been a reduction in the extent of the Order Limits width, which was reduced as much as possible compared to that presented at PEIR. While this may not seem a large change, the land take has been reduced to a width which is required to facilitate the Proposed Development allowing for appropriate flexibility to allow for cable route refinement taking into account site investigation (SI), preconstruction ecology surveys and final cable design requirements.

The Applicant further adjusted the Order Limits boundary with the reduction of / removal of a significant area originally included within the PEIR for operational access. The area removed from the proposals can be shown by the area coloured grey to the north of Plot 24/15.

**2.28.54** 2.7. Calcott Wood (25/11)





Ref	Written representation comment	Applicant's response
2.28.55	2.7.1. Calcott Wood forms part of Wiston Estate Forestry enterprise. We understand it is proposed to Directional Drill under this area of woodland. We have asked for clarification on the impact of the cable on the operation of this area of woodland. For example, if timber was extracted from this area of woodland in the future it is important for Wiston Estate to be able to replant this area.	The Applicant can confirm that replanting Woodland over the trenchless crossing section at Calcott Wood is acceptable, as it is in line with the current land use and as such considered in the cable construction design.
<b>3. Failure to Engage and Consult Sufficiently</b>		
2.28.56	3.1. The level of response by Rampion to the Wiston estate's attempts to engage has been disappointing and below the standard to be expected for a project of this scale. There has been change of personnel both within the Rampion project team and their agents Cater Jonas.	Please refer to summary in <b>3.1 and 3.2</b>
2.28.57	3.2. Meetings have been postponed or rearranged at short notice, for example a meeting was arranged with the estate and their tenants on Tuesday 24th August 2021. This was cancelled by email with less than 24 hours' notice by Carter Jonas. Bearing in mind the number of parties involved this was not helpful.	The Applicant acknowledges that the meeting was postponed and took place on 1 September 2021, when all parties were in a position to attend.
2.28.58	3.3. Actions have not been recorded or followed up sufficiently. For example, queries around the proposed compound (traffic information and size of the compound) were requested by Richard Goring by email to (Rampion) on the 5th September 2021. No answer was received. Wiston Estate requested this information so they could suggest alternative sites further to the east to minimise the disruption that this compound will have to the local Highway and the estate.	The Applicant acknowledges there was a delay to provide the information requested. At this stage (September 2021), there were three proposed locations for the compound being considered, with detailed assessments being carried out for each.
2.28.59	3.4. Minutes from meetings were received late. Minutes from a meeting held between Wiston Estate, Rampion and Carter Jonas on the 23/07/2021 was not received until the 16th September 2021, the date of the end of the consultation period. With a note which stated, "If you were awaiting these minutes before making your written representation (as part of the statutory consultation) I can inform you that Rampion will accept late submissions (emailed to Rampion2@rwe.com) up until 30th September 2021". This was hours before the end of the consultation period and Wiston had already submitted their response. This was emblematic of the entire consultation period.	The meeting took place in July 2021, and the Applicant acknowledges the meeting notes were sent on 16 September 2021.
2.28.60	3.5. On the 24th March 2021 Rampion stated in an email "As mentioned we are just in the process of seeking approval from our Board for a comprehensive package which we expect to be able to send to you fairly soon, with proposed commercial terms (including support for advisors fees), which we then look forward to discussing in more detail with you." No proposal was received until the standard Heads of Terms were provided in 2023, as detailed below. When the Heads of Terms were received they were not customised for Wiston specific issues.	The cable routing design and works areas have evolved as a result of consultation and feedback received from affected parties since 2021. The email in March 2021 pre-dates the first and second statutory consultations, which were fundamental in obtaining feedback on the route proposals and establishing and settling the final DCO red line boundary and works requirements. The email in March 2021 was at a time when there was still optionality within the design. The final boundaries along sections of the route were partially fixed by March 2023, when Heads of Terms were issued to the Wiston Estate. These were customised to the Wiston Estate based on the total length of cable impacting the land and the requirements for a construction compound over one land parcel. Specifically with regard to the Wiston Estate, the Applicant received detailed comments on the Heads of Terms on 14 December 2023 via a spreadsheet. The Applicant responded to these comments within a spreadsheet following meetings in January 2024, February 2024 and March 2024.
2.28.61	3.6. Summary and brief Heads of Terms for an option and easement agreement were not provided until Spring 2023, however, there has been no meaningful discussion about these terms and their suitability for the Wiston Estate until more recently. A group of agents representing a large proportion of affected landowners attempted to engage as a group and received very perfunctory	Please see summary in <b>3.2</b>



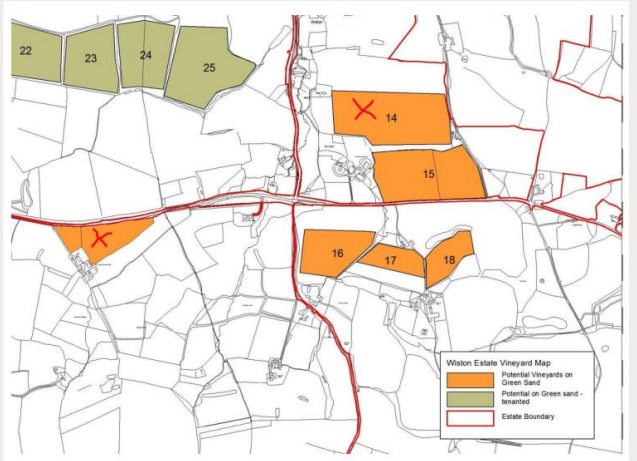
Ref	Written representation comment	Applicant's response
	responses. There was a refusal from Rampion and their agents to meet with the agent group to discuss the key terms.	
<b>2.28.62</b>	3.7. We were informed that draft legal documentation was only to be provided to parties who were willing to engage. This was an unhelpful position as it is not possible to assess the terms offered until full legal documentation was provided. An incentive payment was applied to the Heads of Terms should they be signed within 6 weeks; this was entirely unreasonable considering the complex nature of the scheme and the lack of detail in the documents.	The Applicant was keen that both parties' solicitors exchanged correspondence with respect to the detailed draft documentation, once instructed and following agreement of the principles within the Heads of Terms. However, full draft Option and Easement documentation has now been provided to the Land Interest for further consideration and is currently under discussion.
<b>2.28.63</b>	3.8. The draft easement and option documents were not provided until late October 2023. There was insufficient time for Wiston Estate to review these and take professional advice, prior to the DCO process (the DCO application was submitted in August 2023). There are additional rights and restrictions contained within these drafts which are important for Wiston to understand and make representations on. For example, the draft legal documents included the provision for Rampion to use additional land areas subject to predetermined payment rates and to plant trees anywhere within the Grantors Title. Clearly these will be unacceptable to a complex business such as the Wiston Estate.	<p>The Applicant is continuing to discuss the detail within the draft documentation in order to reach a voluntary agreement. Meetings have been held in January 2024, February 2024 and March 2024.</p> <p>The Applicant has clarified that the restriction with regards to planting of trees will apply only to the easement width over the final cable route and not across all the land shown within the DCO boundary.</p> <p>The Applicant has also included within the draft voluntary agreement provision to allow for planting within the cable easement subject to consent from Rampion 2, so each planting case can be considered against potential impact to the cable.</p> <p>The Applicant is working with the Land Interest to find an acceptable solution to the extent of any additional land requirement.</p>
<b>2.28.64</b>	3.9. Wiston Estate was informed that further Heads of Terms are to be issued for the Wet Pools compound by the 20th October 2023. These were not provided until February 2024.	The Applicant notes your comments and acknowledges that further discussions are taking place with regards to the Wet Pools compound.
<b>2.28.65</b>	3.10. Rampion stated that they would prefer to secure the agreement by private treaty but until more recently we have noted very little evidence of any meaningful negotiations. For example, Rampion only confirmed in late November 2023 that rights will be partly limited by reference to the DCO plan, this is after the DCO application has been submitted. We await explanations of key definitions within the draft documents and plans showing the areas where these key definitions apply to.	Please see summary in <b>3.2, 16.8 and 16.14</b> .
<b>2.28.66</b>	3.11. Due to lack of proper engagement and consultation the rights being sought by Rampion are too wide. We are aware that Rampion 1 proposed an easement width of 15m, subject to maximum of 30 m2 for physical obstacles. No acceptable justification has been provided by Rampion to substantiate why they require such wide and far-reaching rights over and above what was agreed in Rampion 1.	Please see summary in <b>3.4</b>
<b>2.28.67</b>	3.12. Notwithstanding the above, we acknowledge that several meetings have been held with Rampion and their agents in the past month, where some more meaningful progress has been made. It is disappointing that this has taken so long and as a result Wiston Estate has incurred unnecessary professional costs in engaging in the DCO process.	Please see summary in <b>3.5</b>
<b>2.28.68</b>	3.13. We note that in the Land Rights Tracker submitted by Rampion (PEPD-016), two sets of Heads of Terms have been agreed and no land agreements have been completed as of January 2024. This is out of the 85 entries. This is symbolic of the consultation and engagement process.	The Applicant is engaging with all parties to progress voluntary agreements. The Applicant will update the Land Rights Tracker at Deadline 2.

Ref	Written representation comment	Applicant's response
2.28.69	<p>3.14. Although the Estate acknowledges that there has been some engagement with Rampion since 2021, as noted above, the Estate's view is that this has been disappointing and below the standard to be expected for a project of this scale. The guidance on compulsory acquisition for DCO projects<sup>1</sup> states at paragraph 24 that "Early consultation with people who could be affected by the compulsory acquisition can help build up a good working relationship with those whose interests are affected, by showing that the applicant is willing to be open and to treat their concerns with respect. It may also help to save time during the examination process by addressing and resolving issues before an application is submitted, and reducing any potential mistrust or fear that can arise in these circumstances." It is the Estate's view that Rampion's approach to engagement has at times fallen short of the standard expected by this guidance, with the consequence that it was not possible to address and resolve all of the issues raised by the Estate before the DCO application was submitted.</p> <p><sup>1</sup> Planning Act 2008: guidance related to procedures for the compulsory acquisition of land (MHCLG, September 2013)</p>	<p>The Applicant has consulted (both statutorily and informally) with the Land Interest (Wiston Estate), over the period 2020 to 2024. Further details can be found in the answer to 3.1.</p> <p>The Applicant has carried out extensive consultation with affected parties, including the Wiston Estate, and their respective representatives since 2020, as referred to within the <a href="#">Consultation Report [APP-027]</a>, Chapter 6 of which provides information on the consultation material provided under Section 42 of the Planning Act 2008 and additional methods of consultation.</p> <p>There has extensive engagement by the Applicant with affected parties and their representatives (including the Wiston Estate), including via site meetings, telephone, email and letters in relation to matters such as the assessment and consideration of alternative routes.</p> <p>The Applicant carried out non-statutory consultation from January to February 2021 via the "Rampion 2 Virtual Exhibition in 2021" and the exhibition document was uploaded to the Rampion 2 website following the consultation. The document included plans identifying cable route options.</p> <p>The Applicant carried out a first formal public consultation from July to September 2021. The Estate submitted a consultation response in September 2021 which was reviewed by the Applicant alongside the meeting minutes from a site meeting with the Wiston Estate in September 2021.</p> <p>The second Statutory Consultation was from October to November 2022 which identified proposed onshore works modifications. The modifications being consulted upon included a number of minor cable route amendments proposed by the Wiston Estate within their consultation response and at the site meeting in September 2021. Through these exercises, route alignments were modified following consultation with the affected parties. The Applicant having considered and assessed the various cable route options put forward by the land interest., before settling on the Applicant's proposed cable route that would be progressed.</p> <p>The Applicant has been open to meaningful discussion on cable routing since 2020 and negotiation with the Estate and their agent following issue of the Key Terms in March 2023. The Applicant has appointed experienced specialist advisors, Carter Jonas, to assist with its engagement and negotiation of Key Terms. At all times, the Applicant and/ or its advisors have complied with the guidance and sought to negotiate and treat people with respect. The Applicant have been willing and available to meeting parties and/ or their agents to progress discussion, whether in person, on site or by virtual meetings. The Applicant's acquisition strategy is firmly based on seeking to reach voluntary agreement with affected parties, and it only wishes to rely on compulsory acquisition powers as a last resort.</p> <p>Active engagement is ongoing and the Applicant welcomes the opportunity to further discuss the Heads of Terms and provide clarity on cable routing decisions if required.</p>

Ref	Written representation comment	Applicant's response
2.28.70	<p>3.15.Paragraph 25 of the guidance states: “Applicants should seek to acquire land by negotiation wherever practicable. As a general rule, authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail.” As indicated in this written representation, the Estate is willing in principle to enter into agreements with Rampion to enable Rampion to acquire the interests it needs for the scheme. However, the Estate’s interests must be properly protected and the impacts on it must be minimised. It is the Estate’s view that Rampion’s attempts to acquire the interests it needs by agreement have not failed, and that it would therefore be premature for compulsory acquisition powers to be granted in respect of the Estate’s interests.</p>	<p>The Applicant acknowledges that ongoing negotiations are taking place with the Land Interest.</p>
<p><b>4. Failure to properly consider major and minor variations to the route</b></p>		
<p><b>4.1 Major Route Variations</b></p>		
2.28.71	<p>4.1.1. The Washington Parish Council submitted a major alternative route proposal in their paper dated 11th February 2021 – the ‘Blue Route’. This is identified below in blue.</p>	
		
