



Rampion 2 Offshore Wind Farm
Nationally Significant Infrastructure Project
EN010117

Mid Sussex District Council's Response to The Examining Authority's Written Questions (PD-009)

Interested Party Reference number: 20045303

24th April 2024

The Examining Authority's Written Questions and requests for information

- 1.1 The Examining Authority (ExA) published a list of written questions (WQ) and requests for information on Wednesday 3 April 2024 (PD-009). Within this, Mid Sussex District Council has been asked to respond on a number of specific matters.
- 1.2 This document sets out Mid Sussex District Council's response to the questions raised by the ExA and trusts the following information is of assistance to the Examination.

WQ1 DCO 1.18 - Provide a response on the Applicant's amendments to the draft DCO submitted at Deadline 2 [REP2-002] in which the definition of "Commence" in Article 2 and a number of Requirements have been amended in respect to "carving-out" onshore site preparation works for the onshore Works

- 1.3 There is no objection in principle to this approach. However, as written, the draft DCO only appears to give authority to whether the stages of onshore site preparation works are acceptable or not rather than what the scope of the works actually include. This could cause ambiguity over the expectations of the local planning authorities and the applicant. Therefore, to provide more clarity for all parties, it is suggested that Schedule 1, Part 3, Requirement 10 (2) (Stages of onshore works) should read:

*"No onshore site preparation works are to commence until a written programme identifying the stages **and scope** of those onshore site preparation works has been submitted to and approved by the relevant planning authorities and to the extent that it relates to works seaward of mean high water springs comprising Work No. 6 following consultation with the MMO."*

WQ2 DCO 1.19 - There are concerns from relevant planning authorities over the provisions of this Requirement and the reliance on the provisions contained within the Biodiversity Net Gain (BNG) Strategy Information document, Appendix 22.15 to Chapter 4 of the ES [APP-193]. The ExA notes the Applicant's responses to West Sussex CC [REP2-020] and SDNPA [REP2-024] in respect to the wording within the Requirement and the BNG Strategy Information document. However, the ExA is concerned that the BNG Strategy Information document may not contain the required evidence or clarity that BNG can be achieved, and

accordingly Requirement 14 is not adequate in its current guise. Interested Parties are asked to review the questions contained in BD (below) and consider whether Requirement 14 needs amending and suggest appropriate wording.

- 1.4 As set out in the Mid Sussex District Council's LIR (REP1-046 para 4.38), it is essential that if BNG is to be secured on site, then the applicant will need to enter into a legal agreement with the relevant local planning authority. Therefore it is considered that this potential outcome needs to be legislated for. It is noted that the ExA has raised this matter with the applicant in the written questions at DCO 1.38.

WQ3 DCO 1.24 - In the LIR [REP1-046], it is stated that Requirement 29 should also include Work No 20. In response, the Applicant states [REP2-023] that the ES [PEPD-018] has already assessed noise levels at the existing National Grid substation at Bolney and, because noise generated by the Proposed Development at this location is expected to be minimal, no additional mitigation is necessary. Provide a response, explaining whether Mid Sussex are content with the response or justify further why Work No 20 should be included within Requirement 29.

- 1.5 The Council's Environmental Protection Officer has provided further comments on this particular matter and has stated that:

"My concern is that their response wording is vague "noise generated by the Proposed Development at this location is expected to be minimal, no additional mitigation is necessary" (my emphasis). I am not disputing that they expect it to be minimal, it may well be - my concern is "what if it isn't?". We have had previous noise issues with the original substation, and low freq noise is known to be able to travel over long distances.

I therefore request that the Applicants go further than their stated response and clearly confirm that noise levels at nearby sensitive receptors will not be noticeably increased by the substation extension. If they are not willing to do this then I would say that additional protection for the residents is required."

- 1.6 The Council therefore requires some further assurance on this matter, with this being adequately provided in the event that Work No 20 is included within Requirement 29.

WQ4 *BD 1.1 - For Natural England, SDNPA, West Sussex CC*

c) It is noted that the latest metric is now the Statutory Biodiversity Metric. Explain whether the calculations need to be updated using the latest version.

d) Is there agreement on the biodiversity baseline presented in Appendix 22.15 Biodiversity Net Gain information [APP-193] for the:

i. Total number of baseline units calculated for the worst-case realistic scenario.

ii. Total number of units lost to the Proposed Development.

e) Confirm whether clarity exists on how the calculations have been done and is there agreement on the methodology and the spatial areas for which the calculations have been presented?

1.7 Mid Sussex is content for the ExA to take into account the expert ecological advice provided by Natural England, the SDNPA and West Sussex CC on this specific issue.

