

Representation from Ancleggan Limited in response to the Applicant's response to Affected Parties' Representations (Documents 8.51, Table 2-3).

1. By way of reminder, Ancleggan Limited is developing a Battery Energy Storage System ("BESS") to the north east of Bolney electricity substation.
2. The Applicant's current draft of the DCO boundary occupies a little under half of Ancleggan's BESS development boundary being approximately 5.6 acres of the approximately 12.7 acres on which Ancleggan proposes to construct the batteries and substation comprising the BESS (the "**BESS Construction Site**").
3. The Applicant has stated that it "is not in a position to refine the construction corridor for the electrical connection at this stage" insofar as its location conflicts with the BESS Construction Site.
4. Ancleggan believes that it is unreasonable for the DCO boundary to occupy so much of the BESS Construction Site for the following reasons:
 - a. Ancleggan acknowledges that the Applicant has not been able to obtain clarity on its cable route into the substation with National Grid since the Applicant accepted its grid offer in 2019.

The Applicant argues that its failure to obtain a grid connection route design from National Grid during this period is justification for the size of the overlap between the BESS Construction Site and the DCO Boundary.

However, the Applicant has now confirmed with National Grid where the Applicant's substation will be located.¹ Accordingly, the route of the Applicant's cable to its substation is entirely in the control of the Applicant (and not under the control of National Grid). It is therefore for the Applicant to agree the route with Ancleggan (which Ancleggan has been trying and remains willing to do) and other neighbouring landowners.

Further, Ancleggan believes it is unreasonable that its project should be adversely affected because the Applicant had previously failed to engage adequately with National Grid in order to determine the location of its substation and that the Applicant has subsequently failed to engage adequately with neighbouring landowners in order to determine the location of the cable route more accurately.

- b. Ancleggan believes that losing 5.6 acres from the BESS Construction Site may render it economically unviable. Ancleggan acknowledges that the Applicant will ultimately not require the whole of the 5.6 acres which is currently encompassed within the DCO boundary. Instead, the Applicant has stated that it will require a cable corridor of between 20m and 30m through this area.

The Applicant cannot, however, currently say where the cable corridor will be located within this 5.6-acre area.

¹ *Rampion 2 Applicant's Response to Relevant Representations*, Document Reference 8.24, Ecodoc 005073518-01 p. 603

As a direct result of this inability, Ancleggan cannot refine its designs for its own project in order to try to mitigate the impact of the Applicant's project on Ancleggan's project. This has a material adverse effect on Ancleggan's ability to develop its project.

- c. The Applicant acknowledges that *"loss or effect on trees is a material consideration in the planning process... it is generally incumbent on the applicant to demonstrate that the avoidance of undue impact on trees has been considered in the design process."*²

The Applicant has further *"committed to reduce habitat loss and landscape and heritage impacts by "notching" tree lines and hedges to facilitate the cable crossing wherever possible..."*³

Ancleggan believes that the Applicant has failed both of its own tests: the Applicant's response to the arboricultural survey submitted by Ancleggan states that *"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 minimizing 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 relevant constraints."*

While Ancleggan acknowledges that the Applicant has not been able to obtain a detailed grid design from National Grid and therefore may require some flexibility on the ultimate location of its cable corridor this does not mean that the DCO boundary needs to extend into the north-western portion of the BESS Construction Site if the Applicant truly wishes to minimize the removal of the trees its ecologists have identified as "mature and high quality".

Ancleggan submits that the less the DCO boundary extends into this area, the lower the impact it will have both on the G248 group of trees and on the BESS Construction Site.

- d. The Applicant notes in its response *"that in Mr. Howley's [sic] assessment the same trees (those that would be removed to facilitate the proposed cable crossing) are considered to be of moderate quality (Category B)".* Ancleggan presumes that the Applicant is referring to the Arboricultural Impact Assessment prepared by Ian Howell of Barton Hyett Associates, quoted in Table 2-3 of the *Applicant's Response to Affected Parties*⁴. If Ancleggan's understanding is correct, the Applicant's observation is factually incorrect: Mr. Howell makes no reference to Category B trees as stated by the Applicant.
5. For the reasons stated above, Ancleggan believes that the Examiner would benefit from an Accompanied Site Inspection as previously requested in its submission made on the 11 January 2024 (**PEPD-060**) and repeats its request in this regard.

² *Environmental Statement Volume 4, Appendix 22.16: Arboricultural Impact Assessment, Document Reference 6.4.22.16, Ecodoc 004866574-01, p. 65*

³ *Environmental Statement Volume 4, Appendix 22.16: Arboricultural Impact Assessment, Document Reference 6.4.22.16, Ecodoc 004866574-01, p. 62*

⁴ Document Reference 8.51, Ecodoc 005131276-01, pp 25-28