2.28.72	<p>4.1.2. At a meeting on the 1st September 2021 Rampion suggested that this proposed route would pass through an area of Ancient Woodland on the north scarp of the downs south-east of Washington Village. Had they inspected the woodland they would have known that it is predominantly a single species woodland suffering from acute ash-die back disease. It is therefore due for an imminent clear fell under Forestry Commission guidelines. In addition only a small part of this area of woodland is designated an Ancient Woodland. We are aware that Rampion are Directional Drilling underneath woods, such as Calcott Wood (which is also a Ancient Wood in part) as detailed above. Could this not have been considered for the proposed “Blue Route”.</p>	<p>Please see response to <b>4.1.1</b> above.</p>
2.28.73	<p>4.1.3. This route passes far fewer dwellings and interrupts far fewer businesses. It is a superior route that has not been properly evaluated. The Blue Route also avoids the estate’s sand reserves which are shown coloured pink on the plan under section 7.</p>	<p>Please see response to <b>4.1.2</b> above.</p>
2.28.74	<p>4.1.4. We note Rampion state in the Land Rights Tracker that the “rationale and decision-making process for not progressing with the route to consultation was communicated verbally by the Applicant at a site meeting in April 2022.” Although a brief explanation was given at this meeting, no</p>	<p>Please see response to <b>4.1.2</b> above.</p>

Ref	Written representation comment	Applicant's response
	<p>detail on this decision was provided and no further written clarification was received. There has been no further engagement from Rampion on this alternative proposal.</p>	
<b>4.2 Minor Route Variations</b>		
<b>2.28.75</b>	 <p>Yellow – Proposed Variation Red – Approx Rampion Proposal</p>	
<b>2.28.76</b>	<p>4.2.1 Minor route variations have also been proposed, which have not been properly considered by Rampion. There is a strip of land between the Rock Common sand pit 54metres wide that sits to the north of the Pike (A283). This represents a better location for the cable than the route to the south of the Pike which crosses the entrance to a highly bio-security sensitive rare breed sheep farm to the south, referred to above.</p>	Please see response <b>4.2.1</b> above.
<b>2.28.77</b>	<p>4.2.2 Generally, a route which follows the southern edge of the road boundary (from Rock Common sandpit eastwards) will see less injurious affection of the farms to the south. It minimises the loss of long-term excavatable sand reserves and future vineyards sites, which are detailed below.</p>	Please see summary provided in <b>4.2.1</b>
<b>2.28.78</b>	<p>4.2.3 This route was proposed at a meeting with Rampion on the 1 st of September 2021. Following that meeting Rampion stated they would investigate the feasibility of this route and acknowledged the benefits as it avoided the severance of various accesses and driveways. No detailed response was received from Rampion following this meeting and suggestion.</p>	Please sees summary provided in <b>4.2.1</b>
<b>5. Failure to provide sufficient information.</b>		
<b>2.28.79</b>	<p>5.1. Information has been requested and not been provided in its entirety, or insufficient information has been provided by Rampion and their agents. For example, plans showing the operational and construction accesses were requested in the Summer of 2023 so the impact of the project could be fully understood. This detailed information was only provided more recently. Without this information it is difficult to understand the long-term impact of the proposals.</p>	Please see summary provided in <b>5.1</b> above.
<b>6. Impact of the Route on potential Vineyard Land</b>		
<b>2.28.80</b>	<p>6.1. Wiston Estate has a successful vineyard and winery business. This is an important and expanding part of the estate and significant investments have been made over the recent years, including the opening of Chalk Restaurant. The enclosed plan below showing the fields suitable for vines was provided to Rampion at an early stage and has not been fully considered by the project.</p>	Please see summary provided in <b>6.1</b> above.
<b>2.28.81</b>	<p>6.2. This land has been identified as being suitable for vines due to its soil type and geology and has been assessed by the estate vineyard consultants, Vinescapes. These fields are on greensand,</p>	Please see summary provided in <b>6.1</b> above

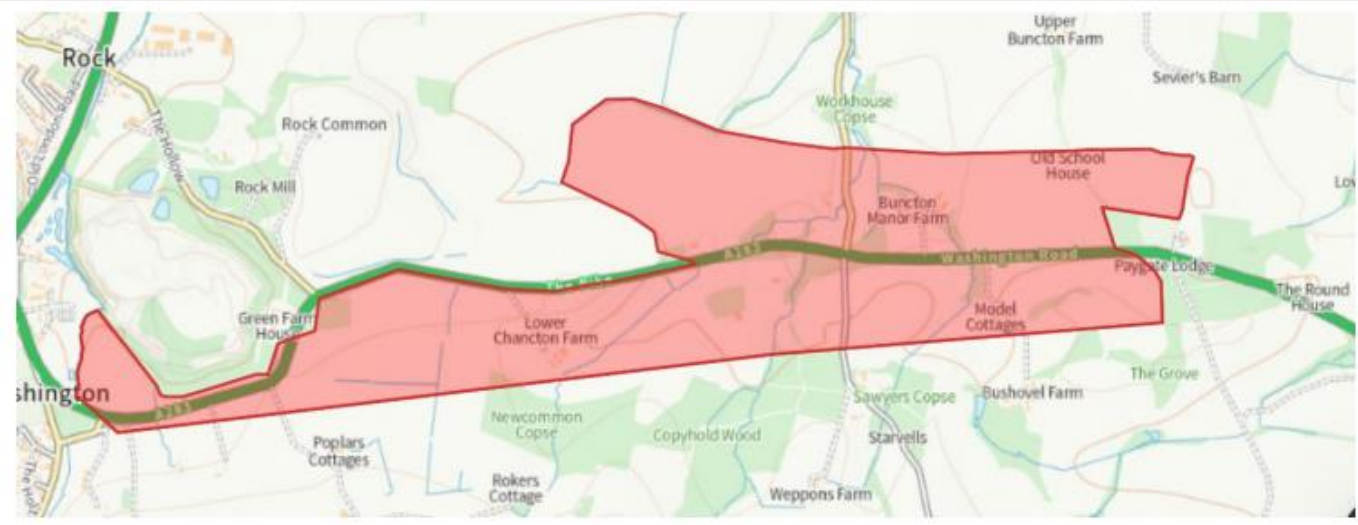


Ref	Written representation comment	Applicant's response
	<p>they are south facing and free draining making them ideal for planting vines. The vineyard fields affected by the Rampion 83779069.1 project are identified with a red cross below and extend to 27.82 acres. The proposed Rampion Route dissects both fields.</p>	
2.28.82		
2.28.83	<p>6.3. Most of the other fields identified as being suitable, are tenanted within secure Agricultural Holdings Act Tenancies and are not available for the estate to use in-hand. These makes the unavailability of these two fields even more challenging when Wiston is considering expanding their wine business.</p>	
2.28.84	<p>6.4. We have received mixed messages from Rampion as to whether Vines will be permitted to be planted under the terms of the easement. However, even if they are it will be a significant financial risk to plant vines on land which could be disturbed in the future. Notwithstanding the damage to the soil structure and geology during construction meaning that they will never be suitable for planting vines in the future. The proposals severely limit the future expansion of the estate winery business on the available fields which would be suitable for vines.</p>	<p>No planting can be undertaken where there is a risk of damage to the cable asset. Rampion 2 welcomes further discussion with the Land Interest on potential impacts between vines and the cable to minimize the impact of this overarching requirement to potential vine planting.</p> <p>The Applicant has received a plan identifying fields that the Wiston Estate have allocated for future vineyard locations from the Estate's representatives. The Applicant understands that none of the land (at the Wiston Estate) which is affected by the proposed cable route is currently planted as a vineyard. Two of these fields are impacted by the proposed cable route, one of which is currently used for grazing and one of which is currently in arable use.</p> <p>The Applicant does not agree that the soil structure and geology will be permanently damaged as a result of Proposed Development. The Applicant does not accept that as a result of the Proposed Development the soil will be unsuitable for planting vines and it is not clear if the Land Interest has taken into consideration the provisions in the <a href="#">Outline Soil Management Plan (SMP) [APP-226]</a>. The <a href="#">Outline SMP [APP-226]</a> sets out baseline information on soil types and agricultural land quality (Section 2 and Section 3); measures regarding timing of works (Section 4); measures to manage soil stripping, handling, storage, re-instatement and aftercare methods (Section 5, Section 6 and Section 7); and requirements for monitoring and auditing of compliance with the <a href="#">Outline SMP [APP-226]</a> (and subsequent stage specific SMPs (see further information below in Paragraphs 1.2.5 to 1.2.6) during construction, and verification of land reinstatement being completed to the required standard (Section 7 and Section 8).</p> <p>The <a href="#">Soil Management Plan (SMP) [APP-226]</a> states that a stage specific Materials Management Plan (MMP) will seek to maximise the reuse of excavated soils during the</p>

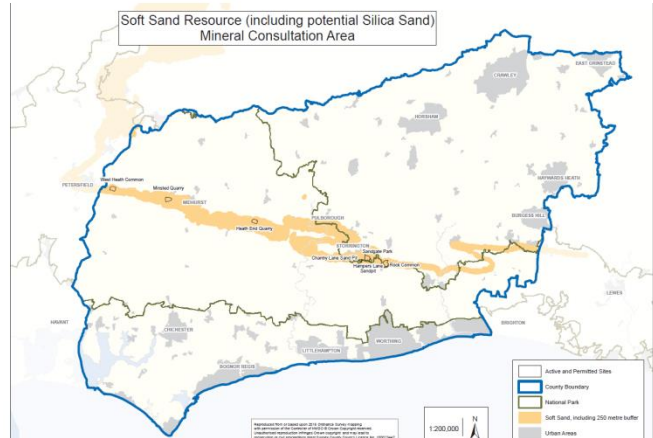
Ref	Written representation comment	Applicant's response
		<p>construction work, including where soils cannot be reinstated at their original location due to permanent infrastructure, and ensure that all soils are suitable for their intended use. During pre-construction, soil volumes will be confirmed in the MMP ...and the MMP will interact with the stage specific SMP.</p> <p>Paragraph 3.1.5 of the SMP states that The measures in this <a href="#">Outline SMP [APP-226]</a> and subsequent stage specific SMPs are intended to ensure that the soils can be handled, stored and reinstated in such a manner that following the aftercare period and any required remediation (see Sections 7 and 8), the agricultural land quality in the onshore cable corridor does not deteriorate from the baseline as a result of the construction of the Proposed Development.</p>
<b>7. Impact of the Route on Mineral Potential</b>		
<b>2.28.85</b>	7.1. Wiston Estate owns Rock Common, a working quarry, which adjoins the route. Neighbouring Wiston land impacted by the proposals has the geological benefit of sitting upon significant reserves of building sand. Therefore, the proposed underground cable, which requires a 20-metre width corridor together with the potential severance, will sterilise in-situ sand in perpetuity.	Noted. <a href="#">Chapter 24: Ground conditions, Volume 2 of the ES [APP-065]</a> and <a href="#">Planning Statement [APP-036]</a> both acknowledge the potential for minerals sterilisation in the area around Rock Quarry.
<b>2.28.86</b>	7.2. At a meeting on the 23/07/2021 between Richard Goring (Wiston Estate), (Rampion) and (Carter Jonas) various issues relating to Wiston Estate was discussed. One of the issues was the sand reserves at Wiston Estate. In the meeting notes provided by Carter Jonas it states, "JDA confirmed the Deed of Grant would provide a Diversion Clause in the event the landowner achieved planning permission for certain development activities including housing and working of minerals".	The Applicant did not consider it appropriate to include the a 'lift and shift' or 'diversion' clause into the Land Interest's key terms. The Applicant considers that such a clause carries a disproportionate commercial and technical risk to the Proposed Development, particularly when impacts on potential for development or working are not proven to be committed or considered to be significant.
<b>2.28.87</b>	7.3. It was therefore a surprise that when the Key Terms were issued in Spring 2023, there was no Diversion Clause proposed. During discussion with Carter Jonas the only response provided was "This is Rampion 2 not Rampion 1. There will be no lift and shift clause."	See response to <b>20.2</b>
<b>2.28.88</b>	7.4. Rock Common Quarry is an operational facility operated by Dudman Ltd. We understand the estimated in-situ sand reserves is in the order of 100,000 tonnes with an estimated operational life in the order of 2 years, therefore demand for sand is strong.	The Applicant notes that Rock Quarry is an operational facility and that there is an undetermined planning application lodged with West Sussex County Council (ref: WSCC/028/21) for the continued working of the quarry including the winning, working and processing of sand and the importation of inert classified engineering and restoration material, the stockpiling and treating of the imported material, the placement of the imported material within the quarry void and the restoration and landscaping of the quarry . The Chanctonbury Landfill Action Group – CLAG3 and have submitted detailed objections to the proposal and despite the application being submitted in 2021 it remains undetermined. The cable route has been designed to avoid any impact on the operational quarry and therefore the Applicant does not consider there to be any conflict between the cable route and the quarry if the consent is granted in any event. It is also noted that there has been no objection to the cable route raised from Dudman Ltd.
<b>2.28.89</b>	7.5. The land to the north of Rock Common Quarry has planning permission for a ready-mixed concrete batching plant and for the importation of materials for blending, thus providing added value products. We would anticipate that Dudman Ltd would wish to continue these service lines subject to virgin sand being available. In addition, this land provides the associated sand processing plant.	The Applicant notes the separate planning permissions by which the ready mixed concrete batching plant and the importation of materials for blending have operated under. It is also noted these activities have previously been approved on the basis that they cease when quarrying operations cease at Rock Common Quarry itself. It is also