WQ5 *BD 1.2 - Confirm that the Applicant has adequately followed the mitigation hierarchy in respect to no biodiversity net loss and biodiversity net gain.*

1.8 Mid Sussex is content for the ExA to take into account the expert ecological advice provided by Natural England, the SDNPA and West Sussex CC on this specific issue.

WQ6 *HE 1.2 - Given the scoping out of effects upon Coombe House, Mid Sussex DC LIR in its LIR (paragraphs 4.48 to 4.50) [REP1-046] and the Applicant's response submitted at Deadline 2 [REP2-023], comment upon and justify the contribution of the site to the setting of Coombe House and the level of effect upon Coombe House, a Grade II Listed Building, from the proposed extension to the existing Bolney Substation. Justify the need for further mitigation at this location over and above that already shown on the illustrative landscape plans at Appendix D of the DAS [AS-003] given the Applicants scoping out of effects upon Coombe House*

1.9 The Council's Conservation Officer has provided the expert heritage impact advice on this issue and has provided the following comments on Coombe House, its significance, the contribution the site makes to its setting and the mitigation requirements:

“This is a Grade II listed greatly enlarged 15th- early 17th century house located in substantial grounds to the north east of the site. The house was enlarged and modernised in 1919 by noted Arts and Crafts architect Granville Streatfield, who was possibly also responsible for the relandscaping of the grounds at that time. A range of outbuildings to the north of the house appear to survive from the 19th century or earlier and may be regarded as curtilage listed- one of these, possibly a former lodge house, appears to have been converted to a separate dwelling. Also encircling the house to the west are a small number of 20th century buildings which are also now separate dwellings. Two PROWs run past the grounds of Coombe House- the continuation of the path described above running north from Bob Lane past Twineham Court Farm also passes to the east of the grounds, and a further path running broadly east from Wineham Lane skirts the north western corner of the group of buildings around the house before continuing east to intersect with the first pathway. This second PROW runs fairly close to the site before it reaches Coombe House, crossing the field adjacent to the site to the west.

Coombe House would be likely to be considered to possess architectural interest arising from its design, construction and craftsmanship, aesthetic interest based in part on the use within the earlier parts of the building of vernacular materials viewed within the landscape from which they were drawn, as well as on the designed remodelling by Streatfield, and illustrative historical interest as a good example of a rural timber framed building (possibly originally a farmhouse) of its period. The remodelling of the garden (the house’s immediate setting) by Streatfield, and surviving features and structures within it dating from this period may also be considered of interest.

As such, the surviving wider rural setting of the house will make a positive contribution to the special interest of the building and the manner in which this is appreciated, in particular those parts of that interest which are drawn from its fortuitous aesthetic and illustrative historical interests. It should be noted however that the house and its immediate garden setting are at present well screened on all sides by surrounding vegetation, with the west and north also the ancillary buildings and other dwellings noted above. The contribution of the rural setting beyond this to the manner in which the house, which is effectively invisible from outside its grounds at least in summer, is appreciated is consequently reduced, although it will still have an impact on the character of the approaches to it including along the adjacent PROWs.

The application site is at a short distance from Coombe House and is separated from it by open fields and intervening planting of varying density along the field boundary, as well as part of the existing substation. As above, the boundary of the grounds to the house are also densely planted. As a result, intervisibility between the site and the house itself is likely to be impossible. The site is however more likely to potentially affect the character of the approach to the house along the PROW which runs north from Bob Lane past Twineham Court Farm, although it is fairly remote from the path and again there is intervening screening. In my opinion the site would therefore be considered to potentially make a very limited positive contribution to the special interest of the listed building and the manner in which its special interest is appreciated.

The proposal would potentially have a minor affect on the character of the approach to Coombe House along the PROW to the east. The impact would be cumulative with the existing Bolney Substation, and is likely to be greater because of the height of the installation. In my opinion, the proposal would potentially therefore result in a degree of less than substantial harm to the special interest of the asset, at the lower end of that scale, and at a lower level than for Twineham Court Farmhouse.

In terms of mitigation, the proposed landscaping plans for either option appear to show only the retention of existing tree and hedgerow planting, although in the case of the AIS option existing planting to the south west may be partially removed. In the further development of the scheme it may be advisable for more attention to be given to the potential for further planting around the site, in particular to mitigate any negative impact on views from the PROW to the east, and Bob Lane to the south.”

WQ7 NV 1.7 - Respond to the Applicant’s response contained in [REP2-021] to the issues raised in the LIR [REP1-039], [REP1-044] and [REP1-046] respectively, with regard to the impact of construction noise and vibration from the Proposed Development on receptors. List any outstanding concerns and provide recommendations for addressing them.

1.10 Mid Sussex District Council has no outstanding concerns, assuming that the construction hours issue has been successfully resolved as referenced in Written Questions DCO 1.23.