Ref	Written representation comment	Applicant's response
	<p>Clearly these are established operations and would support an application to quarry in land owned by Wiston shaded pink on the plan below. Going forward there is potential for development of the sand associated with land to the north of the A283, which could be easily linked by conveyor to the existing Dudman Ltd processing and concrete batching site.</p>	<p>noted that planning application WSCC/028/21 seeks to bring these activities under a single planning permission with the main quarry site. As such, the use of the concrete batching plant is linked to the lifespan of Rock Common Quarry, and any other future use would require a separate permission.</p> <p>With regard to the land shaded pink in the provided plan, the Applicant notes that there are no planning permissions or submitted planning applications for minerals extraction in relation to this land. It is only designated in the West Sussex Joint Minerals Local Plan (JMLP) as a Minerals Safeguarding Area (MSA), which is a different matter to policy support for minerals extraction. The JMLP therefore does not provide any specific policy support for future minerals extraction in this area.</p> <p>The Applicant notes that there has been no representation submitted by Dudman Ltd to the Proposed Development and there is no planning policy, planning applications or planning permissions which would support the idea of minerals extraction in the land owned by Wiston Estate and shaded pink on the provided plan. Therefore limited weight can be given to the consideration of the potential of this type of development in this pink area.</p>
2.28.90	<p>7.6. A mineral specialist has applied a high-level assessment of the mineral reserves, assuming a depth of 5 metres with ratio of 1 cubic metre to 1.5 tonnes. This high-level approach provides in the order of 5.2 million tonnes for the cable corridor and for the assumed severed land east and west of the cable corridor.</p>	<p>The Applicant assumes that the area of land containing the 5.2 million tonnes of sand quoted by Wiston Estates relates to the entirety of the pink-shaded area on the plan provided. No evidence has been submitted to the DCO Examination to show that there are sand resources available across all of this pink-shaded area. The MSA which is identified in the West Sussex JMLP is based on geological information provided by BGS and this indicates that the sand resources do not exist across all this pink-shaded area.</p> <p>The plan provided here by the Applicant shows the overlap of the proposed cable route, the MSA and the pink-shaded area provided by Wiston Estates. Land within the MSA and within the proposed cable route would be directly sterilised by the Proposed Development during the construction and operational stages. Land marked as 'A' contains potential sand resources but these would still be available for extraction as they are not sterilised by the cable route itself or from severance. Land marked as 'C' is outside of the MSA and the geological records of sand resource available, therefore no sterilisation can occur. This leaves a small area of land marked 'B' which is potentially subject to sterilisation from severance.</p> <p>Within this area of land, the MSA only exists as a relatively narrow band measuring between 100-160m wide and 600m in length (approximate figures). The A283 to the north provides an existing constraint on some of this land, with other sand quarries in the area utilising an approximate 35 wide buffer from roads of this type. A woodland area to the western boundary of this land would also provide a constraint to extraction. These constraints would see the area of land available become a narrow band measuring between 65-125m wide and 470m in length (approximate figures). Due to its location at the edge of the MSA, and as described in Paragraph 24.9.45 of <a href="#">Chapter 24: Ground Conditions, Volume 2</a> of the ES [APP-065], this is unlikely to be considered as a sufficiently large plot of land to allow a viable extraction site to be developed. Therefore severance is not considered to be relevant in this area.</p>



Ref	Written representation comment	Applicant's response
2.28.91	 <p data-bbox="290 789 1576 888">7.7. We enclose a WSCC plan showing the sand deposits in the county. You will note the band of sand which runs west to east through the county. Rock Common is identified on the plan. The Rampion proposal runs straight through these sand deposits.</p>	<p data-bbox="1644 289 2807 464">The Applicant has acknowledged the proposed cable route does pass through the sand resource identified by the West Sussex JMLP in <a href="#">Chapter 24: Ground conditions, Volume 2</a> of the ES [APP-065] and in the <a href="#">Planning Statement [APP-036]</a>. Due to the north/south orientation of the cable route and the east/west orientation of the sand resource it is not possible for the cable route to avoid this feature.</p>
2.28.92	<p data-bbox="290 919 1576 1087">7.8. WSCC had previously requested Wiston Estate consider putting this land into the Local Waste Plan due to the quality of the sand in this area. For strategic reasons Wiston Estate did not take this forward, as they have a live planning application for the restoration of Rock Common Quarry currently being considered. This application has been submitted to seek permission for the restoration of the quarry once extraction activities have ceased.</p>	<p data-bbox="1644 919 2807 1087">The Applicant assumes that reference here to the 'Local Waste Plan' actually means the JMLP, as this would be the appropriate document for sand extraction. It is noted that the adopted JMLP does not contain any reference to the pink-shaded land other than where it falls within the MSA. The JMLP does not provide any specific policy support for sand extraction in this area.</p>
2.28.93	<p data-bbox="290 1140 1576 1276">7.9. However, the sand potential should be considered in light of Wiston Estate ownership structure, the estate is a multi-generational estate held by the same family since 1743. Therefore, they take a long-term view and if the Rampion project goes ahead this sand potential will be sterilised for the next generation.</p>	<p data-bbox="1644 1140 2807 1276">The sand resource within the MSA that overlaps directly with the cable route could be sterilised for the construction and operational stages of the Proposed Development and this is acknowledged and assessed within <a href="#">Chapter 24: Ground conditions, Volume 2</a> of the ES [APP-065] and <a href="#">Planning Statement [APP-036]</a>.</p> <p data-bbox="1644 1297 2807 1675">There is potential for the sand to be subject to prior extraction for sale/use outside of the Proposed Development (although <a href="#">Chapter 24: Ground conditions, Volume 2</a> of the ES [APP-065] explains why this is considered to be unlikely) but greater potential exists for sands to be re-used within the proposed Development. The exact amounts available for re-use would be subject to the results of ground investigation work at later phases of the proposed development which would allow the exact quantities and quality of sand to be identified. This re-use would be controlled by the <a href="#">Outline Code of Construction practice [PEPD-033]</a>. Any remaining sand which would be sterilised would then become available again once the Proposed Development reaches the decommissioning stage. This would maintain a long-term opportunity for minerals development opportunities in this area.</p>



Ref	Written representation comment	Applicant's response
2.28.94		
<b>8. Impact on Farm Tenants and in-hand farming operations</b>		
2.28.95	<p>8.1. The position of the route takes a significant amount of land out of agricultural use during construction. It also severs fields making large areas unusable. Some of the affected land is farmed by farm tenants, and the proposals will severely impact their livelihoods. We detailed some of the practical issues above.</p>	<p>The Applicant will seek to engage further with the Land Interest and their tenants regarding detailed construction access design and accommodation works in accordance with <a href="#">Outline Code of Construction Practice (CoCP) [PEPD-033]</a>.</p> <p><b>Fencing</b> - The Applicant confirms that the construction area within the Order Limits will be fenced off for the duration of construction.</p> <p><b>Crossing/ Access Points</b> - Accommodation works (to include access points over the construction area) to seek to mitigate the impact will be discussed with the Land Interest in due course.</p> <p>Alternative crossing points which are suitable for agricultural machinery and livestock so as to minimise impact on the business, farming operation and residential property will be considered.</p> <p>The Applicant will discuss in more detail Accommodation Works with the Land Interest to ensure access is facilitated to any severed land. Where severed land cannot be farmed the Applicant would be willing to negotiate an appropriate compensation claim for disturbance.</p>
2.28.96	<p>8.2. The separation of the buildings from the main area of the holdings will have a detrimental effect on the ability to run the agricultural enterprises. Some of the farm tenants have had a poor experience with the project, having correspondence ignored and surveys being carried out without consent, which has resulted in concerns that farm tenants will not be treated fairly.</p>	<p>The Applicant has carried out extensive consultation with affected parties, including farm tenants of the Wiston Estate since 2020 as referred to within the <a href="#">Consultation Report [APP-027]</a>, Chapter 6 of which provides information on the consultation material provided under Section 42 of the Planning Act 2008 and additional methods of consultation.</p> <p>The Applicant is keen to have ongoing discussions with the land interest and their farming tenants to understand how best to implement temporary accommodation works during the construction period (e.g. fences, gates and crossing points). Also the Applicant will continue to engage further to understand the Land Interest's specific requirements to accommodate the tenant's farming and business operations and minimise disturbance wherever possible.</p>

Ref	Written representation comment	Applicant's response
<b>2.28.97</b>	<p>8.3. Some examples of this include: -</p> <ul style="list-style-type: none"> <li>• On the 19th May and the 20th May 2021 ecology surveys took place on Guess Gate Farm in advance of the environmental survey licence being agreed and signed. At this point the tenant had not even been provided with a copy of the licence to be signed. This raised significant health &amp; safety and biosecurity concerns of unauthorised third party access onto a working livestock farm.</li> <li>• On the 21st September 2021 surveyors turned up unannounced to Guess Gate Farm, despite terms being agreed in the access licence which stated that the estate and their tenants would be notified of proposed surveys and the surveyors would sign into farm log books where required.</li> </ul>	<p>The Applicant had been given verbal consent by the Land Interest's agent (which was subsequently redacted) to access the land for surveys in May 2021. Following this, all surveys were postponed until the licence was signed. In September 2021 a survey licence was signed by Wiston Estate and surveyors attended site. The Applicant understands that there was a misunderstanding regarding access instructions. As a response, planned surveys were suspended and the protocol put in place to ensure appropriate contacts were made with the farming tenant prior to surveys taking place and logs books signed.</p>
<b>9. Wet Pools Compound (Work No.10)</b>		
<b>2.28.98</b>	<p>9.1. Further information on the proposed Wet Pools Compound has been requested (shown on the plan as Work No.10). It is understood that this is a major compound. The estate has serious concerns over access, Highway safety and the impact on the local road network as the current access is poor.</p>	<p>Information on the proposed compound at Washington is set out in <a href="#">Chapter 4 of the Environmental Statement- Proposed Development [APP-045]</a>. Stage specific traffic management plan for this location will contain further details regarding the construction traffic using the compound in accordance with the <a href="#">Outline Construction Traffic Management Plan [REP1-010]</a> An outline design and road safety audit for this location will be provided by the Applicant during the Examination period to West Sussex County Council as requested by them as Highway Authority.</p>
<b>2.28.99</b>	<p>9.2. No detailed plans for the compound have been provided, including details of use such as working hours and access arrangements. Head of Terms for use of this compound were only received on the 2nd February 2024.</p>	<p>Detailed layout plans for the temporary construction compound at Washington will be completed as part of detailed design once a principal contractor is appointed.</p> <p>Working hours for the construction including the temporary compound locations are communicated as part of the DCO-Application. Please see <a href="#">Commitment C-22</a> in the <a href="#">Commitments Register [REP1-015]</a> for details on working hours. Detailed access arrangements are being worked on in coordination with the Local Highways Authority, to comply with DMRB standards.</p> <p>The Applicant welcomes the opportunity to discuss the Heads of Terms for the compound with the Land Interest.</p>
<b>2.28.100</b>	<p>9.3. We note in Rampion's submitted outline Code of Construction Practice they intend to operate with the following core working hours: 07:00 to 19:00 hours Monday to Friday and 08:00 to 13:00 hours on Saturday. This would result in significant traffic and disturbance on this compound during the rush hours.</p>	<p>Core working hours have now been reduced, with the provision of shoulder hours. Please see updated <a href="#">Commitment C-22</a> in the <a href="#">Commitments Register [REP1-015]</a> for details on working hours. Impacts to local traffic have been assessed in the <a href="#">Outline Construction Traffic Management Plan [REP1-010]</a> and further detailed in the <a href="#">Traffic Generation Technical Note [REP1-008]</a></p>
<b>2.28.101</b>	<p>9.4. The estate has previously put forward alternative sites for a compound, which have not been considered properly.</p>	<p>Please see summary in <a href="#">9.2</a></p>
<b>10. Manhole Covers</b>		
<b>2.28.102</b>	<p>10.1. It is understood that Manhole covers will be erected at 1km intervals on the route and access to these will be retained in perpetuity. We understand from Rampion that location of these will not be provided until the construction period, and they will be limited to where they can go due to the</p>	<p>Please see summary in <a href="#">10.1</a></p>

Ref	Written representation comment	Applicant's response
	cable being in set lengths. If they are located inappropriately, such in the middle of the field, this will have significant implications both operationally, such as arable farming, and for future uses, such as vineyards.	
<b>11. Failure to cover professional costs</b>		
<b>2.28.103</b>	11.1. Throughout the consultation and survey period, there has been a failure to cover the affected parties' professional costs. Much wasted professional time has been spent following up their chaotic approach to matters. This is unequitable when Wiston Estate have only incurred these costs due to the proposed project	Please see summary in <b>11.1</b>
<b>2.28.104</b>	11.2. Rampion refused to pay professional costs during the initial consultation period. This fundamentally undermines the engagement process, especially given professional costs were reimbursed during the development of Rampion 1.	The Applicant has confirmed that reasonably incurred professional fees will be reimbursed, on the provision of an accompanying timesheet to any fee account being as set out in the Key Terms for the Voluntary Agreement and in accordance with the RICS Professional Statement (Surveyors advising in respect of compulsory purchase and statutory compensation).
<b>2.28.105</b>	11.3. We do acknowledge that Rampion have confirmed they will meet professional costs during the Heads of Terms negotiations.	
<b>12. Biodiversity Net Gain</b>		
<b>2.28.106</b>	12.1. We note in Rampion submissions – Appendix 22.15: Biodiversity Net Gain Information (Document reference: 6.4.22.15) it is stated that “Three Landowners with interests over large land holdings have expressed interest to RED for the delivery of biodiversity units”.	<p>The Applicant notes this response. It should be noted that the potential to provide BNG to deliver commitment C-104 (see the <a href="#">Commitments Register [REP1-015]</a>) which is secured via Requirement 14 of the <a href="#">draft Development Consent Order [PEPD-009]</a> will be developed in detail should the Proposed Development receive consent. This is because the detailed design is necessary to get an accurate understanding of the needs to deliver both ‘no net loss’ and BNG. It is at this point when discussions with landowners would be entered into in detail (as described in <a href="#">Appendix 22.15 Biodiversity Net Gain Information [APP-193]</a>).</p> <p>The Applicant is aware of the Wiston Estate’s interest in delivering BNG based on information on the websites of the Weald to Waves Project and Bidwells.</p>
<b>2.28.107</b>	12.2. Biodiversity Net Gain was discussed with Rampion in 2021 when they engaged with the Weald and Waver Project. Wiston Estate is partner in this project. Since 2021 despite attempts to engage no further responses have been received from Rampion with respect to BNG.	Please see response to <b>25.1</b> .
<b>13. Compensation arrangements</b>		
<b>2.28.108</b>	13.1. Without prejudice to the objections above the parties are seeking to agree a position relating to several points above as well as an option and easement agreement and a compensation agreement.	The Applicant welcomes further discussions on the Heads of Terms.
<b>14. Reservations</b>		

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Ref	Written representation comment	Applicant's response
<b>2.28.109</b>	14.1. Wiston Estate reserves the position to submit further information, issues, and objections as part of the DCO process.	

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### 3. References

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British Standards Institution (BSI), (2014). Code of practice for noise and vibration control on construction and open sites –Part 1: Noise. London; BSI.

Planning Inspectorate (2018) *Nationally Significant Infrastructure Projects - Advice Note Nine: Rochdale Envelope*. [Online] Available at: <https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-nine-rochdale-envelope> [Accessed: March 2024].

Rampion Extension Development Limited (RED), (2021). *Preliminary Environmental Information Report (PEIR)*. Reading; RED.

# Appendix A

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Lot 3

# Land at Ridgeland Farm

Kent Street, Cowfold, Horsham, West Sussex, RH13 8BB

Batcheller  
Monkhouse

Our Corner of England



# LAND AT RIDGELANDS FARM

An exciting opportunity to acquire land with strategic potential, benefiting from direct access off the A272 and accesses off Kent Street. Well connected with internal roads, areas of hardstanding and, STPP, alternative uses to be considered include Commercial, Residential, Renewable Energy, Biodiversity, Recycling, Green Waste. Approximately 69.88 acres (28.27 hectares).

## Lot 1

- Of Strategic Importance (STPP)
- Gated Access from A272, with About 330 Meters of Frontage
- Large Fields
- Planning Permission
- Pond
- Hardstanding
- Access Road
- Approximately 24.70 Acres (9.99 ha)

## Lot 2

- Gated Access from Kent Street
- Post and Rail Fencing
- 3 Ponds
- Newly Established Plantation (Queen's Green Canopy Initiative)
- Area of Established Woodland
- Road Connecting Fields and Lot 1
- Approximately 21.99 Acres (8.89 ha)

## Lot 3

- Gated Access from Kent Street
- Useful Field Sizes
- Cattle Corral
- Mature Hedging
- Approximately 23.19 Acres (8.87 ha)



## DESCRIPTION

The land lies in an exceptional and much sought after location between Cowfold and Bolney, therefore the A24 and A23, it cannot be underestimated the strategic importance of this site.

The land is predominantly permanent pasture and divided into a number of very useful field sizes. There are good areas of hardstanding, internal roads, ponds, woodland, cattle corral, water supply (Lot 3).

An extremely accessible strategic opportunity, the property is available as a whole or in the following three lots:

## LOT 1

With wide main entrance from the A272 and accessed via a single gate. There is a good road connecting the large fields and running past the sub station (UK Power Networks) with good areas of hardstanding, pond, mature trees, hedging and fence. The road leads to Lot 2 or can end on the western boundary. The land extending to approximately 24.70 acres (9.99 hectares). Planning consent was granted by Mid Sussex District Council in 2004. See application No. 04/00717/FUL. This has been implemented

## LOT 2

This has its own entrance off Kent Street on the western boundary with double metal gates. A hard road runs along the northern boundary connecting the fields and into Lot 1.

The land is mainly pasture but includes a newly established plantation, area of woodland, 3 ponds and is gently undulating. The land extending to approximately 21.99 acres (8.89 hectares) with post and rail fencing and hardstanding.

## LOT 3

Also with its own entrance off Kent Street on the western boundary with metal gate. It opens immediately into a cattle corral. A number of useful fields including a very large field to the east, mature hedging and established oak trees create distinctive boundaries. The land extends to approximately 23.19 acres (8.87 hectares).

## AMENITIES

**Local:** Cowfold is approximately 1.5 miles west and the town of Haywards Heath is just under 8 miles.

**Towns:** The market town of Horsham is just under 7 miles north west, Crawley about 12 miles and Brighton about 16 miles south.

**Transport:** The A272, A23 and A24 are all easily accessed. Train stations at Horsham and Haywards Heath. Gatwick Airport is approximately 17 miles.





Lot 2

## DIRECTIONS

From Cowfold head east on the A272. After about a mile you will come to a crossroads and take the right hand turn onto Kent Street. The access gate to Lot 2 will be found on the left hand side after approximately 0.1 of a mile. For the entrance to Lot 3 continue down Kent Street and the entrance will be found on the left hand side where there is a large layby. For Lot 1 continue on the A272 past the crossroads and the entrance will be found on the right side after a third of a mile as indicated by the wide entrance. **What3words:** Lot 1 - ///masterpiece.deaf.testing. Lot 2 - ///inch.conjured.rings. Lot 3 - ///safe.staked.budgeted.

## ADDITIONAL INFORMATION

**Local Authority:** Horsham District Council, Parkside, Chart Way, Horsham, West Sussex, RH12 1RL. Tel 01403 215100. Website: [www.horsham.gov.uk](http://www.horsham.gov.uk) and Mid Sussex District Council, Oaklands Oaklands Road, Haywards Heath RH16 1SS Telephone: 01444-458166 Website: [www.midsussex.gov.uk](http://www.midsussex.gov.uk)

**Overage Clause:** Overage Agreement: Lot 1 only will be sold subject to an Overage Agreement whereby 30% of any future uplift in value resulting from any development will be retained for a period of 25 years from completion of the sale.

**Services (not checked or tested):** Mains electricity available to Lot 1. Mains water available to Lot 3. No services currently available to Lot 2.

**Rights and Easements:** The land is sold subject to and with the benefit of rights, including rights of way, whether public or private, light, support, drainage, water, gas and electricity supplies and any other wayleaves or easements. A small section of footpath crosses the south east corner of Lot 3 before continuing east. Path no. 1789. Please see agent for more details.

**Plans and Areas:** These are based on the Ordnance Survey and are for reference only. The purchaser shall be deemed to have satisfied himself or herself as to their accuracy and any error or misstatement shall not annul the sale or entitle any party to compensation in respect thereof.

**Links:** [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk), [www.nationalhighways.co.uk](http://www.nationalhighways.co.uk), [www.caa.co.uk](http://www.caa.co.uk), [www.landregistry.gov.uk](http://www.landregistry.gov.uk)

**Tenure and Possession:** Freehold with vacant possession on completion.

EGS/06/07/2023

LOT 1: GUIDE PRICE £995,000

LOT 2: GUIDE PRICE £545,000

LOT 3: GUIDE PRICE £695,000

### Viewings

For an appointment to view please contact our Pulborough Office Telephone 01798 872081 Email: [sales@batchellermonkhouse.com](mailto:sales@batchellermonkhouse.com) Please take a set of these particulars when viewing and beware of potential rural hazards, including livestock. Ensure gates are shut at all times.



Lot 3

**NOTE:**

Batcheller Monkhouse gives notice that:

1. These particulars including text, photographs and any plans are for the guidance of prospective purchasers only and should not be relied upon as statements of fact;

2. The particulars do not constitute any part of a Contract;

3. Any description provided herein represents a subjective opinion and should not be construed as statements of fact;

4. A detailed survey has not been carried out, nor have any services, appliances or specific fittings been tested;

5. All measurements and distances are approximate;

6. We strongly advise that a prospective purchaser should contact the agent to check any information which is of particular importance, particularly for anyone who will be travelling some distance to view the property;

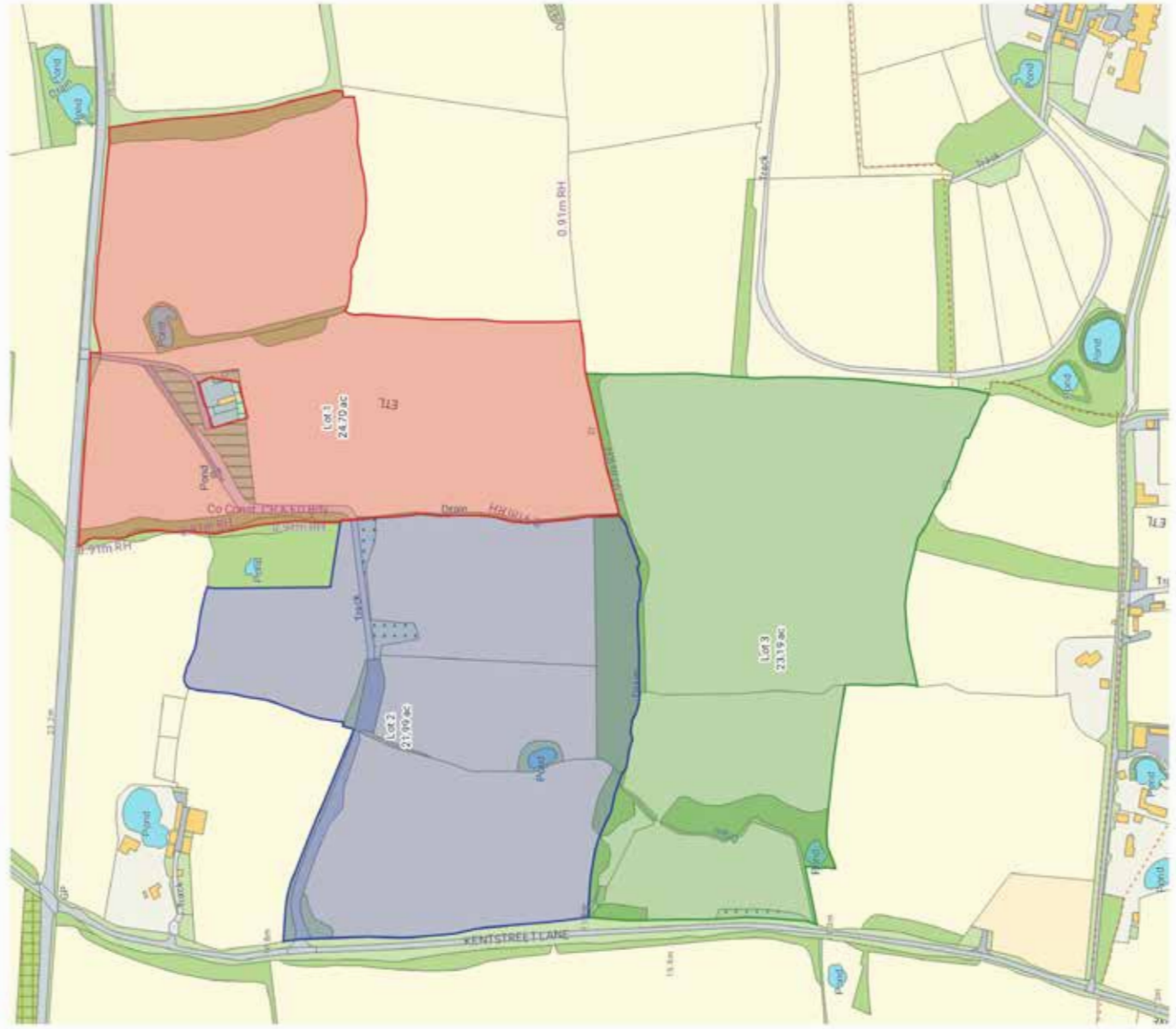
7. Where there is reference to planning permission or potential, such information is given in good faith. Purchasers should make their own enquiries of the relevant authority;

8. Any fixtures & fittings not mentioned in the sales particulars are excluded from the sale, but various items may be available, subject to separate negotiation.

9. Purchasers please note that in order to assist with your property purchase, we are able to refer you to a mortgage lender/broker. In these instances and if a mortgage is secured we may earn a referral fee. These fees vary in each case and purchasers will be informed if we receive a fee and the amount once this information is known. This service is of course not obligatory and you are free to use a mortgage provider of your choice.



Land at Ridgeland Farm, Kent  
Street, Cowfold, Horsham,  
West Sussex



For identification purposes only and excluded from any contract

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# Appendix B

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Mr Thomas Ralph Dickson  
College Wood Farm  
Spithandle Lane  
Wiston  
Steyning  
West Sussex  
BN44 3DY

Rampion 2 Project  
Rampion Extension Development Ltd  
Windmill Hill Business Park,  
Whitehill Way  
Swindon  
Wiltshire  
SN5 6PB

T: [REDACTED]  
E: [REDACTED]@rwe.com

18<sup>th</sup> May 2023

Dear Mr Dickson,

### **Proposed Cable Route in respect of the Rampion 2 Project**

I write further to the letter from Vaughan Weighill dated 28<sup>th</sup> March 2023 and our subsequent telephone discussions relating to your Kent Street land interest.

#### **Kent Street**

You submitted a representation during November 2021 objecting to the Rampion 2 cable route which is proposed to run through your land interest at Kent Street. The cable route would be the 'northern cable route' option (as presented in our summer 2021 statutory consultation – see enclosed Works Plan July 2021 42285-WOOD-PE-ON-PN-MD-0004 shown as "Works no. 12") as it exits eastwards from our proposed Oakendene substation. In our summer 2021 consultation we also consulted on a potential alternative substation location at Wineham Lane South. As you are aware, the Oakendene substation site was subsequently identified as our proposed substation site, in preference to Wineham Lane South. The cables following the northern cable route through your land interest would be required to run from our Oakendene substation at 400 kilovolts (kV) to connect to the National Grid substation at Bolney.

An alternative 'southern cable route' option, running largely to the south of your land interest, was also proposed in our summer 2021 consultation – shown on plan 42285-WOOD-PE-ON-PN-MD-004 as "Works no. 6". The proposed 'southern cable route' was principally based on cables arriving from the south from the wind farm and then heading directly east towards our Wineham Lane South option.

You have previously indicated on many occasions that your key concern with regard to the 'northern cable route' was its effect on your Queen's Green Canopy proposal (QQC), which you say has resulted in the Woodland Trust recently confirming to you in writing that they would not qualify your woodland under the QQC. In light of this, you confirmed that you would be agreeable in principle to our southern cable route, as it would not sever the woodland scheme in the same manner.

Further to your communication of the above, Rampion 2 re-visited the potential for using the southern cable route option (as consulted upon in summer 2021) specifically for



cables running from the Oakendene substation towards Bolney National Grid substation. A combination of the engineering requirements and policy constraint for a small Site of Special Scientific Interest (SSSI) immediately to the west of Kent Street, reconfirmed the conclusion that the southern route option would involve greater environmental impacts than for the northern route and that there was no justification to progress this route.

Further modifications to the southern cable route were also explored by the Rampion 2 team, to establish if a route with comparable or only marginally increased impacts to the 'northern cable route' could be identified which would be acceptable both to Rampion 2, having regard to objectively assessed impacts, and to you, and would therefore enable us to reach an agreement on the land rights required for Rampion 2.

Through this exercise, a further modified route immediately to the north of the southern cable route was identified as shown cross hatched green and orange on the enclosed plan ref 42285-WOOD-CO-ON-PN-MD-0020, which was hand delivered to your address on 7<sup>th</sup> April 2023. We discussed this plan further and you stated that, as the cable routing went through the centre of the field, it would have a sterilising impact on your farming and as such you considered it unacceptable. You requested that Rampion 2 consider:

- 1) the movement of the cable route towards the southern boundary of the field and
- 2) an extension of the proposed trenchless cable installation (by Horizontal Directional Drill (HDD)), eastwards into the next field. This would extend the drilled section further into the open cut trenched section (shown cross hatched green to the east on the enclosed plan).

The above requested changes were considered by the Rampion 2 team. However, we concluded that such a change was not justified on balance. This was due to it having greater potential impacts (including the amenity of nearby residents, effects on trees and vegetation) and significant additional cost,

We subsequently spoke on the telephone in light of the above and you indicated that the proposed cable route shown on plan 42285-WOOD-CO-ON-PN-MD-0020 would have a greater impact on your farming than the 'southern route'. You then asked for the cable to be located as far south as possible in the northern cable route corridor (as consulted on in summer 2021). I explained that there are tree and hedge buffers which need to be maintained which prevent the siting of the cable immediately adjacent to the field boundary, but that we would seek, in our final design, to site the cables as far south as possible within the DCO application boundary to reduce interference with any tree planting carried out by you so far as practicable.

I confirm that, further to the above, the northern cable route as shown on the enclosed plan will be included in our DCO red line boundary for our consent application. We remain of the view that, with ongoing planning and mutual co-operation, our proposals and the tree planting regime you have started to implement can both be delivered. Our position is based on our own analysis and publicly available information from the Woodland Trust (who administer the QGC "certification") regarding bio-diverse mixed woodlands.

I understand from our conversations that you have now planted some of the land in the proposed Rampion 2 northern cable route, but that you believe that you have left some space for the Rampion 2 cable corridor. As previously requested, please do send either Carter Jonas or I the plan for your planting scheme so that we can check the extent to which it is compatible with the cable routing that we intend to submit as per the attached plan. We will commit to try and reduce impacts where possible through detailed siting within the DCO red line boundary. We would propose to secure any such route in a

voluntary agreement and in this regard Carter Jonas will shortly be forwarding Heads of Terms for your consideration.

Please do contact me if you would like to discuss this further at this stage.

**Vicky Portwain**  
**Land Transaction Manager, Rampion 2**

Enc. Plan ref: 42225-WOOD-CO-ON-PN-MD-0020  
42285-WOOD-PE-ON-PN-MD-0004

# Appendix C

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Mr Guy Streeter  
Savills  
Exchange House  
Petworth  
West Sussex  
GU28 0BF

Rampion 2 Project  
Rampion Extension Development Ltd

c/o RWE Renewables  
Greenwood House  
Westwood Way  
Westwood Business Park  
Coventry  
CV4 8PB

T: [REDACTED]  
E: [REDACTED]@rwe.com

[Sent by email]

19<sup>th</sup> August 2022

Dear Guy,

### **Proposed Cable Route in respect of Rampion 2 Project**

I write in reference to the parcels of land owned by Mr Dickson at College Wood Farm and Kent Street and the land registered in the name of Green Properties (Kent and Sussex) Limited of which we understand Mr Dickson is a Director of the company (and sole representative in respect of discussions regarding the company land interest).

### **Mr Dickson (Title No. WSX244867 & WSX373211) "College Wood Farm"**

As you are aware, we attended a meeting on 8<sup>th</sup> April 2022 at College Wood Farm to explain our position on our cable installation approach. However, the meeting was curtailed at Mr Dickson's request, once he became aware that we were not proposing to accede to his request for the cable to be installed by trenchless means across the entirety of his affected landholding. Furthermore, you did not feel it would be appropriate (given that we were maintain our proposal for open cut trenching) to undertake the further meeting that we had arranged for 25<sup>th</sup> May 2022.

That said, our agent, Nigel Abbott of Carter Jonas did arrange a meeting attended by yourself, Freya Rawlings (Savills), Nigel Abbott (Carter Jonas) and Mr Dickson on 15<sup>th</sup> June 2022. Following the meeting, as agreed, you have kindly provided extracts / partial information of an ecology survey report undertaken at College Wood Farm which was received on 19<sup>th</sup> July 2022 and which we have subsequently considered.

I hope it will be of assistance if I explain here our position regarding Mr Dickson's request for the use of Horizontal Directional Drilling (HDD), a trenchless installation technique, instead of open cut trenching for the route across College Wood Farm.

...



In addition to the partial ecology report you have provided, Mr Dickson's request for cable installation by HDD has been considered by the Rampion 2 team engineering and environmental teams. Our conclusion remains that HDD would not be justified in this instance for the reasons listed below:

- a) HDD is a technique used by exception, where there are specific constraints or considerations which would normally make trenched installation unfeasible; such as railways, rivers, major roads and in some cases protected environmental features.
- b) Once complete, our cable route will form part of the national electricity transmission network. Policy and legislation reflects that electricity networks are developed in an "economic and efficient" manner. In this case, as in general for underground electricity cable routes, the crossing of current open pasture land at College Wood Farm would not justify the additional cost of a trenchless installation, given the temporary nature and limited effects (as assessed through our Environmental Impact Assessment process) of our open cut construction and subsequent reinstatement works. This includes consideration of the ecological status of the land set out in (c) below.
- c) The survey information provided by Mr Dickson's ecological consultant has been carefully reviewed by our ecological team, however it is difficult to make a meaningful comparison as the areas of survey differed (e.g. landholding vs. cable corridor). Therefore, it is unknown which conclusions detailed in the supplied excerpts refer to the alignment of the potential cable corridor. However, from the description of grassland provided (i.e. the species listed as dominant), it is apparent that the area has been agriculturally improved.

The difference in the conclusions drawn between the surveys is one of the degree of agricultural improvement that has occurred. It is noted that the grassland described in the excerpt of the survey report provided does not constitute a habitat of principal importance and the area is not shown on the Priority Habitat Inventory as the non-priority habitat "good quality semi-improved grassland". Therefore, regardless of whether this area is considered to be semi-improved or improved grassland, its importance from a legislative or planning policy perspective is not such that it would justify the use of trenchless installation. It should be noted that other habitats of similar composition across the route are also proposed for open cut installation of cable ducts.

- d) The hedgerows within the landholding (at least on the alignment of the cable corridor) have been identified as supporting native species. However, the sections surveyed were not judged to be "important" with respect to the Hedgerows Regulations 1997. All native hedgerows are habitats of principal importance, and therefore specific mitigation has

been devised to minimise temporary losses. This method will reduce losses to each hedgerow crossed by the cables to a maximum of 14m (in up to 5 notches). It is not possible to avoid all hedgerows for a linear project mostly passing through a farmed landscape. However, the approach to be taken is in keeping with the best practice currently available for linear projects.

For these reasons, the Rampion 2 team has concluded that open trenching rather than HDD (or other trenchless crossing methods) is a justifiable method for installing the cables at College Wood Farm.

I understand Mr Dickson's disappointment and frustration that we do not consider it appropriate to cross his land by HDD, but I can assure you that we have had due regard to his request and given it significant consideration.

I hope that the above explanation of our position is helpful, and we and our agent remain willing to meet with yourself and Mr Dickson if you wish.

**Mr Dickson (Title No. WSX397379) & Green Properties (Kent and Sussex) Limited (Title No. WSX145617 & WSX227694) "Kent Street"**

Thank you for your letter of 26<sup>th</sup> May 2022, regarding Mr Dickson's successful entry of the entirety of the land that he owns at Kent Street into the Queen's Green Canopy, as a tribute to Her Majesty The Queen to celebrate her Platinum Jubilee.

Mr Dickson's previous advisors did explain (22<sup>nd</sup> November 2021) that he had plans for tree planting and rewilding at Mr Dickson's and Green Properties (Kent and Sussex) Limited land at Kent Street, in conjunction with the Queen's Green Canopy initiative; and that this was designed to become a local community project with open public access.

At that time (November 2021), we requested details of these tree planting and rewilding plans, so that we could consider ways to work alongside them. Perhaps, for example, by using the cable corridor for public walkways, or for access tracks that would also be helpful for tree planting. Unfortunately, we have not received any response to our request for information on the planting proposals. Neither was any reference made to these planting proposals in response to the Rampion 2 Statutory Consultation process.

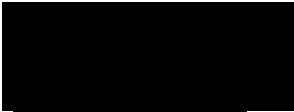
Notwithstanding this, it remains the case that we would be keen to understand and explore whether we could install our cables in harmony with Mr Dickson's proposals for his land. Therefore, I would be grateful if you could please forward to me details of the planting proposals, including details of the locations and types of the proposed trees and any associated infrastructure, and details of the expected schedule for planting and installation.

It is our intention that the cables would cross underneath Kent Street and onto the Green Properties landholding, before emerging above ground and continuing by open trench method along the route indicated in the Works Plans that accompanied our Statutory Consultation documents last year.

Once we have received this information, then I suggest that we schedule a meeting at site a few weeks later in order to discuss the planting and cable proposals.

Please note I am now on leave until Monday 5<sup>th</sup> September, so any queries in the meantime please direct these via Nigel Abbot at Carter Jonas.

Yours sincerely



**Vaughan Weighill**  
**Project Manager Rampion 2, RWE**

# Appendix D

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Mr Thomas Ralph Dickson  
College Wood Farm  
Spithandle Lane  
Wiston  
Steyning  
West Sussex  
BN44 3DY

Rampion 2 Project  
Rampion Extension Development Ltd  
Windmill Hill Business Park,  
Whitehill Way  
Swindon  
Wiltshire  
SN5 6PB

[Note new registered office]

T: [REDACTED]  
E: [REDACTED]@rwe.com

28<sup>th</sup> March 2023

Dear Mr Dickson,

### **Proposed Cable Route in respect of the Rampion 2 Project**

I write further to our video conference on Monday 13<sup>th</sup> March 2023 relating to your Kent Street land interest. Your land agent Guy Streeter and our Rob Gully were also present. You also attended a meeting at your College Wood Farm property on 15<sup>th</sup> March with Mr Streeter and 3 representatives from Rampion 2, although Kent Street was not discussed at that meeting.

### **Kent Street**

In various letters we have requested further information in relation to your Queen's Green Canopy (QGC) planting proposal. We have advised on a number of occasions that we expect that our proposals would be compatible with such a planting regime based on our own analysis and publicly available information from the Woodland Trust (who administer the QGC "certification") regarding bio-diverse mixed woodlands.

However, you have advised that our "northern"<sup>1</sup> cable route proposal is incompatible with your QGC proposals. Furthermore, you have advised us recently that the Woodland Trust have confirmed to you that the woodland would lose its QGC status if our northern route were to proceed. We have not seen any correspondence from the Woodland Trust which confirms their position on this issue.

You have indicated that you would be agreeable in principle to our "southern" route as it would not sever the QGC in the same manner. You have not advised us that the Woodland Trust's position would equally apply were we to proceed on the "southern" route.

In our subsequent call of 17<sup>th</sup> March 2023, you advised that:

- 1) You were progressing your QGC planting operation and had contractors on site that day undertaking activities associated with your proposal; and

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<sup>1</sup> These are the northern and southern 400 kilovolt cable routes which we consulted in July-September 2021 between our Oakendene substation site and the existing National Grid Substation at Bolney.

- 2) That you had terminated your contract with Savills and therefore that all contact should be directly to you.

At the date of this letter, we have not received any further information from you in relation to your planting proposals or the basis on which the Woodland Trust are said to have formed their position that the northern route would result in your planting scheme losing QGC status. In our call of Monday 13<sup>th</sup> March you stated that you did not want us to contact the Woodland Trust directly about your QGC application.

I write to confirm that further to our discussions and, in light of the above, I have instructed the project team to proceed to make a decision on our potential proposed northern or southern cable routes based on what you have informed us to be the position. That decision will be on the assumption that, when they wrote to you, the Woodland Trust were fully aware of the details of our cable route proposals in terms of routing, construction (30m) and permanent easement (20m) widths and the potential for shallow root planting over our cable route.

This consideration will comprise two scenarios albeit for the reasons stated above:

- 1) That, on the basis of the Woodland Trust response, you abort planting work that you stated is underway and do not proceed to complete your proposed woodland resulting in this opportunity not being realised; or
- 2) That you proceed with your proposed woodland, and it is necessary for Rampion 2 to remove saplings along the cable corridor.

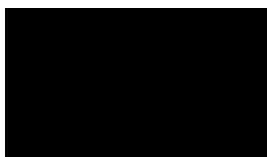
As stated in our call on Monday 13<sup>th</sup> March, we will weigh the various considerations and effects of both the potential northern and southern routes, including the above potential scenarios, in our decision. We expect to complete this work during this week and therefore I expect the Rampion 2 project to contact you by the end of this week.

### **College Wood Farm**

I confirm that my colleagues are considering the points raised at your meeting with them on 15<sup>th</sup> March 2023 and previous matters that were reiterated. I expect the Rampion 2 project to write to you in respect of these matters by the end of the week ending 7<sup>th</sup> April 2023.

I trust that the above provides a helpful update on our intentions and expected timings. I will be on annual leave at the end of this week but either Nigel Abbots from Carter Jonas (07917 210679) or our new Rampion 2 Land Transaction Manager Vicky Portwain (07831 879732) can be contacted to answer questions related to this letter. Vicky will be providing further dedicated support to the project as we seek to agree Heads of Terms and will be the principle point of contact within RWE relating to land where matters cannot be dealt with solely by our Land Agent Carter Jonas.

Yours sincerely,



**Vaughan Weighill**  
**Project Manager Rampion 2, RWE**

# Appendix E

---

Mr Thomas Ralph Dickson  
College Wood Farm  
Spithandle Lane  
Wiston  
Steyning  
West Sussex  
BN44 3DY

Rampion 2 Project  
Rampion Extension Development Ltd  
Windmill Hill Business Park,  
Whitehill Way  
Swindon  
Wiltshire  
SN5 6PB

[Note new registered office]

T: [REDACTED]  
E: [REDACTED].extern@rwe.com

11th January 2023

Dear Mr Dickson,

### **College Wood Farm: Proposed Cable Route in respect of Rampion 2 Project**

I am writing with regard to your letter dated 31/ 7/23 which I collected from College Wood Farm. I have not responded sooner as I was aware that you were preparing your representations to PINS and I did not want to confuse matters in relation to your submissions.

With regard to your letter however, I would like to respond to the points raised. I arranged for hard copies of the relevant Environmental Statement documents to be couriered to you directly at College Wood Farm on 26/10/23. Whilst I am aware you have submitted a relevant representation I respond to your points raised specifically in your letter below.

#### Plan of cable routes considered with lengths and vegetation

Please find attached the aerial photograph with cable routes that have been considered by Rampion 2 marked on (drawing 42285-WOOD-CO-ON-PN-MD-0031). This photo shows the vegetation considered through the cable route assessment. The ancient woodland has already been identified in orange hatching and all other tree belts that have influenced the design are shown on the photo. The plan also shows measurements of the different routes considered as requested.

As previously discussed the final route choices is a balanced judgement taking into account all relevant environmental and engineering considerations. In this case changing the route and lengthening it was not justified on engineering and environmental grounds as it has been elsewhere along the route.

#### Animal Welfare

In your letter you say I have ignored the issue of animal welfare outlined in the Westpoint letter and my suggestion is inappropriate and impractical. In my letter dated 24<sup>th</sup> May I outline the range of mitigation options put forward by Carter Jonas and



Rampion 2 engineers and I would be grateful if you could outline the reasons why these are inappropriate/ practical in terms of animal welfare so that these reasons can be taken into consideration.

### Health and Safety

You confirm your concerns relating to moving large numbers of cattle stock regularly through crossing points and refer to stockman injuries (1 stockman killed every 10 weeks in the period to 2022). You also state that Carter Jonas did not contact to obtain further information. Carter Jonas engagement records show that you spoke with Nigel Abbott from Carter Jonas on 26<sup>th</sup> April 2023 when you discussed your concerns regarding moving the cattle through the access points. We understand however that the conversation was steered by you back to the issues you have with the cable route and overall sterilisation of land impacts rather than detail on where the animals are moved from and to, potential for alternative grazing and potential stockman assistance.

### Reinstatement of "Double width" remnants of an ancient woodland hedgerow

You state that Rampion 2 has ignored the ecological information provided by you. The letter addressed to your agent at the time Guy Streeter from Vaughan Weighill dated 19<sup>th</sup> August 2022 sets out Rampion 2's response to the ecological report forwarded to the team (copy attached to this letter). With regard to the hedgerows impacted by the Rampion 2 cable the letter states that the hedgerows within the landholding (at least on the alignment of the cable corridor) have been identified as supporting native species. However, the sections surveyed were not judged to be "important" with respect to the Hedgerows Regulations 1997 and the hedgerow marked on Guy Streeter's plan is not ancient woodland. All native hedgerows are habitats of principal importance, and therefore specific mitigation involving the narrowing of the cable crossing to 14 m (in up to 5 notches) has been devised to minimise temporary losses. It is not possible to avoid all hedgerows for a linear project mostly passing through a farmed landscape. However, the approach to be taken is in keeping with the best practice currently available for linear projects.

The plan taken from the NE website data identifies the ancient woodland information that we have taken into consideration. Information relating to this was provided in my letters dated 14<sup>th</sup> April 2024 and 24<sup>th</sup> May 2023.

### Traffic Movement and Access

You raise concerns about the number of vehicles and consideration for emergency access for humans and animals. Emergency access will be provided – and discussions with Rampion 2 engineers can help explain this and discuss scenarios with you.

### **Kent Street**

The reason for leaving the plan directly in your letter box (as agreed with you on a phone call) was to get it to you as speedily as possible in my attempts to engage and secure an agreed cable siting position before the Rampion 2 project design freeze. I also said that I would call you to go through the plan or I would be happy to meet on site.

This attempt to further engage and to address your concerns were made notwithstanding that the consultation period ended in 2022 and the cable route had been largely fixed. I had talked through the plan with you on the phone on 7<sup>th</sup> April in my

attempts to agree an appropriate amendment informally with you prior to any formal consultation. This chain of discussion and actions following your concerns regarding the proposed cable routeing through the northern part of your Kent Street land was recorded in my letter to you of 18<sup>th</sup> May 2023 – the extract from which is set out in italics below:

*“Further modifications to the southern cable route (option) were also explored by the Rampion 2 team, to establish if a route with comparable or only marginally increased impacts to the ‘northern cable route’ could be identified which would be acceptable both to Rampion 2, having regard to objectively assessed impacts, and to you, and would therefore enable us to reach an agreement on the land rights required for Rampion 2.*

*Through this exercise, a further modified route immediately to the north of the southern cable route was identified as shown cross hatched green and orange on the enclosed plan ref 42285-WOOD-CO-ON-PN-MD-0020, which was hand delivered to your address on 7<sup>th</sup> April 2023. We discussed this plan further and you stated that, as the cable routeing went through the centre of the field, it would have a sterilising impact on your farming and as such you considered it unacceptable. You requested that Rampion 2 consider:*

- 1) the movement of the cable route towards the southern boundary of the field and*
- 2) an extension of the proposed trenchless cable installation (by Horizontal Directional Drill (HDD)), eastwards into the next field. This would extend the drilled section further into the open cut trenched section (shown cross hatched green to the east on the enclosed plan).*

*The above requested changes were considered by the Rampion 2 team. However, we concluded that such a change was not justified on balance. This was due to it having greater potential impacts (including the amenity of nearby residents, effects on trees and vegetation) and significant additional cost,*

*We subsequently spoke on the telephone in light of the above and you indicated that the proposed cable route shown on plan 42285-WOOD-CO-ON-PN-MD-0020 would have a greater impact on your farming than the ‘southern route’. You then asked for the cable to be located as far south as possible in the northern cable route corridor (as consulted on in summer 2021). I explained that there are tree and hedge buffers which need to be maintained which prevent the siting of the cable immediately adjacent to the field boundary, but that we would seek, in our final design, to site the cables as far south as possible within the DCO application boundary to reduce interference with any tree planting carried out by you so far as practicable.*

*I confirm that, further to the above, the northern cable route as shown on the enclosed plan will be included in our DCO red line boundary for our consent application. We remain of the view that, with ongoing planning and mutual co-operation, our proposals and the tree planting regime you have started to implement can both be delivered...”*

Rampion 2 and Carter Jonas representatives have made repeated attempts to engage with you since 2020 and more recently to arrange discussions to talk about mitigation measures on site. Please would you specify the incorrect evidence referred to.

#### Woodland Trust Withdrawal of Support for “Platinum Jubilee Woodland” Project

Rampion 2 has asked for information and correspondence with the Woodland Trust relating to the Queens Green Canopy project. Aside from the indicative plan your agent

forwarded which covered all of the land at Kent Street and included land not in your ownership, no further information giving any clarity on the project proposals were forwarded. Rampion 2 has not stated that the Woodland Trust has withdrawn support for the Queens Green Canopy for any trees planted at Kent Street but outlined the position according to the information provided and requested any further information which might help clarify the position further.

You state that on 18<sup>th</sup> April 2023 Nigel Abbott arranged to meet at Kent Street the following week, however he never followed it up. You were aware that we were willing to meet, but instead you requested that I leave suggested design amendment plans and information in your mailbox for consideration. You subsequently had a conversation with Nigel on 26<sup>th</sup> April where again you did not put forward any indication of wishing to proceed with the offered meeting.

#### Commitment register C204

My letter of 24<sup>th</sup> May 2023 offered supply of the extract from register if requested. This was not requested but as you have mentioned it in your letter I sent a hard copy of the commitments register to you along with other documents relevant to your interests below on 26/10/23.

#### Ecology, Cultural Heritage, Water Environment and Agricultural / Soil Assessments

The Environmental Assessment Non-Technical Summary includes summaries on the following chapters:

Document **6.2.22 Environmental Statement - Volume 2 Chapter 22 Terrestrial ecology and nature conservation.** Appendix 22 of the Environmental Statement sets out ecological surveys.

Document **6.3.25 Environmental Statement - Volume 3 Chapter 25 Historic Environment**

Document **6.2.26 Environmental Statement - Volume 2 Chapter 26 Water Environment**

Document **6.2.20 Environmental Statement - Volume 2 Chapter 20 Soils and agriculture**

The full chapters of these documents set out the assessment of impacts, methodologies and project commitments. Hard copies of these chapters, together with the Outline Code of Construction Practice and Soil Management Plan have been sent to you.

#### Outline Code of Construction Practice and Soil Management Plan

The Outline Code of Construction Practice and Soil Management Plans set out measures to be taken to manage construction impacts.

#### Stockperson Funding

Rampion 2 would be prepared to discuss the farm's requirements for availability of a stockperson and has already offered to discuss commitment to funding. However our land agent Carter Jonas needs to understand the current farm management arrangements and to discuss potential mitigation solutions before commitments can be fully closed out. I understood that Nigel Abbott tried to arrange a meeting w/c 21<sup>st</sup> August with your then newly appointed agent Chris Tipping of Batcheller Monkhouse

but you were away. We look forward to receiving potential meeting dates to progress these discussions.

### Meeting arrangements

Please do contact me directly on my mobile to arrange a site visit/ meeting and confirm if you would like this to be with an engineer. This will avoid any ambiguity with regard to 3<sup>rd</sup> party arrangements.

### Documents requested by Guy Streeter 7/11/22 15/12/22

Documents were couriered to your College Wood Farm address on 22<sup>nd</sup> November 2022. A signature for delivery was required and we understand from your agent that you were abroad on holiday at the time, so the documents could not be delivered. We immediately contacted your agent- Guy Streeter and it was agreed with Guy Streeter in your absence that the documents should be sent to his office. In Guy Streeter's email to us dated 22<sup>nd</sup> November he stated that he would give the documents to you 'in person' and we had no reason to doubt that this action had not been carried out.

### DCO Examination format

On our phonecall 18-7-23, we discussed the likely timing of an Examination and I explained that it is usual for DCO examinations to involve less formal 'hearings' set up to go through landowner representations with the Inspectors rather than a formal public inquiry setting and I advised you to write to PINS (which you advised you had already done). I was attempting to provide you with helpful information.

### Discrimination escalation correspondence

The letter dated 24<sup>th</sup> May 2023 provided details of a RWE contact outside the project and invited you to contact them should you wish to register a formal complaint. The details were provided but I understand you have not sent anything to Jodi Gunn or contacted her. Please do contact Jodi Gunn if you would like to progress those discussions.

Yours sincerely,

**Vicky Portwain**  
**Land Transaction Manager**  
**Rampion 2**

Plan 42285-WOOD-CO-ON-PN-MD-0031  
Letter from Vaughan Weighill to Guy Streeter dated 19<sup>th</sup> August 2022

Cc Nigel Abbott - Carter Jonas



# Appendix F

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523000

523500

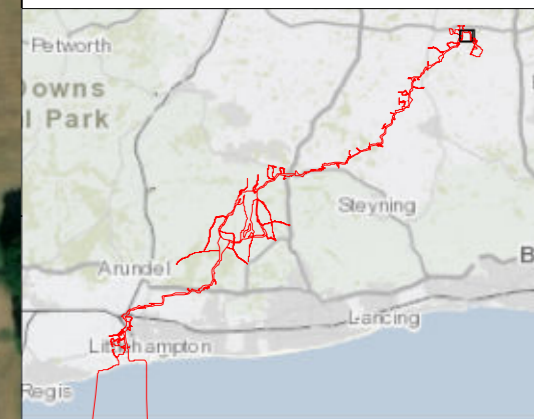
Contains OS data © Crown Copyright and database right 2020  
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



**Key**

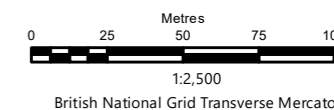
- Draft Order Limits
- Previous consultation area
- Trenchless
- Open cut
- HDD Compound

To be used for landowner discussion



**NOTES:**

i. Due to scaling, some narrow areas (i.e. existing tracks) within the red line boundary may appear as a single/solid red line on the map.



Rampion Extension Development Limited



Rampion 2 Offshore Wind Farm

Potential Alternative Cable Route East of Substation

System Identifier:	Version:
42285-WOOD-CO-ON-PN-MD-0020	1.1

Company:	Drawn By:	Chk/Aprvd:	Drawn Date:	Status:
WOOD	IM	SN	28-Mar-23	FOR USE

122000



# Appendix G

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RWE

Mr Thomas Ralph Dickson  
College Wood Farm  
Spithandle Lane  
Wiston  
Steyning  
West Sussex  
BN44 3DY

Rampion 2 Project  
Rampion Extension Development Ltd  
Windmill Hill Business Park,  
Whitehill Way  
Swindon  
Wiltshire  
SN5 6PB

[Note new registered office]

T: [REDACTED]  
E: [REDACTED].extern@rwe.com

14<sup>th</sup> April 2023

Dear Mr Dickson,

### **College Wood Farm: Proposed Cable Route in respect of Rampion 2 Project**

I write with reference to our recent phone conversations, and to the visit by my colleagues Rob Gully (Rampion 2 Consents Manager), Mark Henry (Rampion 2 Engineer) and Nigel Abbott (Carter Jonas Land Agent) to College Wood Farm on 15<sup>th</sup> March 2023.

I understand that the meeting on 15<sup>th</sup> March touched upon a number of matters related to College Wood Farm, and we have subsequently discussed your farming and other concerns and our constraints such as the ancient woodland. I would like to take this opportunity to provide you with further information on these points:

#### **1. Cable Routeing and Constraints**

You have mentioned that land along our proposed cable corridor at College Wood Farm is prone to water-logging, and we have been sent photographs that illustrate this point.

In deciding our cable route, we consider various environmental and engineering factors. The waterlogging of ground at College Wood Farm will present challenges that will need to be addressed in our cable installation methodology, and may require some particular drainage or land de-watering techniques. However, these conditions are likely to be encountered in many locations along the Rampion 2 cable route, and methods for dealing with wet ground are well-established in cable installation.

The width of our current, proposed planning application “red line” DCO boundary provides us with some flexibility to avoid wet areas of ground. However, were we to move the construction corridor further north of the current proposed “red line” DCO boundary (towards the field boundaries) then we would encounter other issues:

- We would encounter additional hedgerows and would cross additional treelines.
- We would also need to protect the root protection zones of trees, meaning that the works would need to be kept a minimum of 10m-15m away from the (non ancient) woodland areas on the property boundary.

...



- Where the property boundaries comprise of ancient woodland a buffer of 25m is required to be met and it is noted that much of the woodland to the north is designated ancient woodland and would be subject to associated protective planning policies. These areas are marked on the enclosed plan
- The project is required to use a cable routeing that is economic and efficient. Therefore, the additional cable length required by the routeing of the cable northward along the field boundary would need to be justified on environmental or engineering grounds (which we do not believe it to be).

Notwithstanding the above constraints, we have considered movement of the cable route northwards within the red line DCO. The attached plan reference 42285-WOOD-CO-ON-PN-MD-0022 shows:

- Red line DCO boundary (as published for consultation in Oct/ November 2022) -
- potential indicative 40m cable routeing hatched in green avoiding tree belt
- ancient woodland areas (minimum distance 39m from DCO red line at the closest point)

We propose to progress the “DCO red line” in order that maximum flexibility is maintained. Please do contact me if you would like to discuss this further.

## **2. Concerns raised in letter from Westpoint Farm Vets (of 10<sup>th</sup> February 2021)**

In their letter of 10<sup>th</sup> February 2021, Westpoint Farm Vets raised the concern that livestock could be injured if they gain access to cable trenches, and commented that, “This risk could be greatly reduced were the cable route to instead follow the field boundaries, thus requiring only one line of fencing.”

Our cable installation works would involve the installation of appropriate fencing (such as stock-proof fencing) along the cable route, in order to avoid cattle or other farm animals gaining access to the trenches or the construction works. This approach of fencing-off the construction working “corridor” is typical for cable installation works. Detailed access arrangements such as appropriate gates would be discussed with you.

## **3. Effect of cable installation on farming practices**

You have explained your concern that our cable proposals (and severance of your estate) would destroy your farming business, which is based on your single-handed running of your farm and also, that you believe that the operating of crossing points for cattle and sheep is not viable. You have requested that we keep our cable route to your field boundaries; allowing cattle to be farmed to the south, while hay making activities continue separately to the north (with no crossing of the cable route required).

For the reasons explained in Point 1 above, it is our conclusion that the movement of the cable corridor to the field boundaries is not appropriate. However, we would seek to work with you in order to locate and operate any crossing points over the construction corridor at appropriate locations, to enable you to move cattle back and forth as you need to or discuss alternative arrangements should you decide (as discussed) that you would not keep cattle in the northern field. Carter Jonas will be contacting you to obtain further information on this matter.

## **4. Crossing of driveway**

Where our cables cross rivers and major roads, or other significant obstacles, we would install them by “trenchless” methods such as Horizontal Directional Drilling (HDD). This involves further land take for HDD entry and exit pits and further assessment work is

required due to the more extensive nature of the works. In the case of the driveway at College Wood Farm, we propose to perform the crossing by open-cut trenching. We expect that the crossing of the drive would take less than one week, and that during this time a suitable local temporary diversion route would be established. A passing gateway (or similar) system would be put in-place for a longer period, to enable construction traffic to safely cross the driveway (and bridleway) at this point. The driveway would be returned to as good or better condition shortly after the cables have been installed, and when all works are complete and removed a final inspection would be carried out to confirm that reinstatement is acceptable.

#### **5. Danger to horse riders**

The presence of horse riders on your property has been highlighted to us. We would put in-place appropriate measures to facilitate the ongoing use of the bridleway: including fencing along the construction corridor, and appropriately located and operated crossing points over the corridor.

## 6. Access gate on driveway

You have pointed-out that the gate across your driveway is often locked, and perhaps you are concerned that were it to be open and available for regular access then the security of your property might be compromised.

I can confirm that the College Wood Farm driveway would be used only for access during the operational life of the cables. We expect that this “operational” access would be required on an infrequent basis: perhaps a few times a year and in most cases by prior arrangement (in the same way that utility companies already perhaps gain occasional access to your land).

## 7. Planning applications

You have explained that you are intending to construct a number of houses on your property at College Wood Farm

Whilst we understand that you have not yet submitted a planning application for this development, we will be happy to discuss your plans with you as they progress.

## 8. Biodiversity reports

With a letter of 19<sup>th</sup> July 2022, we received an ecological report and commentary regarding College Wood Farm.

We passed this information to our project ecologists, who reviewed it. Their conclusion was that the information it provided is useful and is consistent with the baseline ecological assessment of College Wood Farm, but does not change the approach that should be taken to construction there.

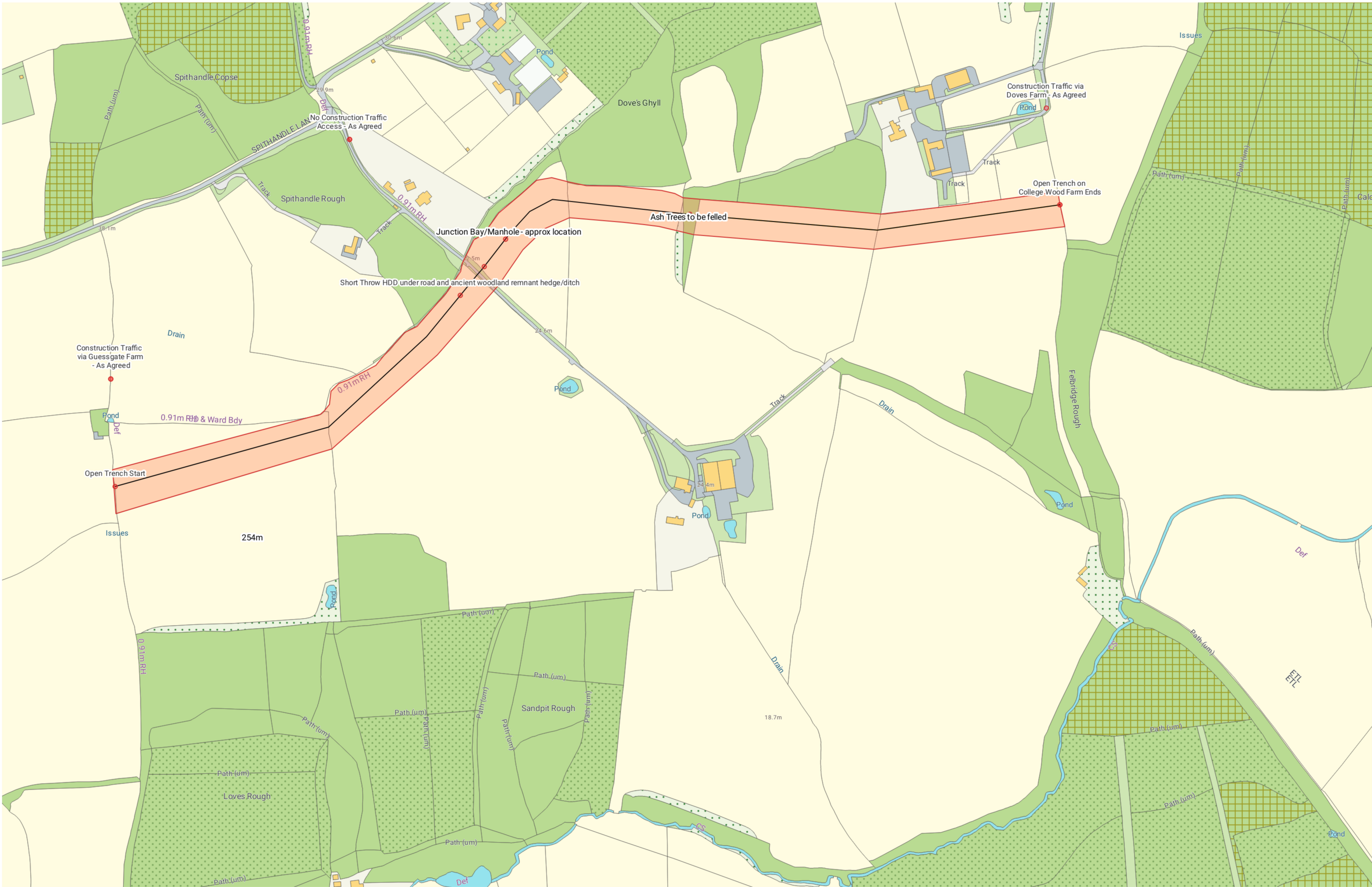
Yours sincerely,

**Vicky Portwain**  
**Land Transaction Manager**

# Appendix H

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# Appendix I

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Mr Guy Streeter  
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Exchange House  
Petworth  
West Sussex  
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GStreeter@savills.com

Rampion 2 Project  
Rampion Extension Development Ltd

c/o RWE Renewables  
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Westwood Business Park  
Coventry  
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**Sent by email only**

11<sup>th</sup> November 2022

Dear Guy

**RE: Mr T Dickson - College Wood Farm, Spithandle Lane, Steyning and Land at Kent Street, Rampion 2 - Proposed Cable**

Thank you for your letter dated 26<sup>th</sup> October. We also confirm receipt of your further letter sent directly to Tom Glover, RWE UK Chair dated 8<sup>th</sup> November, which will be responded to separately.

**1. College Wood Farm Meeting on 8<sup>th</sup> April 2022**

**(Title numbers WSX244867 & WSX373211)**

General

I believe there were differing expectations going into this meeting which did not help how the meeting went. However we disagree with some of the points made in your letter and find some of the language and tone concerning, implying that we have somehow acted in an underhand manner.

We had worked in good faith reviewing the requests made during previous dialogue and judging them on comparable technical, environmental and economic grounds as we have across the entire circa 40km cable route. This involved us going away after earlier discussions and carrying out further investigations to see if we could accommodate the requested changes.

I appreciate your client was anxious to hear the outcome of the work we had been doing looking at potential alternatives routes/installation techniques. We felt that delivering the outcomes of this was better done face to face where we could explain the reasons why we could not incorporate the requested changes.

Unfortunately the meeting was curtailed before we were able to fully explain the further work undertaken (in response to earlier dialogue) and the reasons why we do not believe we can justify a re-route or long Horizontal Directional Drill (HDD) across your client's land.

You said that the meeting was stopped at your client's request "when it became apparent that the meeting was not a consultation but merely an opportunity for RWE to confirm its intentions".

From our perspective there had been previous discussions raising requests to look again at scope to re-route or use HDD, so this meeting was to *feedback the outcome* of those investigations we had been carrying out. I appreciate the outcome was not the one desired by your client, which was why we wanted to meet in person rather than just send a letter.

#### Wider Context of HDD Request

We engage and consult with many stakeholders and landowners and it is essential that we apply a consistent approach in terms of the principles and constraints we need to consider and we attempted to explain the reasoning behind why we cannot re-route the cable or carry out what would be an unusually long HDD at this location.

Notwithstanding that the HDD requested by your client had been reduced to circa 500m from the earlier request, it unfortunately does not change the case for doing an HDD in this location. This is a technique reserved for exceptional cases to avoid linear obstacles (rivers, rail, major roads) or statutory environmental designations (e.g. SSSIs, Ancient Woodland etc..) and we must be able to justify these choices to the industry regulator Ofgem as part of an 'economic and efficient' transmission system design.

It is also worth noting that a 500m long HDD would be longer than most other onshore HDDs we are planning on the 40km cable route which are necessary to cross such linear obstacles as the River Arun, South Coast Mainline railway and the A27.

#### Agenda/Attendees

We were only informed by email at around 5.30pm on Wednesday 6<sup>th</sup> April (which wasn't read until Thursday morning) that an ecologist appointed by Mr Dickson would be joining the meeting at 10.30am on Friday 8<sup>th</sup> April. Unfortunately our ecology specialist could not be available at such notice, either to attend in person or join via telephone. Had we known in a timely manner we would have made appropriate arrangements for our specialist to join the meeting.



We do not understand your claim that we 'refused' to address Agenda item 3 (RWE Response to Alternative Route). James D'Alessandro who works in my team attempted to explain our reasoning for not choosing the alternative route to the south of the site, which we had been asked to look into by your client. A question was raised about another potential route option and where James did not have the information to hand, he undertook to report back on these points and has done so.

There may be professional disagreement on whether these alternative routes are feasible or not, but to say we 'refused' to cover this agenda item is simply not true.

#### Other Points

We note your comments on the definition of grassland and have shared this with our ecologist, and have asked that the EIA being developed by WSP (the new name for our Lead EIA consultants, formerly Wood Group) takes this information into account.

## **2. Land at Kent Street**

### **(Title numbers WSX397379, WSX145617 and WSX227694)**

Regarding your letter of 26<sup>th</sup> October in relation to the land at Kent Street, you said that we (James) had been provided with a response regarding The Queen's Green Canopy proposals at Kent Street. My point was that we hadn't been provided a response in terms of any of the information we had requested, and despite further requests to understand the planting proposals to see if there is any way we can adapt our route/corridor width through this part of your client's land, we hadn't received anything at the time of my letter.

I confirm that your letter to Tom Glover, UK Chair of RWE, has been received, which you copied me into. Tom has asked me and the team to address the points raised, which we are going to review and discuss in the coming days. I note there are suggested alternative routeings which I have asked the team to look into.

A separate response will follow once we have had further discussions on this.

You noted that none of the meetings so far have taken place at the Kent Street site, but rather at your client's other property College Wood Farm. We would of course be happy to then meet with you and your client at the Kent Street property to discuss these aspects further.

### **3. Current Consultation (18<sup>th</sup> October - 29<sup>th</sup> November)**

We are currently conducting a further Formal Consultation phase on the onshore cable route for Rampion 2 and in particular inviting feedback on proposed amendments and changes to the route. This runs until 29<sup>th</sup> November and information and response forms can be accessed at:

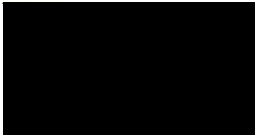
[www.rampion2.com/consultation](http://www.rampion2.com/consultation).

I would be grateful if you could let me know if Mr Dickson wishes your two letters to be treated as 'formal responses' on his behalf to the current consultation, or if he/you plan to submit further responses to the consultation?

All formal consultation replies will be assessed and taken into account in the final cable route decisions we will be making in December. Furthermore under the Planning Act 2008 we have a duty to respond to all feedback raised in a 'Consultation Report' which will accompany the final consent application.

This requires us to demonstrate how we have responded to feedback received, either through making changes to the proposals, or where there are reasons preventing us from making changes requested (environmental, technical, economic, or a combination) we have to explain this in the Consultation Report.

Yours sincerely



**Vaughan Weighill**  
**Project Manager Rampion 2, RWE**

cc: Tom Glover, RWE UK Chair  
Nigel Abbott, Carter Jonas

The Planning Inspectorate  
Temple Quay House  
2 The Square  
Temple Quay  
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# Appendix J

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Mr Guy Streeter  
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[Sent by email]

19<sup>th</sup> August 2022

Dear Guy,

### **Proposed Cable Route in respect of Rampion 2 Project**

I write in reference to the parcels of land owned by Mr Dickson at College Wood Farm and Kent Street and the land registered in the name of Green Properties (Kent and Sussex) Limited of which we understand Mr Dickson is a Director of the company (and sole representative in respect of discussions regarding the company land interest).

### **Mr Dickson (Title No. WSX244867 & WSX373211) “College Wood Farm”**

As you are aware, we attended a meeting on 8<sup>th</sup> April 2022 at College Wood Farm to explain our position on our cable installation approach. However, the meeting was curtailed at Mr Dickson’s request, once he became aware that we were not proposing to accede to his request for the cable to be installed by trenchless means across the entirety of his affected landholding. Furthermore, you did not feel it would be appropriate (given that we were maintain our proposal for open cut trenching) to undertake the further meeting that we had arranged for 25<sup>th</sup> May 2022.

That said, our agent, Nigel Abbott of Carter Jonas did arrange a meeting attended by yourself, Freya Rawlings (Savills), Nigel Abbott (Carter Jonas) and Mr Dickson on 15<sup>th</sup> June 2022. Following the meeting, as agreed, you have kindly provided extracts / partial information of an ecology survey report undertaken at College Wood Farm which was received on 19<sup>th</sup> July 2022 and which we have subsequently considered.

I hope it will be of assistance if I explain here our position regarding Mr Dickson’s request for the use of Horizontal Directional Drilling (HDD), a trenchless installation technique, instead of open cut trenching for the route across College Wood Farm.

...



In addition to the partial ecology report you have provided, Mr Dickson's request for cable installation by HDD has been considered by the Rampion 2 team engineering and environmental teams. Our conclusion remains that HDD would not be justified in this instance for the reasons listed below:

- a) HDD is a technique used by exception, where there are specific constraints or considerations which would normally make trenched installation unfeasible; such as railways, rivers, major roads and in some cases protected environmental features.
- b) Once complete, our cable route will form part of the national electricity transmission network. Policy and legislation reflects that electricity networks are developed in an "economic and efficient" manner. In this case, as in general for underground electricity cable routes, the crossing of current open pasture land at College Wood Farm would not justify the additional cost of a trenchless installation, given the temporary nature and limited effects (as assessed through our Environmental Impact Assessment process) of our open cut construction and subsequent reinstatement works. This includes consideration of the ecological status of the land set out in (c) below.
- c) The survey information provided by Mr Dickson's ecological consultant has been carefully reviewed by our ecological team, however it is difficult to make a meaningful comparison as the areas of survey differed (e.g. landholding vs. cable corridor). Therefore, it is unknown which conclusions detailed in the supplied excerpts refer to the alignment of the potential cable corridor. However, from the description of grassland provided (i.e. the species listed as dominant), it is apparent that the area has been agriculturally improved.

The difference in the conclusions drawn between the surveys is one of the degree of agricultural improvement that has occurred. It is noted that the grassland described in the excerpt of the survey report provided does not constitute a habitat of principal importance and the area is not shown on the Priority Habitat Inventory as the non-priority habitat "good quality semi-improved grassland". Therefore, regardless of whether this area is considered to be semi-improved or improved grassland, its importance from a legislative or planning policy perspective is not such that it would justify the use of trenchless installation. It should be noted that other habitats of similar composition across the route are also proposed for open cut installation of cable ducts.

- d) The hedgerows within the landholding (at least on the alignment of the cable corridor) have been identified as supporting native species. However, the sections surveyed were not judged to be "important" with respect to the Hedgerows Regulations 1997. All native hedgerows are habitats of principal importance, and therefore specific mitigation has

been devised to minimise temporary losses. This method will reduce losses to each hedgerow crossed by the cables to a maximum of 14m (in up to 5 notches). It is not possible to avoid all hedgerows for a linear project mostly passing through a farmed landscape. However, the approach to be taken is in keeping with the best practice currently available for linear projects.

For these reasons, the Rampion 2 team has concluded that open trenching rather than HDD (or other trenchless crossing methods) is a justifiable method for installing the cables at College Wood Farm.

I understand Mr Dickson's disappointment and frustration that we do not consider it appropriate to cross his land by HDD, but I can assure you that we have had due regard to his request and given it significant consideration.

I hope that the above explanation of our position is helpful, and we and our agent remain willing to meet with yourself and Mr Dickson if you wish.

**Mr Dickson (Title No. WSX397379) & Green Properties (Kent and Sussex) Limited (Title No. WSX145617 & WSX227694) "Kent Street"**

Thank you for your letter of 26<sup>th</sup> May 2022, regarding Mr Dickson's successful entry of the entirety of the land that he owns at Kent Street into the Queen's Green Canopy, as a tribute to Her Majesty The Queen to celebrate her Platinum Jubilee.

Mr Dickson's previous advisors did explain (22<sup>nd</sup> November 2021) that he had plans for tree planting and rewilding at Mr Dickson's and Green Properties (Kent and Sussex) Limited land at Kent Street, in conjunction with the Queen's Green Canopy initiative; and that this was designed to become a local community project with open public access.

At that time (November 2021), we requested details of these tree planting and rewilding plans, so that we could consider ways to work alongside them. Perhaps, for example, by using the cable corridor for public walkways, or for access tracks that would also be helpful for tree planting. Unfortunately, we have not received any response to our request for information on the planting proposals. Neither was any reference made to these planting proposals in response to the Rampion 2 Statutory Consultation process.

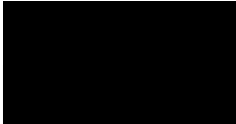
Notwithstanding this, it remains the case that we would be keen to understand and explore whether we could install our cables in harmony with Mr Dickson's proposals for his land. Therefore, I would be grateful if you could please forward to me details of the planting proposals, including details of the locations and types of the proposed trees and any associated infrastructure, and details of the expected schedule for planting and installation.

It is our intention that the cables would cross underneath Kent Street and onto the Green Properties landholding, before emerging above ground and continuing by open trench method along the route indicated in the Works Plans that accompanied our Statutory Consultation documents last year.

Once we have received this information, then I suggest that we schedule a meeting at site a few weeks later in order to discuss the planting and cable proposals.

Please note I am now on leave until Monday 5<sup>th</sup> September, so any queries in the meantime please direct these via Nigel Abbot at Carter Jonas.

Yours sincerely

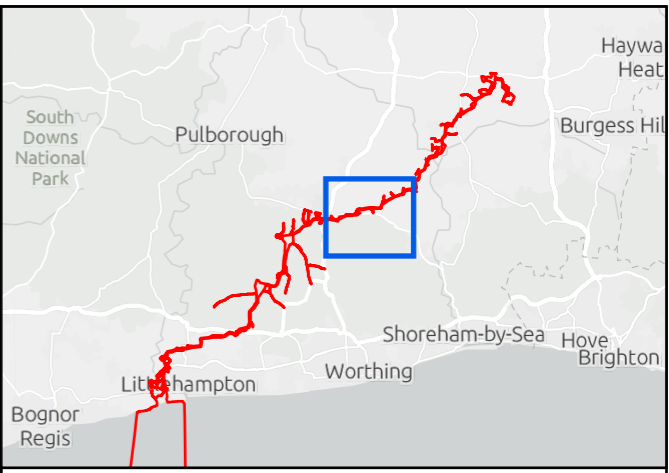
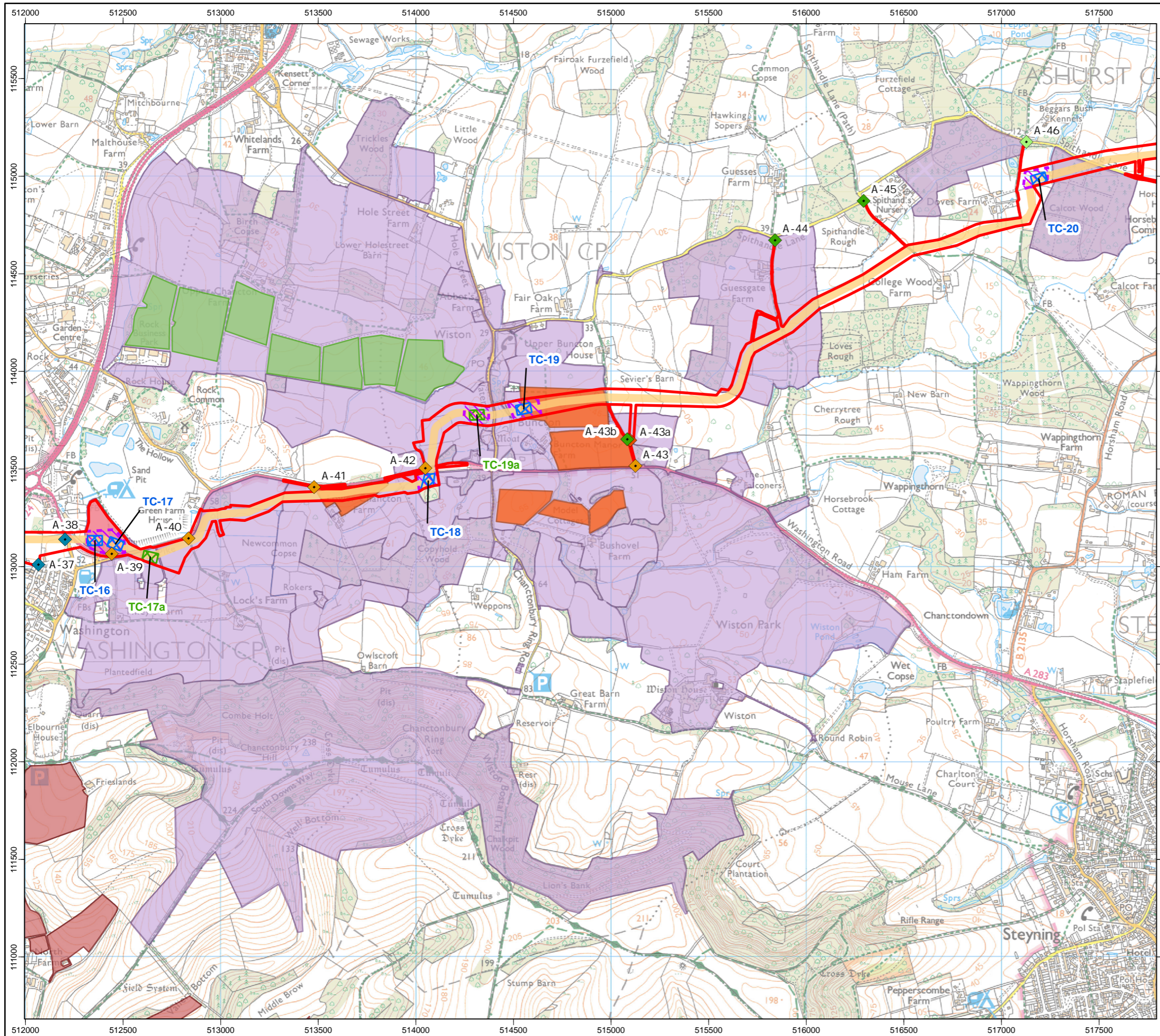


**Vaughan Weighill**  
**Project Manager Rampion 2, RWE**

# Appendix K

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**Legend**

- DCO Order Limits
- Proposed Onshore Cable Construction Corridor
- Trenchless Crossing (TC) Compounds
- Trenchless Crossing (TC) compound alternatives
- Trenchless Crossing (TC) limits of deviation
- Main Route Temporary construction compound

**Access from public highway**

- ◆ Construction
- ◆ Construction & operational
- ◆ Light construction
- ◆ Light construction & operational
- ◆ Operational

**Landownership - Wiston Estate**

- Wiston Estate Vineyard
- New Potential Vineyard
- Potential Vineyards on Green Sand
- Potential on Green Sand - tenanted

MAP STATUS

# DRAFT

MAP NOTES / DATA SOURCES:  
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PROJECT TITLE

DRAWING TITLE **Wiston Estate**

DRAWING NUMBER: **005045036** PAGE NUMBER: **1**

VER	DATE	REMARKS	DRAW	CHEK	APRD
01	19/01/2024	DRAFT	LB	RM	UP
02	14/03/2024	UPDATED	LB	VP	UP



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